OFFICIAL REPORT

OF THE

DEBATES

OF THE

HOUSE OF COMMONS

OF THE

DOMINION OF CANADA

SECOND SESSION—TWELFTH PARLIAMENT

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1912-13

HOUSE OF COMMONS.

TUESDAY, March 25, 1913.

The SPEAKER took the Chair at three o'clock.

REPORT PRESENTED.

Report of Veterinary Director General and Live Stock Commissioner for the year ended March 31, 1912.—Mr. Crothers.

ONTARIO SUPERIOR COURTS.

Hon. C. J. DOHERTY (Minister of Justice) moved for leave to introduce Bill No. 155, respecting the Superior Courts of the Province of Ontario. He said: The purpose of this Bill is merely to make the different dispositions of our statutes attributing jurisdiction to the courts in Ontario conform, as regards the designation of the courts to the changes effected in the judicature system by the Ontario Act entitled the Law Reform Act of 1909. That Act was brought into force by proclamation on the 1st of January of this year. Among its provisions are certain dispositions changing the designation of the courts. What was formerly known as the Court of Appeal becomes the Appellate division of the Supreme Court of Ontario, and the Court of the first instance is entitled the High Court Division of the Supreme Court of Ontario. The changes in these designations gave rise to the question whether there existed in Ontario a court of appeal, for instance, having jurisdiction with regard to reserved cases and all the different matters which, under the existing Dominion statutes, are placed within the jurisdiction of the Court of Appeal. The purpose of this legislation is merely to provide throughout all our statutes, wherever provision is made attributing jurisdiction to the Court of Appeal of Ontario, that the jurisdiction shall be exercised by the Appellate Division of the Supreme Court of Ontario, the new designation of the court, and, wherever jurisdiction is attributed to the High Court of Justice for Ontario or a judge of that court, that jurisdiction shall belong to the High Court Division of the Supreme Court of Ontario, or a judge of that court. The matter has been pressed upon me by the Government of Ontario, because it happens that there are actually pending cases requiring to be dealt with, more particularly in the Court of Appeal, now the Appellate Division of the Supreme Court, and it has been suggested that there was some doubt as to the jurisdiction of the court under its new designation.

Mr. GERMAN: Does this Bill propose to enlarge in any way the jurisdiction of the Court of Appeal, and, if so, in what manner?

Mr. DOHERTY: The Bill does not in the slightest degree enlarge the jurisdiction. It simply substitutes for the words 'Court of Appeal for Ontario' the words 'Appellate Division of the Supreme Court of Ontario,' and for the words 'High Court of Justice for Ontario' the words 'the High Court Division of the Supreme Court of Ontario,' so that in our Acts the courts of Ontario shall be designated by the names by which they are designated under the Ontario Law Reform Act.

Mr. GERMAN: It merely changes the name?

Mr. DOHERTY: That is all.

Motion agreed to, and Bill read the first time.

THE RULES OF THE HOUSE.

On the motion of Mr. White for Committee of Supply:

Hon. H. R. EMMERSON (Westmorland): Mr. Speaker, there is a matter which I wish to bring up before you leave the Chair, and that is the rules which should govern procedure in this House. I invited your attention to it the other day, and you will recall that it was ruled to be neither a question of privilege nor one of urgent or definite public importance. I bowed to your ruling, and I now desire to invite your attention, and the attention of hon. members of this House, to the subject, to which I attach a great deal of importance. It is one that involves the procedure of Parliament, and, in a measure, the privileges of members of Parliament. We are all interested, I am sure, in the maintenance of constitutional government in Canada; and, under-

lying that, there are the privileges of Parliament and the question of the proper procedure to be followed in this House, which is perhaps not of second importance to the one I have first mentioned, because upon that is based the preservation of our constitutional rights. I asked the other day for the privilege of calling your attention to:

(1) The right of Mr. Speaker to take the Chair while the House is in Committee of the Whole, unless he has received a report from the Chairman of the said committee, except in special cases provided by the rules; (2) and in the event of his so doing without any such report, or in such excepted cases, as to his right and power to do so to any other end than to adjourn the House.

I desire to discuss this question in a dispassionate and calm way, without regard to incidents that have transpired, and solely with the view of having a discussion in which I think hon. members should take part, as to the rules which prevail, and as to how far the rules of the British Parliament should govern our procedure. I shall confine myself at the outset to the first branch:

The right of the Speaker to take the Chair while the House is in Committee of the Whole, unless he has received a report from the Chairman of the said committee, except in special cases provided by the rules.

If you will permit me, Mr. Speaker, I want to call your attention to a view which I presented on this subject before it had become as acute as it has since become, when we had under discussion the subject of the right of the Speaker to take the Chair. With the indulgence of the House I will quote my utterance on March 10, in the debate of Saturday evening of the week before last. I then made this contention:

When the Speaker forms a Committee of the Whole House I submit that, until the Chairman of that committee makes a report, the Speaker is not in the Chair and there is no session of the House in the sense of the House meeting with the Speaker in the Chair. I quite appreciate the fact that a custom has grown up whereby, at six o'clock, when the committee is in session, the Speaker ascends to the Chair and announces that: It being six o'clock I leave the Chair. He cannot be considered to be in the Chair and he therefore cannot leave the Chair. It is the duty and privilege of the Chairman of the committee to make that announcement. He alone can say: It being now six o'clock I leave the Chair. It was the custom of this House in previous Parliaments and under other Speakers for the Chairman of the committee to make that announcement and it was not usual for the Speaker to ascend to the Chair and say: It being now six o'clock, I leave the Chair. It would seem to me to be beyond all question that under sub-section 4 of section 13, in the absence of the Chairman of the committee, the Speaker, in forming a committee of the Whole House, appoint any member Chairman of the committee. Under the rule that Chairman, so appointed at the time of the formation of the committee, must remain in the Chair and, before he can be relieved, he must make some sort of a report.

Then I went on to say:

I do not know that we have ever had a ruling and certainly no clearly-defined decision with respect to the matter; but I submit that there can be no decision that in any respect varies the strict legal declaration of sub-section 4.

That is, of rule 13. Now, Mr. Speaker, there are exceptional occasions when you can take the Chair while the Committee of the Whole House is convened, but those exceptions are provided for in the rules. One is with respect to the hour which is devoted to the consideration of private Bills, on Tuesday evening between 8 and 9 o'clock, and on Friday evening between 8 and 9 o'clock; the other is with respect to a message from His Excellency the Governor General. Our rules provide that, under these circumstances, even although the Committee of the Whole House is in session, it is the right and the duty of the Speaker to take the chair. On the evening of Saturday of the week before last, I called your attention to rule 14 of this House, which reads as follows:

The Chairman of the Committee of the Whole House shall maintain order in the Committee deciding all questions of order subject to an appeal to the House; but disorder in a committee can only be censured by the House, on receiving a report thereof.

I invited your attention to that rule on the occasion mentioned, impliedly putting the question: should that rule prevail in the Parliament of Canada, or should a contrary rule of the British House of Commons prevail in that regard? Now, Sir, I turn to the very first rule of this House, which says:

In all cases not provided for hereinafter or by sessional or other orders, the rules, usages and forms of proceeding of the House of Commons of the United Kingdom of Great Britain and Ireland, in force on the first day of July, 1867, shall be followed.

The proper interpretation to give to that rule, in my judgment, is that where we have not made any special provision under the rules of this House, the rules, usages, and forms of proceeding of the House of Commons of the United Kingdom of Great Britain and Ireland, in force on the first day of July, 1867, shall be followed, and shall govern the procedure of this House That rule, which stands as rule No. 1 to

day, was the last of the first rules concurred in by this House in 1867. It was the very last rule and it was in terms similar to this, with the exception that, at that time, it was not limited by the words 'in force on the first day of July, 1867,' which have since been inserted. I think they were inserted in 1909, when a committee of the House of Commons had under revision the rules of the House. On that occasion they transposed this last rule, made it the first rule and inserted these words to which I have referred. Their report was considered in the Committee of the Whole, the report of the committee was concurred in by the House, and the rules as then adopted became the rules of the House. Therefore, rule 1 of this House has been in force since we have had a Dominion parliament, and we have been governed by that rule. Where we had no special rule we were governed by the rules, usages and forms of proceedings of the House of Commons of the United Kingdom of Great Britain and Ireland which were in existence at the time of the enactment of the British North America Act. I have looked over that Act to see whether there was any provision having regard to our rights and privileges and to our authority to enact rules. I find that in section 18 of the British North America Act the following provision was made:

The privileges, immunities and powers to be held, enjoyed and exercised by the Senate and by the House of Commons, and by the members thereof, respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof.

It would then seem to be beyond all question that only the rules, usuages and forms of proceeding which prevailed and were of authority in the House of Commons of Great Britain on the first of July, 1867, were the rules which should govern this House of Commons when we had no special rule of our own to govern us or to direct us in regard to our procedure. In other words, when we have no special rule providing for certain contingencies or circumstances, we are limited to the rules, usages and forms of proceedings which prevailed and governed in the House of Commons in Great Britain in 1867.

Mr. BORDEN: The hon. gentleman knows that that was amended.

Mr. EMMERSON: But not materially to the point I am making.

Mr. BORDEN: Yes, it was amended in 1875.

Mr. EMMERSON: Yes, that is a fact, but that does not bear on the point I am making.

Mr. BORDEN: I would like to direct the hon. gentleman's attention to the fact that, while the year 1867 was originally stated, it was afterwards unlimited as to date, if I am not mistaken, by section 1 of the Act of 1875, which provides that section 18 of the British North America Act, to which he has alluded, shall be repealed and another section substituted in its place.

Mr. PUGSLEY: What is that section?

Mr. BORDEN: The section is this:

The privileges, immunities and powers to be held, enjoyed and exercised by the Senate and by the House of Commons, and by the members thereof, respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities and powers shall not confer any privileges, immunities or powers exceeding those at the passing of such Act held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof.

Mr. EMMERSON: That does not affect my point at all.

Mr. BORDEN: I do not think this section affects the rules at all.

Mr. EMMERSON: No. My point was that, under the authority of the British Parliament, our rule No. 1 confines us to the rules which were in force in 1867, and that therefore any subsequent usage or form of procedure cannot be said to govern us, or to be our rule of conduct where, under the circumstances, we have a rule of our own governing the procedure in a particular matter.

Now, Sir, we have a rule, and the question arises with respect to the procedure in committee. The fourteenth rule adopted by this House states distinctly that:

The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House; but **disorder in a committtee can only be censured by the House, on rceiving a report thereof.**

That rule places upon the chairman of the committee the responsibility of dealing with any disorder. The term 'disorder' in the rule is not limited to small disturbances; it is inclusive of every form and kind and description of disorder that can by any possibility take place in a committee of the whole House. In case disorder has arisen in a committee, under our rules, it is the duty of the Chairman to report the same to the House, and the House, on

receiving that report can take action. Without in any way referring to procedure in debate in the past, or referring to a former debate, we have had this to happen when the Chairman of the committee is presiding over the Committee of the Whole House. Mr. Speaker may be present in the House when the House is sitting in Committee of the Whole with a chairman presiding, but he is then as a private member of the House, and by the etiquette of the House his rights are restricted and limited, and he can only take cognizance of what transpires in the committee or what has transpired in the committee, upon a report to him from the Chairman in the discharge of his duties and responsibilities. We had the exhibition here of the Committee of the Whole House being in session, a chairman presiding over that committee, and at the same time Mr. Speaker taking the Chair and directing the Chairman of the Committee to order that the debate should go no further. I do not speak of this with a view of raking up the past; I speak of it in order that we may discuss the question to the end that there shall be some decision or understanding as regards the future proceedings of this House. On an occasion, Mr. Speaker, you have stated that the Speaker has the right to take the Chair at any time in case of grave disorder, and your authority for so acting you gave as the 161st rule of the English House of Commons, which reads:

In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House without question put, or suspend any sitting for a time to be named by him.

I understood you to say, Mr. Speaker, that there was a similar rule applicable to the procedure in this House under like circumstances. The 161st rule of the English House is referred to in the proceedings of May 22, 1905, but speaking from memory, that rule was adopted in 1902. My contention is that that rule is not in force in the Canadian House of Commons, and it is very material to the proper government of this deliberate body that we should have a determination as to whether my contention is right. I grant you that under the rules of the British House of Commons the Speaker can in a case of grave disorder do as you did on that occasion; but in the Canadian House of Commons we have no such rule, nor have we any rule that in any way can be considered as analogous to it. Clearly that rule was not in force in the British House of Commons in 1867; it was not in force in 1875 when the amending British North America Act was passed, and it cannot be successfully contended that it is a rule which we in the Canadian House of Commons are bound in any way to recognize. The Canadian House of Commons has in its wisdom, not later than three years ago, made a different provision with respect to just such circumstances and contingencies, by enacting the 14th rule of this House. Under that rule, the Speaker has no right, while the committee is in session, to assume the duties of the Speaker and to deal with any matter in the committee until he receives a report from the Chairman of the committee. While sitting in this Chamber as a member of the House, so far as the office of Speaker is concerned, the Speaker would be like the Sphinx, a stone dummy; he can take no cognizance officially of what transpires in Committee of the Whole House duly organized under its Chairman. The only way the information as to what transpires in the committee can come to the Speaker is through the medium of a report presented in the regular way by the Chairman of the committee. My contention is that if the 161st rule of the British House of Commons were applicable to proceedings in this House, the Speaker, having taken the Chair under such circumstances, cannot do more than adjourn the House or suspend any sitting for a time to be named by him. He has no power, no right, no authority, to direct the Chairman of the committee; he has no power or authority to declare that the debate has gone far enough and should cease. So far as the proceedings in the committee are concerned, the Chairman of the committee is supreme, subject to the action of the committee itself, he for the time being having all the authority of the Speaker, and with the right of submitting to the House for action any case of disorder that may have arisen. I think it will be admitted that rule 14 of this House has been transgressed, and that when the Speaker takes the Chair while the committee is in session, and while the Chairman of the committee is presiding, he does so without authority. It is an invasion of the rights and privileges of the Committee of the Whole; it is an interference with that committee and with the Chairman of that committee.

Is it within the power of the Speaker under such circumstances to say:

I want the Chairman to rule on this point of order; in my judgment, it has been debated away beyond the usual length, and beyond the usual privilges of debate.

The Chairman is the presiding officer of the Committee of the Whole, and presumably he acts upon his own initiative without interference from any member or from the Speaker. For the time being, the office of Speaker ceases so far as the Committee is concerned. In the English rules there is a very different provision from

that in ours. The position of Speaker in Great Britain is entirely different from the position of Speaker in this country. A Speaker in Great Britain is elected and is continued in office. He is non-partisan; he is in no way affiliated or associated with either political party. Conditions which prevail in the British House of Commons are vastly different from those which prevail in the Canadian House of Commons. With us, on the advent of a new Administration, a Speaker is selected, who is one of the Government's supporters and who is associated with the party in power. I am not complaining of that; I am only mentioning the fact. So far as lies within his power, he may seek to be immune from association with either of the political parties; but there is no use disguising the fact that the party which appoints a Speaker looks to him as one of its own, as a part of the Administration, as it were. I am not speaking of present conditions merely; I am speaking as well of conditions which have prevailed in the past. To attempt to apply an English rule, which is based on entirely different conditions, to conditions which prevail in the Canadian House of Commons, is simply to attempt a misfit; it is an impossibility; it presents an anomaly. The point is this: Can there not be some understanding in order that difficulties, which have arisen in the past and which may possibly arise in the future, may be avoided? There certainly should be some definite understanding as to what rules shall govern procedure in this House. That is a very important question. If the Chairman of the committee is but a donkey engine of the Speaker and subject to his direction, then rule 14 is entirely nugatory and should be repealed at once. It is absolutely obsolete, if the circumstances could present itself of a Chairman in the Chair with a committee in session and of the Speaker in the Chair, and the Speaker directing the Chairman to do this or that. A report must first be presented from the Chairman of the Committee of the Whole to the Speaker, who receives that report and submits it to the House. It is then for the House to take action. If some member has been named in committee or has been reported as being disorderly or as acting in contempt of the Chair, the Chairman makes a report in detail to the Speaker. Under our rule the Speaker may be called to the Chair for that purpose. The report of the Chairman is then read by Mr. Speaker to the House, and it is for the House to deal with that recalcitrant or disorderly member. In the English House of Commons, a Chairman of a committee has the power of the Speaker with regard to an offending member of a committee, and he can take action in the matter. Under those circumstances, without wishing to deal with the matter from a party standpoint, and only with the desire that conditions and circumstances shall be exposed in order that future proceedings of Committees of the Whole and of the House of Commons itself shall be governed and that difficulties may be avoided, do I attempt to present the matter before you, Sir, on this occasion. I could perhaps recall to the minds of hon. members circumstances which transpired within the last fortnight in their presence. I wish to do that, only in so far as it is necessary with a view of placing the matter in its true light and in order that a remedy may be afforded and that future occurrences of a similar character may be avoided. Something might be said in favour of the usages of Parliament prevailing, had we no such rule as No. 14.

I sought to bring this matter up merely for discussion, not contemplating, nor having any desire to censure anybody as to anything that had transpired in the past. But, Mr. Speaker, you, very properly, called my attention to a rule that you thought prevailed with respect to the necessity of giving notice of motion. You quoted from Bourinot, page 280. Referring to the Speaker, Bourinot says:

> He decides only when questions actually arise, and not in anticipation. If a member wishes to challenge his act or conduct he must proceed in the usual way by giving notice of motion on the subject.

Bourinot cites as his authority, the English 'Hansard,' Third Series, Vol. 277, pages 810 to 812. But the authority thus cited, in my humble opinion, does not bear out the dictum of Bourinot or the conclusion drawn by him. The circumstances of the case referred to do not warrant the statement that 'when a member wishes to challenge any act or the conduct of the Speaker, he must proceed in the usual way by giving notice of motion on the subject.' The case referred to was one that occurred in March, 1886. The question was one of privilege, raised by Sir H. Drummond Wolff. I shall not read the details of the case or the circumstances, but the following is part of that debate:

> Mr. Speaker: The hon. member asks me whether the answer given by the Chancellor of the Exchequer to a question put by the hon. and learned member for Chatham (Mr. Gorst) does not amount to a breach of privilege.
>
> Sir H. Drummond Wolff: No, Sir, that was not my question.
>
> Mr. Speaker: I am bound to say that the question should have been put to me at the time the answer was made; and I have to observe that the Chancellor of the Exchequer, in his answer, referred to a treasury minute bearing on the matter which has been laid

on the table of the House. When that treasury minute comes on for consideration then will be the time for putting a question as to whether the minute itself involves a breach of privilege of the House.

On account of that dictum of the Speaker, Lord Randolph Churchill did give notice that the matter would be taken up at the first opportunity, when the House was moved into committee of supply. I simply refer to this case to show that it in no way laid down the rule, nor made any authoritative statement, that, in order to bring a matter of privilege before the House challenging any act, or the conduct of the Speaker, it was necessary to give notice of motion. Your ruling, Mr. Speaker, was to the effect that that was necessary, and I bow with all deference to that ruling. I simply invite your attention to the authority cited by Bourinot in support of his contention and statement.

Now, I do not wish to dwell further upon the situation. As I have stated, I have brought this matter to the notice of the House with a view to some action being taken whereby a clear understanding may be reached as to the rights and privileges of members of this House, and the rights, privileges and responsibilities of the Chairman of the Whole House in relation to a matter that has transpired or which may in the future transpire in the Committee of the Whole when no report has been made, and, especially in view of what I conceive to be the rigid, inexorable rule of the House of Commons of Canada in that regard. I have not elaborated the matter, nor quoted, as I might have done, with a view to placing on 'Hansard' any of the proceedings that transpired a week ago Saturday night. I only hope my right hon. friend the leader of the Government, will take notice of the situation. I apprehend that he has already looked into the authorities. Whatever the decision, or whatever the understanding reached, in my judgment, it cannot come too soon, having regard to the procedure of Parliament and to the rights of members as representing their constituents on the floor of this House.

Mr. ARTHUR MEIGHEN (Portage la Prairie): I was not fortunate enough to be in my place when the hon. member for Westmorland (Mr. Emmerson) opened his address. But, I listened very carefully to such remarks as were uttered in my hearing, and I take his effort to have been one to establish four distinct conclusions. The first one that I gathered was—and if I omit or misconstrue, I should be only too glad to be corrected—that by virtue of rule 14 of the House of Commons of Canada, disorder in committee can come within the purview of the chairman alone, and that under no circumstances can it be a matter for you, Mr. Speaker, except when reported by the Chair. I take it that that is the first argument offered by my hon. friend from Westmorland. He proceeded from that to establish that you, not being in the Chair on such a regrettable occasion as took place in this House a week ago Saturday night, could not, theoretically and technically under the rule, be supposed to know what was transpiring in the House. From that he proceeded to another argument to which I shall refer later. Let me revert to the first—

Mr. EMMERSON: I did not quite understand my hon. friend's statement; will he be good enough to repeat it?

Mr. MEIGHEN: I did my best to come to some definite appreciation of my hon. friend's argument, and had some difficulty in doing so; but I understood it to be that inasmuch as you, Mr. Speaker, were not in the Chair when the disorder in committee occurred a week ago Saturday night, you could not, theoretically, be apprised, under our rules, of the disorder in committee, and consequently could not act thereon.

Mr. EMMERSON: What I said was that the Speaker, if he could act at all in that regard, could do so only on the report of the Chairman, and I stated distinctly the grounds upon which I based that argument.

Mr. MEIGHEN: I stated that as the argument adduced by my hon. friend, and only a moment will be required to deal with it. What does rule 14 say?

The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order, subject to an appeal to the House.

This has reference to ordinary questions of order, and the thoroughly established power of the Chairman in regard thereto.

But disorder in a committee can only be censured by the House, on receiving a report thereof.

The first part of this rule, my hon. friend will agree, has no application to a case of gross disorder, or, at all events, if I may call it so, a case of impulsive and impetuous disorder. The last clause, however, says that such disorder in committee as may properly be the subject of censure can only be censured on report by the Chairman to the Speaker of this House in session assembled. That is, doubtless, the meaning of it, but does my hon. friend not see that there is quite a difference between a report of disorder for the purpose of censure, and the taking of the Chair by the

Speaker for the purpose of suppressing the disorder itself? If it had been the purpose of the committee to report the disorder of any individual member, that it might be reviewed and censured by this House, doubtless the proper procedure would have been for the Chairman to have called you, Mr. Speaker, to the Chair, and to have so reported. But no disorder in committee was reported to you, Mr. Speaker, for the censure of this House. The disorder that was reported for the censure of this House was the disorder in the House after you, Mr. Speaker, took the Chair and constituted a House in regular session and not a House in committee, so that rule 14 is in no way applicable to the special circumstances that arose a week ago Saturday night.

Mr. BUREAU: If there was no disorder in committee why did the Speaker take the Chair?

Mr. MEIGHEN: Surely the hon. member would not say I am guilty of making the extraordinary statement that there was no disorder in committee. I said the committee took no action to have the disorder reported to the House for the purpose of censure; whether or not the committee should have done so is entirely another matter. I will be the last to throw out any suggestion that there was not disorder of the most regrettable and painful type in committee of this House at that time.

Mr. MACDONALD: I would call the attention of my hon. friend to what the Speaker said after taking the Chair on that occasion:

I want the Chairman to rule on this point of order. In my judgment, it has been debated away beyond the usual length, and beyond the usual privileges of debate.

Mr. MEIGHEN: That was referred to by the hon. member for Westmorland, and if my hon. friend had been listening, he would have heard me say that I would come to the latter part of the remarks of the hon. member for Westmorland in due course. I want to follow strictly the order adhered to by my hon. friend in presenting his argument to the House. It cannot be contended, Mr. Speaker, that you are necessarily oblivious to the proceedings in committee, and unless it can be argued that, according to the rules of the House, you are oblivious to those proceedings, then you have a perfect right to take any constitutional step you may desire to take as a result of those proceedings. I refer to Bourinot, at page 422:

During the sittings of the committee, the Speaker generally remains in the House, or within immediate call, so that he may be able to resume the Chair the moment it is necessary.

And in other places it is clearly laid down that you, Mr. Speaker, being a member of the House, have the right not only to be here, to be interested in and to listen to, but also to take part in, the proceedings of the committee.

Mr. EMMERSON: As a member only; not as Speaker.

Mr. MEIGHEN: Certainly, but inasmuch as the Speaker takes cognizance of the proceedings as a member, he knows what is going on. I now come to the point as to whether or not he had a right to resume his position as Speaker under the circumstances on that occasion. The hon. member for Westmorland argues that you were in error, Mr. Speaker, in two respects; first, that you had no right to take your place as Speaker of this House, and, under the circumstances, to move from your position as an ordinary member of the House; second, that, having done so, you had no right to instruct the Chairman to put the question.

I think I have stated very fairly what the hon. member for Westmorland endeavoured to prove. I contend, and do so with the utmost confidence, that not only were you, Mr. Speaker, amply justified in taking the course you did, but in doing so you performed an act that entitled you to the gratitude of this House and the lasting regard of the people of this country. I was rather astonished that the hon. member for Westmorland, when reciting the authority adduced by you a week ago today for the action you took, recited only a portion of the authority you so adduced. It may be, as my hon. friend argues, that the specific rule quoted by you was passed since 1867, but, supposing it was, it has more application, I admit, to a case of disorder that has arisen not in committee but in the House, that you should take cognizance of and proceed to act upon by way of adjourning the House. But it will be remembered that Mr. Speaker adduced another reason for his action in that regard, and that reason was supported by Bourinot at page 521. This authority, which is so eminently substantial and cannot be shaken, was assiduously ignored by the hon. member for Westmorland:

In a very urgent case of disorder, the Speaker may take the Chair immediately, without waiting for the report of the Chairman.

I will not have so little regard for the intelligence of this House as to argue that there did not exist on the night of the 15th of March a very urgent case of disorder. If there was no such case of disorder on that occcasion, then the imagina-

tion of hon. members will be taxed in vain to indicate or picture to this House what such an urgent case could be. I assume, out of regard for the intelligence of all hon. members of this House, that there was such an urgent case, and we must proceed to inquire whether or not the authority quoted by Mr. Speaker had application thereto. If it had, then it was not only the right of the Speaker, but his clear duty to resume the Chair just when he did on that occasion, without waiting for the report of the Chairman. The hon. member for Westmorland has argued that in all cases where we have no specific rule on the subject, we revert to the rules, usages and forms of proceedings in force in the motherland on the 1st day of July, 1867. We have availed ourselves of the authority vested in us under the British North America Act, as amended in 1875, to vest this House with all immunities and privileges of the mother of parliaments at any time enjoyed; consequently this rule is strictly within our power. What were the rules, usages and forms of proceedings in force in the British House on 1st July, 1867, in so far as they relate to the present case? Hon. gentlemen who were in the last parliament will remember that the purview of the words, 'rules, usages and forms of proceedings' was under discussion on an amendment to the motion to go into Supply, and received very thorough treatment at the hands of the then hon. Minister of Justice. It was laid down in that debate, and indeed, no authority is necessary to support it, for all will agree to it as a matter of common sense, that the rules referred to mean any rule, especially rules of a permanent character that are imprinted in the books and records, and are established as such by Parliament, and furthermore that they embrace all usages that might otherwise be called the common law of Parliament, and they become usages by virtue of precedent, however rare that precedent may be. So long as they have been acted upon, and are unquestioned as usages in the British House, then they are such usages as were in force on 1st July, 1867, and Parliament has vested us with authority to act thereupon. One would have thought that the hon. member for Westmorland, would have traced the authority for the assertion of Bourinot when it had been quoted by you, Mr. Speaker. Bourinot, in inserting this in his book, thereby gives it as his opinion that that rule is applicable here, and in support of that opinion he quotes one specific authority, the Fuller case, in the British House in 1810. I have gone further back, and I have found an authority of an earlier date; I go back to 1675.

Some hon. MEMBERS: Oh, oh.

Mr. MEIGHEN

Mr. MEIGHEN: Hon. gentlemen may think it looks like straining the case to get an authority so far back in history, but they must remember that in regarding the antiquity of the authority for your action, Mr. Speaker, they must also have regard for the antiquity of the offence. When I set about to find authorities, I made up my mind that I would have to get pretty close to the days of barbarism in order to get a precedent for the conduct of hon. gentlemen opposite on that Saturday night. In May's Parliamentary Practice, page 367, we find that the following incident occurred in the British House in the year 1675:

An outbreak of disorder in a committee, by which the honour and dignity of the House were affected, has justified the Speaker in resuming the Chair immediately, without awaiting the ordinary forms.

That is very clear and pertinent to the present case.

On the 10th May, 1675, a serious disturbance arose in a Committee of the Whole House, which threatened bloodshed; the Speaker thereupon 'very opportunely and prudently rising from his seat near the bar, in a resolute and slow pace made his three respects through the crowd, and took the Chair.'

These words are in quotation marks, having been taken from the records of that time, and the quotation is couched in the language peculiar to that time:

The mace was laid upon the table; the disorder ceased; and the Speaker stated that it was to bring the House into order again, that, 'though not according to order,' he had taken the Chair.

Some hon. MEMBERS: Hear, hear.

Mr. MEIGHEN: That appears to have been the first precedent; and consequently Mr. Speaker was quite justified in the assertion; but once he acted the authority and the precedent were established. No other entry appears in the Journal than that 'Mr. Speaker resumed the Chair,' and it is Journal entries that constitute a precedent for this House to follow. The Journal entry is as follows:

'Mr. Speaker resumed the Chair,' but the **same report adds that though some gentlemen excepted against his coming into the Chair, the doing it was generally approved, as the only expedient to suppress the disorder.**

That is evidently applicable to the case now in question.

This incident has not been repeated——

Some hon. MEMBERS: Hear, hear.

Mr. MEIGHEN: I think there must be a misprint there, for the same author goes on to say that it has been repeated.

Mr. MACDONALD: After the committee had reported progress.

Mr. MEIGHEN: I will come to that in a moment. (Reading):

—for subsequently when a member who, for disorderly conduct, had been ordered into custody, returned into the House, during the sitting of a committee, in a violent and disorderly manner, upon a report of progress, the Speaker resumed the Chair, and ordered the Sergeant to do his duty.

Hon. gentlemen will look the records of that case in vain to find that progress was reported.

Mr. MACDONALD: Take the next case.

Mr. MEIGHEN: No, we will take this case. The case referred to is the Fuller case, which occurred in the British House in 1810, when an hon. member of that House became disorderly in committee, There was an excuse for him as the records of the case clearly show; but he became disorderly in committee, and was reported to the House in the usual way. That was when the report occurred. Then he was named and ordered to withdraw, and the committee resumed its business. After the committee resumed its business on the 27th of February, 1810, and again became a Committee of the Whole:

The hon. member in question rushed from the custody of the Sergeant-at-Arms and forcibly entered the House in a disorderly and riotous manner. Then Mr. Speaker resumed the chair without a report, and ordered the Sergeant to do his duty.

That is the case here exactly. Will any hon. member say there was nothing like that? Will any hon. member argue that if one individual enters this House while it is in committee and thereby creates a disturbance, and that that gives the Speaker authority to resume the Chair to establish order again, in another case, where not only one, but say fifty members of the committee became riotous and disorderly, there is no authority at all for you Mr. Speaker to take the Chair? The very circumstances of the case are such as to make the report of the Chairman a matter of practical impossibility, and it is by virtue of these extraordinary circumstances that the Speaker is justified in such cases in taking the Chair. A full report of that case is in 'Hansard' of 1810, on the 27th of February, and the discussion took place on the day following the 1st of March. The report in May goes on to quote another case, not I think as clearly applicable to this case, although apparently from May it is applicable. This case occurred in 1815.

Mr. DEVLIN: In the case to which my hon. friend has referred, did the Speaker not simply come into the Chair to adjourn the House?

Mr. MEIGHEN: No. If the hon. gentleman will read the report, he will see that there was no adjournment in either case. They went on with the business.

Mr. DEVLIN: Was not that a case of the Speaker coming in and naming a member?

Mr. MEIGHEN: No, nor did Mr. Speaker come into this Chamber to name any hon. member. He came into the Chair to preserve or restore order, and if hon. gentlemen had had regard to this purpose, there would have been no need to name any hon. member.

Mr. MURPHY: That was not what Mr. Speaker said was his reason for taking the Chair.

Mr. MEIGHEN: I will come to that later. The hon. member for Russell (Mr. Murphy) would hardly ask this House to reverse the action taken by Mr. Speaker if there was ample justification for it, no matter what justification might at the time have been alleged. I read at page 367:

So also, when during the sitting of the committee on the Corn Bill, 6th March, 1815, tumultuous proceedings took place outside, and one member complained that the House was surrounded by a military force, and another that he had been beset by a mob, on the report of progress, the Speaker resumed the Chair, and, the matter having been considered, the committee was resumed.

That is not a case that is on all fours with the other two cases quoted; but the other two cases are amply sufficient to justify the action of Mr. Speaker in resuming the Chair, on the occasion in question.

Now, it is argued that, even granted that you were within your rights and that you were acting in the clear pursuance of your duty in so resuming the Chair, you exceeded your authority in ordering the Chairman to put the question. What are the facts? The Chairman of the committee had risen to put the question, was about to put the question and he was on the point of being forcibly prevented from putting it by hon. members of this House either by force of arms or by force of voice.

Mr. PUGSLEY: I rise to a point of order. The hon. gentleman's statement is entirely unfounded. There is no justification whatever for the statement that he was being prevented by force. We were appealing to his reason and we were endeavouring to make him hear and understand that a member was on the floor of the House desiring to address the committee.

Mr. MEIGHEN: What I said was that an attempt was being made to prevent him from putting the question either by force of arms or force of voice. I was under the impression that both were resorted to, but

I am positive that one was. That being the case, the putting of the question was the immediate point of business before the Committee of the Whole. You entered the Chair, Mr. Speaker, which meant that you entered it under the initial authority of the action of the Speaker, referred to in May, in 1675, who had taken the Chair on that occasion to bring the House into order. At page 367 of May it is stated:

> The mace was laid upon the table; the disorder ceased; and the Speaker stated that it was to bring the House into order again. . . . that he had taken the Chair.

That being your purpose, and that purpose being your justification, then, you were entitled to do all such things as were necessary to bring the House to order. The precise business before the House was the putting of that question; consequently, until that immediate point of business should be resumed, you were simply fulfilling your duty in bringing the House to order. So, I argue that you were quite within your rights in asking that the question be put because it was the clear and undisputed intention of the Chairman to put the question. But, even supposing that you were wrong and that you had not authority to order the question put, would the result be anything fatal? The only result would be that the Chairman would not be bound to obey your injunction. Your remarks would be a nullity or they would be what are ordinarily known as a surplusage. There would be no invasion of rights and if the Chairman was not justified in putting the question, he could not plead that he was fortified in doing so by the order of the Speaker.

Mr. EMMERSON: The Speaker could have named him in that case.

Mr. MEIGHEN: The Speaker had not the power to name anybody that I am referring to now.

Mr. EMMERSON: Supposing the Chairman had not obeyed the order?

Mr. MEIGHEN: If hon. gentlemen will not agree to my first argument that it was part of the duty of the Speaker to direct that the point of order that was before the committee should be decided, then I say that, even if we concede them to be right in that, the effect is only that the Chairman is not bound by what the Speaker says beyond the purview of his power.

Mr. PUGSLEY: What would be the result on the Chairman of disobeying the order of the Speaker?

Mr. MEIGHEN: If hon. gentlemen argue that the Speaker has no power to make the order the effect would be nil.

Mr. EMMERSON: If the Speaker, not being in the Chair properly, named an hon. member, the hon. gentleman contends that he is not naming him.

Mr. MEIGHEN: I do not know what the hon. gentleman is trying to get at. Nothing can be clearer than that Mr. Speaker was in the Chair properly and, being in the Chair with authority, he had a right to be obeyed, and in consequence of any hon. member disregarding the Chair, he was subject to being named. But so far as your conduct, Mr. Speaker, in insisting upon the continuance of the procedure upon which the committee was engaged when the disorder arose, is concerned, you acted within your clear duty in ordering that it be resumed and that the business of the committee be got under way before you left the Chair. So far from anything out of the way having been done on the part of yourself, Mr. Speaker, on Saturday night the 15th March, I contend that under the very extraordinary circumstances, you did what was your clear duty and that you acted within the rules and usages of this House and that, so far from being obliquely censured by hon. gentlemen opposite, it is much more in line with their duty to pay you that respect and gratitude which you on that occasion, as on many others, made yourself entitled to.

Mr. HUGH GUTHRIE (South Wellington): Mr. Speaker, if I may be permitted to express an opinion, it would be that the hon. member for Portage la Prairie (Mr. Meighen) has entirely misapprehended the nature of the matter which my hon. friend from Westmorland (Mr. Emmerson), has seen fit to bring before the House. My hon. friend from Westmorland was most careful to inform the House that, in bringing this matter up for discussion, he had no intention to censure or criticise any action of Your Honour, but merely to ascertain for the future what was to be the recognized procedure of this House in the event of a repetition of the scenes which prevailed in this Chamber on Saturday evening, the 15th of March. The hon. member for Portage la Prairie has gone very wide of the mark and has occupied the time of the House in tilting against windmills by seeking to apologize for and uphold some action of your honour that has not been attacked by anyone on this side of the House. I would say, Mr. Speaker, at the outset that, under normal conditions, I would hesitate merely to express any opinion of my own in regard to the business of this House where my opinion might come in conflict with any opinion or action of yours in regard to the procedure in this Chamber. We all realize that the conditions which prevailed in the Chamber on Saturday, the 15th of March, were decidedly abnormal.

At a moment when there was considerable excitement in the Chamber, without any opportunity given to Your Honour for consideration or reflection, Your Honour of your own motion, while this House was sitting as a Committee of the Whole regularly and formally engaged in considering the clauses of a public Bill, undertook to take the Chair. And the rule being asked for upon which Your Honour acted, Your Honour stated it was rule 161 of the English rules, and you also made reference to the statement contained in Bourinot, which my hon. friend from Portage la Prairie (Mr. Meighen) has referred to. I have a proper respect, Sir, for the very high office which you occupy with so much dignity and firmness. On this side of the House we are just as intent as is Your Honour in maintaining to the fullest the dignity and the authority of the Chair. We realize that the authority of the Chair, properly administered, constitutes the chief safeguard of the rights of the minority in the discussions in this Chamber, and I am sure I express not only my own opinion but the opinion of every member of the Opposition when I state quite openly that we entertain a very high opinion of Your Honour's accurate knowledge of the rules applicable to the conduct of business in this Chamber. However, the best opinion, and the best informed member of the Chamber, under the strain of excitement, in the heat and haste of the moment, may very easily quite unconsciously fall into error. What I submit to Your Honour, without desiring to refer particularly to what transpired in the Chamber on the occasion in question, is, that Your Honour did not have that time for consideration and reflection which might be necessary under such strained circumstances; and that had your honour had time for consideration and reflection—which Your Honour might have asked for if you so desired—I doubt that your honour would have taken the course which you saw fit to take. That incident is closed and I do not desire to refer to it more than for the purpose of having the future course of procedure in this House decided. There is no doubt there is a correct procedure and an incorrect procedure. My hon. friend from Westmorland (Mr. Emmerson) has brought this matter to the attention of the House simply for the purpose of having the correct procedure defined, so that in the future if unhappily another similar occasion should arise, we may apply the correct procedure and be bound by it. I contend, Mr. Speaker, that however high my opinion may be of your knowledge and authority in regard to the rules which appertain to the conduct of business in this House. Your Honour was in error in the course which you pursued while the House was sitting in Committee on Saturday, the 15th instant. I state my opinion after having given the best consideration I can to the rules of this House, to the formal rules which have been adopted in the British House of Commons, and after having consulted the various text writers and constitutional authorities and given them the best thought within my power, I have come to the conclusion that Your Honour's action on that occasion was not according to proper parliamentary procedure. I cannot understand how, having regard to rule 14 of the rules governing the procedure of this House, my hon. friend from Portage la Prairie could offer the opinion he has just offered to the House. Rule 14 meets the case exactly; it is precise, it is definite in its language, it is brief; it reads:

> The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House; but disorder in a committee can only be censured by the House, on receiving a report thereof.

That rule fits the case precisely. There can be no dispute that the House was in Committee of the Whole regularly constituted. If Your Honour's action was correct, what would the situation be? It certainly would be an anomalous one; for we would have in reality two presiding officers in this Chamber at the same time. What I submit to Your Honour is that the moment the House goes into committee Your Honour's duties as Speaker of the House, so far as any discussion in the Chamber is concerned, are terminated, and Your Honour sits in Committee of the Whole just as any other member sits. It is laid down by authorities that your Honour as a member of the committee has the right to speak in the committee, and to vote in the committee. As a rule, it is true, the Speaker does not exercise his right either to speak or to vote in committee, but in England, on several occasions during the past century, Speakers have spoken and voted in committee. The authority for this is cited in May's Parliamentary Procedure, pages 368-369, and Bourinot, page 282. The point is that the Speaker is a member of the committee, and as a member of the committee he is subject to the ruling of the Chairman of the committee just as any other member of the committee, and he has no right to disregard the Chair, or to interrupt the Chair, or to take the floor while the Chairman is on his feet. I submit that while the Chairman of that committee was on his feet on Saturday, the 15th instant, when Your Honour, of your own motion, took the Chair, you had no authority for so doing. There was no report from the committee to the House, and Your Honour's action was irregular if that rule is in force. The only incidents cited by the hon.

member for Portage la Prairie to support your action were the three cases given in May's Parliamentary Procedure. The first case is the old case in the reign of the Stuarts in which, for the purpose of avoiding imminent bloodshed, the Speaker took the Chair while the committee was sitting and stated to the House that he had not done so according to order. Surely that should be an answer to the argument of my hon. friend (Mr. Meighen) that that case is a precedent which should be followed. It was improperly done by the Speaker on that occasion—done not according to order, as he stated himself. If the Speaker can act contrary to the rules of the House in one instance, why may he not do so in every instance? Rules are framed in this Parliament and in every parliament to bind members and Speaker. I submit, therefore, that the case which was cited by my hon. friend from Portage la Prairie (Mr. Meighen), which occurred in the year 1675, is not a precedent at all for Your Honour's action. It was entirely out of order at the time when the incident took place and it would be out of order still unless it complied with our rules or with some law or usage of parliament, and I submit that no such law or usage is in existence.

As regards the Fuller case, that is the case upon which Mr. Bourinot has made the statement referred to by Your Honour on the 15th of March. I do not read the Fuller case, as does my hon. friend from Portage la Prairie. Sir Thomas Erskine May, whose authority I do not think will be questioned in such matters, states the Fuller case in this way; at page 367, he says:

> Subsequently when a member who, for disorderly conduct had been ordered into custody, returned into the House, during the sitting of a committee in a violent and disorderly manner, upon a report of progress, the Speaker resumed the Chair and ordered the Sergeant to do his duty.

Mr. MEIGHEN: Has the hon. gentleman read the actual account of the occurrence?

Mr. GUTHRIE: I am coming to that.

Mr. MEIGHEN: He will find that there was no report of progress at all.

Mr. GUTHRIE: In my opinion, Sir Thomas Erskine May is one of the very highest parliamentary authorities. The statement contained here has run through eleven editions of his work and has stood unchanged in the particular respect to which I have just referred. I therefore take it that there is some reason why so great an authority should have made that statement, and why editors of subsequent editions should have left it unchanged throughout eleven editions. It may be this, that the misconduct at that time was a subject of report by the committee, and, that being the case, that there was a continuing report in the Speaker to see that this first order was maintained. I think that is probably the solution, because the account of the proceedings, to which my hon. friend from Portage la Prairie has referred does not mention that on the second occasion when Fuller entered the chamber there was a report. I contend that the Speaker was merely maintaining his original authority to see that Fuller was again excluded by the Sergeant-at-Arms. I think we may take it for granted that Sir Thomas Erskine May placed that statement in his book after consideration, and that there was a report or the equivalent of a report on that occasion. The other case cited by my hon. friend is the case which took place on the 6th of March, 1815. In that case there undoubtedly was a report of progress upon which the Speaker acted. Even if the first case in 1675 is a precedent, still I maintain that in the face of our positive rule it cannot be treated as such. Rule 14 abrogates any custom or usage. If we give any force or effect to rule 1, then the custom or usage of Parliament relied on by my hon. friend from Portage la Prairie is entirely abrogated by rule 14. If rule 14 had no existence or, if it were framed in different language, it might then be argued—I agree with my friend from Portage la Prairie—that there was some authority for Your Honour taking action on that occasion. I cannot for a moment admit that the English rule No. 161 has the slighest application to the occurrence which took place on the 15th March last. That has reference only to a sitting of the House where the Speaker, in a case of grave disorder, may take the Chair and do one of two things, either adjourn the House or suspend the sitting. He has no power to do either except under a motion. He can take the Chair but he cannot adjourn the House or suspend the sitting without a motion. Under similar circumstances in England, Speakers have taken the Chair when the House had been sitting as a House and not as a committee. In this instance there is all the difference between a sitting of the House and a sitting of a committee. If I may point out to Your Honour with great deference and respect, Your Honour has stated the reasons which actuated you in taking the Chair. That is all to be found in 'Hansard' I submit to your Honour with a good deal of confidence, knowing that if my argument is correct Your Honour will be the first member of this House to see that the matter is set right, that you were

in error on that occasion in the following respects: In the first place in taking the Chair in the absence of a report from the committee; in the second place in giving any direction to the Chairman, Your Honour being a member of that committee was subject to the direction of the Chairman and could therefore give no direction to the Chair; in the third place in pronouncing the debate in committee closed, because I have neither seen nor heard any authority cited giving Your Honour that power; in the fourth place in naming an hon. member of the House, who could not be out of order under such circumstances unless Your Honour were in the Chair. I do not know what view my hon. friend from Red Deer (Mr. Clark) takes of the situation. It might be well, however, to have the records of the House corrected, if they are incorrect through any mistake in procedure. So satisfied am I in my own mind that rule 14 applies in every particular to the situation, which was evident to everybody who was in the House on the 15th of March last, that I am confident that hon. members after calmly reading that rule will conclude that there is no power in this Chamber, under our rules or under any parliamentary usage or custom to which we are bound to give obedience, which would entitle Your Honour to take the Chair as you did on that occasion. I agree entirely with this proposition, that the English rules to a very large extent are the outcome of recognized usage. Occasionally they are not so. In 1882, the closure was a new rule which did not owe its existence to any recognized custom or usage; it was a rule de novo. The majority of English rules have arisen from well recognized customs or usage which have been codified. Although we are not bound by the English rule itself, if passed after the year 1867, we are bound by the ancient usage or custom, provided it has not been changed by any of our rules, pursuant to rule 1, which reads as follows:

> In all cases not provided for hereinafter or by sessional or other orders, the rules, usages and forms of proceeding of the House of Commons of the United Kingdom of Great Britain and Ireland in force on the first day of July, 1867, shall be followed.

Many of them which were in force then are in force now. These we are bound to obey unless we have ourselves provided some different form of procedure. But, taking the rules and authorities from beginning to end so far as I have been able to judge, I cannot come to any other conclusion—and I come to it with the greatest deference to Your Honour—that Your Honour was in error in taking the action you took on the day in question, and that the House should now seek to devise some procedure suitable for such an occasion, if the procedure is not already well enough defined by rule 14. Such an incident may never happen again in this Chamber—I hope it may not—but as long as minorities in this Chamber have to depend upon the good offices and good-will of chairman, the rule becomes a most important one; and minorities will have to see to it that their rights and privileges are protected under that rule; and if they are not protected under that rule, procedure will have to be taken by this House which will protect them.

Hon. W. T. WHITE (Minister of Finance): My hon. friend (Mr. Guthrie) has referred to the rights of minorities. I do not see that this is a question that affects the rights of minorities solely; this is a question that relates to the procedure of this House upon occasions of grave disorder. It does not follow by any means that minorities are always to be responsible for such disorders, and I do not conceive that my hon. friend intends to convey that impression. It seems to me that the question is as to whether your action, Mr. Speaker, was justifiable on the 15th of March in resuming the Chair under the circumstances existing at that particular time. Because, notwithstanding that this is stated to be an academic or theoretical discussion, or, as my hon. friend from South Wellington has said, a discussion in order that the method of procedure may be decided under similar circumstances, at the same time, both the hon. member for Westmorland who has brought the matter to the attention of the House, and other speakers also have made reference to the occurrence of the 15th of March, and therefore I am justified in dealing with the circumstances that existed upon that occasion in addressing myself to this subject. The hon. member for South Wellington has said that you were in error on that occasion. Differing from him, I affirm that your action was entirely justified by the constitutional precedents and usages, that you acted, Sir, with dignity and firmness upon that occasion, and that you are entitled essentially to the thanks of this House for that action. Speaking generally, and speaking of course, only for myself, I deprecate the attempt to decide in advance a question of this kind. We are unable as a House to foresee what circumstances will arise which the Speaker of this House may have to deal with. Occasions have arisen in the British House of Commons such as have not arisen before, and the Speaker who is charged with the duty of preserving the dignity of the House and the regularity of debate had to act in such a manner as he deemed best to put an end to disorder. Therefore, I think it is unwise to deal with this question from an academic or theoretical standpoint, to

attempt to decide in advance what your action might be under circumstances which we by no possiblity can foresee. This matter has been argued upon special grounds, and I propose to argue it first upon broader grounds and then upon the special grounds touched upon.

I lay it down as a fundamental proposition, abundantly sustained by authorities, that you, Mr. Speaker, have a two-fold capacity. First, you are the spokesman of this assembly in dealing with other bodies —the Senate, the Crown and the departments of state. There is abundant authority for that proposition. To that you owe your position as the First Commoner of Canada. But there is another aspect of your duty, and that is the aspect with which we are dealing at the present time. You preside over the deliberations of this House, preserve the dignity of this House and the regularity of its debates, and, above all, preserve the order of this House; because, I consider one of your chief functions —certainly one of your chief functions in this House—is to preserve order, to prevent disorder, and to put an end to all disorder. Unless this is done, you could have no dignity and regularity of debate and the proceedings of this House and the business of this country would be retarded. Therefore, I hold that one of your principal functions is to preserve order and put an end to disorder. And I say that unless we can foresee the circumstances that are likely to arise, all the eventualities that may occur, unless we can bring before our minds all the degrees of disorder that may exist in this House, it is unwise for us to attempt to lay down a hard and fast rule that may fetter you in the future in dealing with disorders that may arise. Now, I turn to rule 5, which has not been quoted so far as I know in this discussion. It is general in character:

> The Speaker shall preserve order and decorum, and shall decide questions of order subject to appeal to the House.

In other words, once the Speaker gives his decision, there must be a reference to the House if any one decides to demand such a reference. Fundamentally this House is master of its own procedure and its own rules, and it is on that ground that an appeal from the decision of the Speaker can be taken only to the House and without debate. The Speaker gives a decision; prima facie, it is good and valid; but if any member differs, he appeals to the House; and if the majority of the House decides that the Speaker is right, the matter is settled; it is settled conclusively, because as I said, the House is master of its own procedure and its own rules. Now, I hold, further, coupling what I have said as to the general duties of the Speaker, that the Speaker has a continuing authority, not only when the House is sitting, but also when the House is in committee—that the Speaker of this House is charged with the duty, insofar as he can discharge that duty, of preserving order in committee, if the Chairman of the committe is not able to preserve order.

Sir WILFRID LAURIER: That is the question.

Mr. WHITE: I am not saying that that is so; I am not begging the question.

Mr. NESBITT: With your permission, I would like to ask a question. The Chairman presides over the Committee of the Whole and Mr. Speaker over the House. But if it were not for the rules of the House, would any individual, no matter what you might call him, be authorized to preserve order?

Mr. WHITE: In answer to my hon. friend, we must fall back upon the rules. I stated that it is the essential duty, one of the first duties, of the Speaker, to preserve order in this House, and I said that in my view the Speaker had a continuing authority to preserve order when the House was in committee, if by any chance the Chairman of the committee was not able to preserve order. In other words, I take it that if there is disorder in committee which the Chairman cannot repress. the Speaker, whose duty it is to preside over and preserve order in the deliberations of the House, should interfere for the purpose of maintaining order. According to rule 14, which has been quoted by the hon. member from South Wellington (Mr. Guthrie), the Chairman of the Committee of the Whole House shall maintain order in the committee. I agree with my hon. friend that it is the duty of the Chairman to preserve order in committee if he can; but what happens if he is unable to do so? I quote further from rule 14:

> The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House; but disorder in a committee can only be censured by the House, on receiving a report thereof.

As was pointed out by the hon. member for Portage la Prairie (Mr. Meighen) in his very able address with regard to this matter, the report of the Chairman in respect of disorder is confined to cases in which the disorder had to be censured; but we have to deal with a very different case. The case with which we have to deal is one in which there was grave disorder in the House, which disorder was beyond the control of the Chairman of the committee, and that is precisely what happened on

March 15 last. My hon. friend has referred to the case of 1675, and I understood him to say that bloodshed was threatened. I wish to discuss this matter very dispassionately and, although I do not mean to say for one moment that bloodshed was threatened in this House on the occasion to which I have referred, I do say that, as a matter of my own observation, a very respected member of this House was standing within two feet of the Chairman, with his hand raised, and I am quite sure in my own mind that the hon. gentleman in question was, in the common law, guilty of an assault, because, by the common law, physical contact or physical force is not necessary to constitute an assault. If a man in an angry mood is standing within striking distance of an opponent with his hand raised, he is, at common law, guilty of an assault on the individual in question.

Mr. PUGSLEY: Would my hon. friend say that there was disorder in the committee which the Chairman was powerless to put an end to, in view of the fact that the Chairman himself was violating the rules, and could, by his action, have stopped the disorder at any time?

Mr. WHITE: I do not admit for one moment the contention that the Chairman was violating the rules of the House, and I say that the Chairman at that time, who has the respect of all the members of this House, was endeavouring to discharge his duty to the best of his ability. There was disorder and tumult in this House, which, as I am advised and believe, was unprecedented in its extent; an hon. member of this House was standing two feet from the front of his desk with his hand raised in a very threatening attitude over the Chairman; and it was under those circumstances that you, Sir, very firmly and with great dignity took the Chair and put an end to these proceedings. I say therefore, that, far from even by implication blaming you, Sir, for your action on that occasion, the Commons of Canada is indebted to you for the firmness and dignity with which you took your seat and repressed the disorder which had taken place in the committee at that time.

I now come to a consideration of the special cases that have been reviewed in connection with this matter. I agree with the hon. member for Westmorland that the general principle as contained in rule 1 of the House is applicable.

> In all cases not provided for hereinafter or by sessional or other orders, the rules, usages and forms of proceedings of the House of Commons of the United Kingdom of Great Britain and Ireland in force on the first day of July, 1867, shall be followed.

What were the rules and usages, or some of them, of the British House of Commons upon that occasion? It was stated by the hon. member for Portage la Prairie that the case of 1675 was an antiquated case, but we are dealing with the common law of parliament, and any lawyer knows that, in common law, the older the case the greater its validity.

Mr. MACDONALD: If my hon. friend will look at May, he will find that such an incident as this, which the hon. gentleman contends to be so ancient, has not been repeated.

Mr. WHITE: Certainly, and so it is generally unwise to attempt to lay down any rules in advance of actual occurences. In all probability, no such scene ever disgraced the British House of Commons afterwards, and I venture to say—I shall not use the same word, because it would not apply in this case—that we cannot foresee that the particular occurrence to which I have referred—the disorder which existed in this House—may not occur again in a very aggravated form. The hon. member for Pictou says that May asserts that the incident in question never occurred again——

Mr. MACDONALD: Not the actual disorder; but May says that the ruling and the conduct of the Speaker was never repeated in the British House of Commons.

Mr. WHITE: Incidents may never have occurred which would call forth that attitude on the part of the Speaker, and we may never have a repetition of the disorder that occurred in this House a week ago Saturday night. But we may have a repetition of that occurrence, and we may have it in an aggravated form. Therefore, I say it is very unwise to lay down in advance rules for the future guidance of the Speaker, because the Speaker must take such measures as are in his opinion necessary to restore order, subject only to an appeal to this House. I do not argue that the Speaker is to be absolutely fettered by precedent, because, if such a principle had been followed, no Speaker in the British House of Commons would ever have taken a step not justified by precedent; but it must be remembered that the whole of the common law has consisted in and been made up of the establishing of precedents from time to time in order to meet circumstances as they arise. As I have said, it is extremely unwise for us to attempt to fetter the Speaker or ourselves by rules now laid down to meet situations which by no means can we forecast or foresee. We must decide this matter upon the general principle that the Speaker is charged with the duty of maintaining order, and that he must, on any particular occasion which we cannot now foresee, do whatever he deems necessary, as the presiding officer of this House, to restore order, and if any member

is dissatisfied with his decision, he has the remedy of having it decided upon, without further debate, by a majority in this House, because this House is master of its own procedure. As I have said, the older the case the better the law, and I will now for a few moments deal with the case in 1810 which was referred to by my hon. friend. Take the 1810 case; what do the journals of the British House of Commons say?

The House resolved itself into committee, Mr. Fuller returned,——

Remember there had been a report before and Mr. Fuller had been ejected.

Mr. Fuller returned, and was violent and disorderly; Mr. Speaker resumed the Chair, and ordered the Sergeant to do his duty.

Mr. Fuller was accordingly taken out by the Sergeant-at-Arms. Where is the report from the committee in that case? Now we go back to the old case, which is abundant authority for this Speaker, or any other Speaker, to act under circumstances similar to those in which he acted, because it is a precedent unchallenged and unquestioned. My hon. friend from Pictou (Mr. Macdonald) says that May points out that the action of the Speaker on that occasion has not been duplicated since. But May does not say that situations have arisen on all fours with the situation that arose on that occasion, and therefore it is impossible to say that the Speaker was outside his rights in acting as he did. The fact that this precedent has stood unquestioned in any House during all those years, so far as I know, is prima facie evidence that it is a precedent on which the Speaker of the British House of Commons, or the Speaker of this House can act in dealing with disorders as they arise, because it was previous to 1867. What was that case? May says:

On the 10th May, 1675, a serious disturbance arose in a Committee of the Whole House.——

And the Speaker took the Chair. The Speaker stated that it was to bring the House into order again, to discharge the first function that he has, because order is essential to discussion, and to the conduct of business. He acted on the principle to which I referred at the outset. It is a mistake to deal with a matter of this kind on narrow grounds; you must deal with it on broad grounds; you must consider what is the function of the Speaker. His function is to keep order, and acting on that principle, and on that broad principle which I stated, the Speaker in that case announced that it was to bring the House into order again that he took the Chair. Then he stated:

Though not according to order, he had taken the Chair.

Mr. WHITE (Leeds)

That is, he acted according to a special rule, but in the exercise of his function as Speaker to keep order when the House was out of order.

No other entry appears in the journal than that 'Mr. Speaker resumed the Chair'; but the same report adds that though 'some gentlemen excepted against his coming to the chair,'——

Just as some gentlemen except to your action, Mr. Speaker, a week ago Saturday night.

—the doing it was generally approved——

As it is generally approved here.

—as the only expedient to suppress the disorder.

Mr. GUTHRIE: My hon. friend ignores rule 14 altogether.

Mr. WHITE: I thought I had dealt with rule 14. I have dealt with the general authority of the Speaker according to the precedent of 1675, a precedent unquestioned, under which the Speaker——

Mr. GUTHRIE: I agree that that would bind us now were it not for our rule.

Mr. WHITE: Rule 14 says that, if it is specifically provided for, then the rules and usages of the British House of Commons would not apply. Rule 14 says:

The Chairman of the Committee of the Whole House shall maintain order in the committee.

Very good; but supposing the Chairman of the committee is unable to maintain order. That is what happened.

Mr. GUTHRIE: Then he had better report to the House.

Mr. WHITE: Supposing he does not report; are you going to have the House thrown into grave disorder for hours because the Chairman of the committee is unable to maintain order, or does not report. It is the duty of the Speaker on general grounds, as I have said, to maintain order. Sitting, as he had a perfect right to sit, in the committee, and observing what was going on, the Speaker saw the Chairman of the committee practically threatened with physical force.

Some hon. MEMBERS: Oh, oh.

Mr. WHITE: I saw the Chairman of the committee practically threatened with physical force. I am stating what I saw, and what every hon. member in this House saw.

Mr. PUGSLEY: I rise again to a point of order. My hon. friend the Minister of Finance is entirely unwarranted in making that statement. I have already stated in this House that I had no thought whatever of making any assault upon the Chairman.

Mr. WHITE: I will accept that.

Mr. PUGSLEY: My hon. friend is repeating that he himself saw the Chairman threatened with violence. That is absolutely without foundation. I repeat that the Chairman himself created the disorder by disobeying the rules of the House, and by trying to prevent free discussion of an important question which was then before the committee. All I sought to do, and I did it as emphatically as I could, was to induce the Chairman to obey the rules of the House, and to allow the hon. member for Humboldt (Mr. Neely) to exercise the right which it was the duty of the Chairman to permit him to exercise.

Mr. WHITE: I dissent entirely from what my hon. friend says as to the action of the Chairman. But, admitting that what he has stated is correct—I do not admit it for a moment, but simply for the sake of argument—that the Chairman in his opinion was not acting properly, what was the duty of my hon. friend in the circumstances? If the Chairman in his opinion was out of order, was that any justification for the hon. member for St. John (Mr. Pugsley) putting himself out of order? I accept what my hon. friend says, that it was not his intention to make any assault, or to use any improper methods towards the Chairman of that committee; but we must gather from a man's acts what his intentions are from what he appears to be doing. Now what was the appearance that my hon. friend gave to the House? I accept entirely his statement that it was not his intention to assault the Chairman; but he gave the hon. members of this House every reason to believe that he intended to assault him.

Mr. PUGSLEY: My hon. friend forms a member of the majority of this House. If he thought from appearances that my intention was to assault the Chairman, why did he not do his duty and ask the Speaker to punish me?

Mr. WHITE: This matter happened very suddenly. You, Mr. Speaker, intervened at the precise moment when my hon. friend (Mr. Pugsley) was giving the appearance I have indicated. I think that probably the Chairman would have been able to protect himself in the event of his being called upon to do so, but there was not only tumult when you, Mr. Speaker, intervened, but the appearance of an attempt to assault the Chairman. At that moment the Speaker very properly intervened. I would ask my hon. friend from South Wellington (Mr. Guthrie) what was the appearance of the House at that time? Was it not that of tumult, disorder, an appearance of assault upon the Chairman, the House out of hand? What is the use of rule 14? It says that the Chairman shall maintain order. The Chairman was not maintaining order; but order must be maintained; it is the first law of the universe, let alone this House. It being, as I have said, the special function of the Speaker to preserve order, the Speaker very properly rose from his place in the House and assumed the Chair on the precedents established, and because, as a matter of fact, the Chairman of the committee was not maintaining order. So much for that branch of the case. It seems to me that it is perfectly clear why you took the Chair, Mr. Speaker, and it is perfectly clear that you also had the right, on the constitutional precedents I have mentioned, and on general principles, to take the Chair.

Now, we come to the question of instructing the Chairman to put the question. My hon. friend from Portage la Prairie has dealt with it, but I will go farther than he has. I will give, with great deference, my own view. Circumstances might arise in which the Speaker, in the exercise of his judgment, and for the purpose of preserving order, would be perfectly justified in giving such an order as be deemed proper to the Chairman of the committee for the purpose of keeping order.

Mr. GUTHRIE: If the Chairman did not obey him what would happen?

Mr. WHITE: My hon. friend for Portage la Prairie answered that. Do not beg the question; either the Speaker has authority or he has not. If he has not authority, then the word that he speaks to the Chairman is a nullity and it has no validity. The Chairman is presumed to know the rules, and assuming that the contention of my hon. friend is correct that the Speaker had not the authority to give him the order, then it becomes a mere nullity, and the Chairman could act upon it or not as he deemed proper. But he had given this decision because the decision comes properly under rule 18. Under rule 18 the Speaker 'may permit debate of the point of order before rendering his decision.' That was the position.

Mr. McKENZIE: In a ruling which we had in this House a few days ago, it was held that 'may' is equivalent to 'shall.'

Mr. WHITE: I do not agree with that.

Mr. McKENZIE: That is a rule of the House.

Mr. WHITE: I think not. But let me refer to that for a moment. What was stated by the Prime Minister was that it had been customary and usual to permit debate. Did he say to permit unlimited debate? It would be a very dangerous precedent in this House to practically cut out the words that 'the Speaker may permit debate' and take the rule as reading that

'the Speaker must permit unlimited debate.' The purpose of the rule is obvious. The Speaker desires to be informed, or desires the House to be informed, as to a point of order, and, with his permission, debate may take place upon the point of order. As I understand the Prime Minister, it has been usual to debate such questions with that limitation.

Mr. McKENZIE: The Speaker gave a ruling at that time. The Prime Minister said that it would be proper to have discussion, and immediately thereafter the Speaker gave a ruling that it would be proper to have discussion.

Mr. WHITE: I do not understand that any ruling was given. I think there should be regard for the rules and procedure of this House; and, if the Speaker had given a decision and it was unappealed to this House, even though I might dissent in my own mind from it, I would conform to his decision because it is to the Speaker that we must look to preserve order in the Chamber.

Mr. SPEAKER: I had no intention of giving any ruling at the time, nor did I give any ruling in my judgment. I stated what was the usual custom in the House, as I understood Bourinot to imply, to permit debate.

Mr. WHITE: That is precisely what I understood. I did not understand that you gave any ruling, nor did I understand you to state that unlimited debate was to be permitted. I understood you to say that debate was permissible, but it would be to delete these words and to render them absolutely meaningless to say that unlimited debate should be permitted. I think it would be a very unwise principle to lay down, and I submit that view with very great deference to the consideration of the Speaker and of the House.

I have dealt with this question on general lines and on particular lines, and I have been discussing the question of the propriety of your action, Mr. Speaker, in instructing the Chairman of the committee to put the question without further debate. I have indicated my view. If Mr. Speaker should say in regard to a debate on a point of order: Now, we have had sufficient debate upon that point, I say that under the authority of rule 18, he would be doing nothing wrong. The Speaker is clothed by the authority of this House with the continuing duty of keeping order, and if, upon a particular occasion following a debate on a point of order and during a scene of grave disorder such as existed here, he tells the Chairman of the committee to put the question, thus exercising his judgment as to the best way of putting an end to the disorder, so far as I can see, he does nothing inconsistent with his duties as Speaker of the House. I submit that as my own opinion, and I argue it on the general ground, as I have repeatedly said, of the paramount necessity of the Speaker keeping order.

On all these grounds I contend that your action, Mr. Speaker, does not call for the reflection of this House because we cannot disguise from ourselves that this is not a purely academic debate but is the result of circumstances that happened on the 15th March. On the contrary, I am of the opinion that we owe you our thanks for the fairness and dignity with which you dealt with a difficult and trying situation and restored this House to a condition of order from a condition of very grave disorder indeed.

Mr. GERMAN: Does the hon. gentleman contend that the Speaker, under rule 18, has the right, having permitted debate on a point of order, to stop that debate while it is relevant to the point of order?

Mr. WHITE: What I am putting forward is my own view. I do not think it has been decided. The Speaker has stated that he did not give a ruling upon that question. My own view is that, if words mean anything, the Speaker may permit a debate on a point of order. It is permissive. He may permit debate on a point of order before rendering his decision. If the Speaker may give permission to members to debate a point of order, there follows from it that, after hearing the debate at such length as he deems proper and adequate, he may terminate it. Otherwise you would have interminable debates upon points of order. If that were not the meaning, how would it read? If that were not the case, would it be worded: 'The Speaker may permit debate of the point of order?' Would it not rather be that: Members shall have the right to debate the question?

Mr. GERMAN: That is permitted to-day, so long as the debate is relevant.

Mr. WHITE: I do not agree with my hon. friend. No precedent has been established, because I understand the Speaker to state that he gave no ruling on the question.

Mr. E. M. MACDONALD (Pictou): Mr. Speaker, my hon. friend from Westmorland (Mr. Emmerson), in bringing this matter before the House for discussion, was actuated with the idea that we should have discussed, for the information of the House, and for its future guidance, the question as to whether or not Mr. Speaker has the right to take the Chair when the House is in Committee of the Whole in any case except when the rules expressly provide that he may do so, or in any case other than on the particular occasions when the committee has reported progress. It will

be noted that gentlemen on this side of the House endeavour to approach the consideration of this matter in a calm and judicial way, in contrast with the somewhat heated manner in which hon. gentlemen opposite are considering it. The Minister of Finance, for example, has given us a dissertation on rules of order which is somewhat novel and which indicates that he has peculiar views as to the functions of the Speaker, views which are hardly in keeping with parliamentary porcedure and precedent. The Minister of Finance has given us a dissertation which would incline us to believe that although this tyro in parliamentary government has been in the House for only a session and a half, he wants to instruct hon. gentlemen, contrary—

Some hon. MEMBERS: Oh.

Mr MACDONALD: Yes, excuse me—contrary to what has been laid down by such authorities as Bourinot and Erskine May. The Finance Minister undertook to discuss the facts as to what did or did not occur on Saturday evening the 15th instant. I was not present at the particular time that you took the Chair, Mr. Speaker, and my information in regard to what occurred has to be derived from 'Hansard.' I would say, however, that as the Minister of Finance reflects upon hon. gentlemen on this side of the House, I see no reason why in this discussion we on this side should not be permitted to give our statement as to what occurred on Saturday evening, just as well as the Minister of Finance. For my part I propose devoting myself to the consideration of the question as to whether Mr. Speaker, under the rules of this House, has the right to take the Chair under such conditions as existed on Saturday evening.

The Minister of Finance tells us that the Speaker of this House is a gentleman of commanding authority, who can do practically what he pleases, free of criticism, and that in the Speaker is vested some supreme, unusual, and arbitrary power which members of this House cannot question. The Finance Minister, in justification of his position is forced to go back to the days when Oliver Cromwell strode into the Imperial Parliament at Westminster and, looking at the Mace, said: 'Take away that bauble.' He is forced to go back to that period through the whole history of parliamentary government in the English speaking world to find a precedent for the incident he is attempting to justify. I can well understand that, imbued with that same spirit, the Minister of Finance would justify the action of the Chairman, or the Speaker, and would sustain in an equally arbitrary and unjust manner the breaking of some rule of this House which has been respected from time immemorial. The Speaker of this House has certain rights and powers which are founded on the rules, supplemented, in so far as they are not specially covered in these rules, by the usage and practice of the Imperial Parliament existing in 1867. The Speaker of this House has not one whit more power nor one tittle more right than is thus conferred upon him, and the imagination of the Minister of Finance will not bring down from Heaven nor from any other quarter any special or unusual right except what is given to Mr. Speaker under these rules.

What is the condition of this House when it is in Committee of the Whole; how can it go into Committee of the Whole, and how can it come out of Committee of the Whole? After the Speaker leaves the Chair, and the Chairman for the time being is in charge of the Committee of the Whole, the Chairman of the committee has certain absolute and defined rights settled by the rules of this Parliament, settled by the usage of the Imperial Parliament, rights just as strong, just as settled, just as definite as are the rules which govern Mr. Speaker when he is in the Chair. And neither Mr. Speaker nor any other member of this House has the right to transgress upon the rights of the Chairman of the committee any more than he has the right to transgress any other rule of the House. Let us see what Redlich, volume II, page 199, has to say on the status of Committee of the Whole.

> The passage from the House to committee is marked by certain accompanying circumstances. First, the Chairman is changed. In place of the Speaker the permanent Chairman of committees, chosen at the beginning of a new parliament presides. The Speaker and the Clerk of the House leave the chamber.

That is under the English practice and I will show from Bourinot that the Speaker in the Canadian Parliament occupies an entirely different position, because he has the right to remain in the Chamber and take part in the deliberations of the committee, and to that extent he is under the control of the Chairman of the committee. Another indication which marks the passage of the House from the control of the Speaker to that of the Chairman is:

> Another symbol of the change is the removal of the mace. When the House is resolved into a committee, the mace, which till then has been lying visible to all, upon the table, is placed in a receptacle below it and hidden from view. The Chairman takes his place at the upper end of the table in ordinary dress, wearing neither wig nor grown; the Speaker's chair remains empty.

These are the formal indications to the House of the transition which takes place

when Mr. Speaker leaves the Chair and the Chairman of the committee of the Whole takes it. Redlich goes on to show in a similar way the formalities that attach to the change of the Chairman of the committee back to the Speaker. He speaks of the duration of the committee and what may take place there:

> The duration of the sitting of a committee of this kind is subject, like any other sitting of the House, to the general provisions of the rules. In adidtion, there is a special procedure by which the sitting of a committee may be closed and the committee retransformed into the House proper. The principle applicable is that a Committee of the Whole House is not entitled on its own authority to close or adjourn its sitting or debate.

And upon that significant fact which Redlich says distinguishes the Committee of the Whole, from any other committee of the House which could adjourn of its own motion, the Chairman of the Committee of the Whole cannot adjourn without coming to the House and making a report and asking for leave to sit again. He discusses that phase of the matter elaborately, and he says:

> The end of a sitting of the committee, therefore, is marked by the Chairman making a report to the House and asking for leave to sit again.

That is a peculiar and significant characteristic which attaches to the Committee of the Whole and which distinguishes it from any other Committee of Parliament. Redlich goes on:

> These formalities. . . the reporting to the Speaker, serves the purpose of marking off distinctly the committee stage of a matter from the rest of the business of the House. The resumption of the sitting of the House is marked by the return of the Speaker and the replacing of the mace on the table; the report of the Chairman to the House as to what has taken place in the committee concludes its proceedings.

There you have the method under which regularly the House is resolved into Committee of the Whole and regularly how that Committee of the Whole gets to the House again. It speaks of the significance of the motion which must be made: that the committee do report that the committee has made progress and ask leave to sit again. There is the procedure with regard to the Committee of the Whole laid down by undoubted authority. Where is the exception, where are the rules to be found which justify a departure from that ordinary method of dealing with this matter and the ordinary practice which has prevailed in this Parliament within the recollection of us all? We have Rule 14 of this House, which tells us what the Chairman shall do while the House is in Committee of the Whole. It contemplates that probably disorder may occur in the committee, and it speaks of what shall be done when disorder arises. It says the Chairman of the committee shall report to Mr. Speaker; the committee rises and the Speaker resumes the Chair, and the House deals with the question.

Mr. MORPHY: The rule does not say anything of the kind.

Mr. MACDONALD: What does it say?

Mr. MORPHY: The rule only says:

> Disorder in a committee can only be censured by the House, on receiving a report thereof.

You are misquoting.

Mr. MACDONALD: I was not quoting at all. I did not read the rule; I said what the substance of the rule was.

Mr. MORPHY: You did not state it correctly.

Mr. MACDONALD: My hon. friend is worrying as to whether or not I am stating the rule correctly. My hon. friend is splitting hairs. Will he be good enough to tell me how disorder in committee can be dealt with in any way except by the House on a report of the Chairman of that committee?

Mr. MORPHY: The point I make is that the rule clearly says:

> But disorder in a committee can only be censured by the House on receiving a report thereof.

That is not the reporting of general disorder. That means the reporting of a disorder involving censure.

Mr. MACDONALD: Will my hon. friend say that the disorder in this particular case was not a disorder involving censure?

Mr. MORPHY: It was not put forward with the idea of censuring anybody.

Mr. MACDONALD: Who was putting it forward?

Mr. MORPHY: No general report of disorder was put forward. The member who was in the Chair says so himself.

Mr. MACDONALD: My hon. friend is in this position, that, if there was no disorder requiring censure, then there was nothing to report at all, and there was no disorder at all.

Mr. MORPHY: I did not say that.

Mr. MACDONALD: Following my hon. friend's argument to its logical conclusion, we get to the point that there was no disorder and that the Speaker could not take the Chair. My hon. friend should not be so ready to talk about misquoting. I was stating an absolute fact, that, if you have disorder in the committee, you cannot have it dealt with so as to have it penalized in

any way except by going to the House with it. The only way to do that is for the Chairman of the Committee of the Whole to report the matter to the House. My hon. friend from Portage la Prairie (Mr. Meighen), who deals in casuistry always of the highest order, tells us that he has found in May a case in 1675. I have referred to the significance of the fact that my hon. friend has had to go back to the most turbulent times in the history of parliament in order to find any case in which Mr. Speaker——

Some hon, MEMBERS: Hear, hear.

Mr. MACDONALD: I will go a step further. My hon. friend might also go back as far as the same period before he could find any precedent for some of the most outrageous rulings which we had in parliament last week.

Some hon. MEMBERS: Order, order.

Mr. MACDONALD: My hon. friends like to make all the noise possible, if they think that anything suits them; but the moment any hon. member on this side says anything that does not suit them, they cry 'order.' My hon. friends have had to go back to a period previous to the revolution in England, back to the time of James II, to find any case in which a Speaker undertook to take the Chair where a Chairman of the committee had not reported progress. That is the situation. Disorder or no disorder, no case exists in which the Speaker ever undertook to take the Chair except after the Chairman of the Committee of the Whole had reported progress and asked leave to sit again. My hon. friend from Portage la Prairie tries to argue that Sir Thomas Erskine May is wrong. May and his book through twelve editions have been accepted unreservedly in every parliament in England and wherever parliamentary government has been established in British colonies. It is left to my hon. friend from Portage la Prairie, in order to find some justification and some unusual precedent, to enlighten this Parliament and all other parliaments and to assert that Sir Thomas Erskine May is wrong. When May tells us, as he does emphatically and clearly, that the incident in 1675 was never repeated in the English parliament, he tells that at no time since then did the Speaker in the Imperial Parliament undertake to take the Chair unless the Chairman of the committee had reported progress. I think that he will be good enough authority for this Parliament, the member for Portage la Prairie to the contrary notwithstanding. As against Sir Thomas Erskine May, we have the argument of my hon. friend from Portage la Prairie that Sir Thomas Erskine May is wrong in the citations which he makes and in the discussion which he has on that question.

Mr. MEIGHEN: What I said was that hon. gentlemen opposite had not any statement of mine as against Sir Thomas Erskine May, but that according to the record of proceedings as given by the Commons Journal of 1810 and also by 'Hansard' of 1810, May is clearly in error. The 1810 case substantiates the 1675 case in all particulars, and both substantiate this case.

Mr. MACDONALD: My hon. friend was answered on that point by my hon. friend from South Wellington (Mr. Guthrie). Sir Thomas Erskine May has put on record the statement that the incident in 1675 was no precedent. That statement has gone through twelve editions of his book, and has been accepted. He reiterates that in the case which occurred in 1815, subsequent to the Fuller case, which my hon. friend undertakes to say, according to his version of 'Hansard' and of the journal which I have not seen, is different from that of Sir Thomas Erskine May. Mr. Speaker did not act until after the Chairman had reported progress and asked leave to sit again. There is one lonely isolated authority for the proposition that the Speaker can take the Chair on any occasion, whether disorderly or not, except when specially provided for by the rules, and where the Chairman of committee has not reported progress.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

SECOND READINGS.

Bill No. 151, respecting the Pacific and Peace River Railway Company.—Mr. Douglas.

Bill No. 152, to incorporate the Middlesex Trust Company.—Mr. Beattie.

THE RULES OF THE HOUSE.

Mr. MACDONALD: When the House rose for dinner we were dealing with various grounds which had been urged to justify the proposition that the Speaker could take the Chair while the House was in Committee of the Whole. Or perhaps, I am using too general language when I speak of 'the various grounds,' because there was only one ground urged so far as I could gather from the speeches of hon. gentlemen opposite. There is only one source to which we can go when we desire to ascertain what is proper usage and practice, and that is to these rules which were adopted by this House unanimously, I understand, some four years ago. These rules are for your guidance, Mr. Speaker, and for the guidance of the House. Under these rules you obtain

your authority, from them you get the guidance which enables you to deal with the matters before the House. The line between the duties of the Chairman of the Committee of the Whole and your duties are very well defined under these rules. If we take rule 5, which some hon. gentlemen opposite have quoted—with what aptness to the point they try to make, I have been unable to discover—we find that it is your duty to preserve order and decorum and to decide points of order subject to appeal to this House. That is your authority for the power you exercise while in the Chair and while the mace is on the table. All the powers necessary for the purpose are contained within the four corners of that rule. What that has to do with something which happens when you have left the Chair, when the mace has disappeared, and when another functionary of this House has assumed control of the Committee of the Whole, I am at a loss to see. The rules state what are the functions of the Chairman of the Committee of the Whole. These are laid down clearly in rule 14. If the Chairman of the committee wants to know what he can or cannot do, he must go to rule 14; he cannot go outside it. There is no use talking about the usages of the Imperial Parliament; there is no use in going back to the year 1675, when the Charleses ruled in England and when two revolutions occurred within half a century causing infringement of the rules of Parliament and involving great changes in the parliamentary system of the country. It is certainly an unfortunate period for hon. gentlemen to have to go to for their precedent.

But the Chairman of the Committee of the Whole in this House does not need to go so far afield to obtain information as to his rights and powers, because these are clearly defined under our own rules. Rule 14 provides that the Chairman of the Committee of the Whole shall maintain order in the committee, as you maintain order in the House, and is to decide questions of order subject to appeals to the House, just as you do. But there is a further clause to this rule, and in dealing with it my hon. friend from Portage la Prairie (Mr. Meighen), showed what I have called the unfortunate casuistry with which he deals with a weak case. This clause goes on to tell how disorder in the committee is to be punished. If you, Mr. Speaker, undertake to deal with a member, you must ask the House to carry into effect your views; and if the House should not stand by your ruling your views would not prevail. So, the Chairman of the committee, when he has failed to prevent disorder or any other infringement of the rules, must come to the House and get the matter dealt with by the House. And unless he does come to the House, the House is not seized of the matter and so cannot deal with it. This rule provides a way by which disorder can be punished, but only 'on receiving a report thereof.' It is an accepted principle of law, and one which the hon. member for Portage la Prairie knows well, and so does the hon. member for Brandon (Mr. Aikins), that when you have a statute or rule expressly dealing with a particular matter, the expression contained in that rule excludes you from going farther afield to find some authority. Where the House has adopted a special rule dealing with the functions and powers of the Chairman of the committee, you have the whole authority in question; you cannot get it outside. Hence, I submit that, unless you find within the four corners of rule 5 and rule 14 of this House something which would enable the Speaker to intervene, to take away from the committee and from its mouthpiece, the chairman, the right to report what goes on in committee so that the House may deal with it, there is no constitutional or parliamentary authority to be found anywhere. I dismiss the theory that these antiquated cases have any bearing upon the subject. The Minister of Finance, in the new set of parliamentary rules he laid down, seems to think that if he could quote the opinion of some ancient judge he had the best light that could be thrown upon a question. I am sorry that his legal studies were nipped so early in his career. His going into the field of finance has apparently caused him to forget, what everybody else knows, that when a lawyer goes to court, what he wants is not some antiquated opinion to refer to, but the last case upon the question. His argument is entirely inapt; his argument has no bearing upon the question. We have in our own rules everything that is necessary for the guidance of this House, and this alleged precedent, unfortunate as it is, has no place whatever in the present discussion. This being the case, upon what authority does Mr. Speaker usurp the functions of the Chairman of the Committee of the Whole, and take the Chair to the exclusion of the Chairman and without any report from him? There are certain occasions upon which he can do it —when there is a message from the Black Rod or from the Governor General, but these are well defined by the rules, and reference to them is not necessary in the consideration of this matter. Has the Speaker, then, any right to usurp the powers of the Chairman of the Committee of the Whole? Supposing he has the right, what was Mr. Speaker's object in taking the Chair on that occasion? The Speaker but represents the authority of the House; he has no inherent functions or powers

other than those conferred upon him by the rules. He is the functionary who sets into operation the conditions under which this House can assert its rights and privileges, and who provides for penalties being effected. The personality of the Speaker has no significance in the matter; he is but a necessary element in the machinery of this House. The theory of my hon. friend the Minister of Finance in regard to this question is entirely aside from the matter for the reasons I have given, and the whole history of parliamentary institutions shows that the status of the Speaker is as I have stated it; when he comes into the Chair the House is in a position to deal with the report of the Committee of the Whole when that report is submitted to him. I have quoted from Redlich the principle, laid down with absolute clearness, which sets forth the solemnity that attaches to the Speaker's leaving the Chair and the Chairman of the Committee of the Whole taking his seat, and the same solemn formality occurs when the Chairman of the committee on all such occasions reports progress to the Speaker and asks that the committee have leave to sit again. While these things may, to a certain extent, seem to hon. gentlemen who sit in the House and observe the proceedings to be forms of supererogation, they have, nevertheless, a parliamentary significance which is of the utmost importance, and which lies at the very bottom of the determination of this question. The Chairman of the Committee of the Whole, except in so far as he cannot deal with certain questions, is supreme within his own sphere, and with regard to questions referred to the Committee of the Whole by the House itself.

There has been some confusion of ideas with regard to this matter. We must remember that there is a great deal of difference between the conditions which obtain in England and those which operate in Canada in respect of the functions of the Speaker. In England the Speaker is purely a judicial officer. He is a functionary who is selected because of his particular qualifications, who does not change with every change of government, as in this country, and who becomes a permanent part of the British parliamentary system. The history of the Speakers of the British Parliament during the last thirty or forty years shows the status which the Speakers have obtained under their system, and reveals conditions which differ from those existing in this country. I quoted from Redlich this afternoon to show in the British House, when the House went into Committee of the Whole the Speaker went out of the Chamber altogether. Does that occur in Canada? No; on the contrary, the Speaker remains in the Chamber, and, as a matter of parliamentary practice, he is supposed to be here and have the right to do certain things which the Speaker of the British House does not pretend to have. The Speaker of the British House does not interfere in matters that are before the Committee of the Whole for discussion, and never expresses an opinion upon them. In this connection Bourinot says:

> When the House is in Committee of the Whole the Speaker has an opportunity, should he think proper to avail himself of it, of taking part in the debate, but this is a privilege, however, which, according to the authorities, he will only exercise on rare occasions and under exceptional circumstances.

During the course of three parliaments, I have seen two Speakers sitting upon the treasury benches and being submitted to a cross-examination from hon. gentlemen who are now sitting opposite in regard to Supply, and with respect to matters which they were asking to have passed upon for their particular departments. This procedure, so far as I can judge, does not exist in England. Supposing Mr. Speaker was sitting where the Minister of Finance now sits, and was explaining to the Committee of the Whole, the members of which were considering his Supply, matters which related to the money which was to be expended under his control, and supposing any hon. member in the House proceeded, by reason of the strength of his opposition to Mr. Speaker's estimates, to break the rules or create disorder, imagine how absurd it would be if it was held that Mr. Speaker, who was asking the committee to vote the money for his department, could at his own whim and fancy, leave his seat, take the Speaker's Chair, and declare that the Chairman of the committee should not be there! In such a case the Speaker could at any time take the Chair and declare the whole thing had to be settled and brought to a conclusion, and that is the proposition which the hon. gentlemen opposite are seriously putting forward. The question as to whether or not there is disorder in committee is a matter for the House to decide, and this is not a question subject to the opinion of Mr. Speaker. Bourinot lays down, on page 281:

> The Speaker, however, cannot be called upon to decide a question of law nor to express opinions on matters which are for the determination of the House itself.

As I have said, under rule 14, the question as to whether or not there is disorder is a matter entirely for the House to decide, and upon which Mr. Speaker has no right to express an opinion, more particularly when the Chairman of the Committee of the Whole is seized of the question and the matter is

being dealt with by him. Upon a general review of the facts connected with the matter, the situation seems to me to be absolutely clear. The rules of this House determine and define the functions, duties and powers of the Chairman of the Committee of the Whole, and in rule 14 is found everything that is necessary to enable the business of the House to be properly conducted. Notwithstanding the fact that all the rules contemplate that every committee must report to the House before the House can be seized of the matter before the committee, it is asserted by hon. gentlemen opposite that Mr. Speaker can, of his own motion and at any time, take the Chair and proceed with the business of the House. I say that such a conclusion is not warranted, and there are no conditions which reasonably justify such a proposition. When this matter came up for discussion last week, Mr. Speaker, when asked to read the rule embodying the authority under which he took the Chair, said:

> The quotation which I gave as to the right of the Speaker to take the Chair is in the English rules, number 161, which reads:
> In the case of grave disorder arising in the House the Speaker may, if he thinks it necessary to do so, adjourn the House without question put.

He went on to say that our rules are practically the same; but I am sure that Mr. Speaker, on reflection, will see that no such principle is involved in the rules of this House as they exist to-day. Rule 161 is an English rule which applies entirely to the proceedings in the House itself, and not to the proceedings when the House is in Committee of the Whole. I have read the rule, which is a correct transcript of what is to be found on page 139 of the Manual of Procedure of the English House of Commons dated 1912. I think these rules came into force in 1902. The point, however, is that rule 161 deals with conditions existing in the House with the Speaker in the Chair, and when disorder arises it indicates what should be done. There were incidents in the British House in 1905 and 1911 which show how that rule is enforced. In 1905 a discussion was originated by Sir Henry Campbell-Bannerman who demanded from the then Premier, Mr. Arthur Balfour, a statement as to the position of the Government with respect to the matter of colonial preference. Mr. Balfour did not rise to reply, but Mr. Lyttleton, who I think was Secretary of the Colonies at the time, proposed to do so, whereupon the Opposition of the day insisted that Mr. Balfour should make the statement. They continued to insist vociferously; the incident is recorded here in the English 'Hansard.' A lot of maudlin references have been made to what occurred here the week before last. Let us go to the English House of Commons and see what occurred in 1905, and in 1911. True, they do not have such curious rulings as we have had in this House but we find discussions in which the Opposition in the British House of Commons have asserted their rights in the most determined manner. What occurred in 1905 under rule 161 was this. Mr. Deputy Speaker, who presided in the absence of the Speaker, rose and said:

> It is perfectly obvious that this scene cannot go on. It has now lasted for nearly an hour. In these circumstances it comes, I take it, within the words of rule 21, namely, 'that in case of grave disorder' the power rests with the Speaker to adjourn the House without question put. That power I now exercise, and I declare that the House stands adjourned.

That was in 1905, and a scene somewhat similar occurred a month or two ago, as will be in the recollection of hon. members. That action was taken by virtue of rule 161 while the House itself was sitting, and the Speaker was in the Chair. It had no relevance whatever to any proceedings in the Committee of the Whole, and has no relation to the issue which we are discussing here.

Mr. EMMERSON: What did the Opposition do on that occasion; what was the measure of the disorder?

Mr. MACDONALD: The measure of the disorder was the continued insistence upon the fact that Mr. Balfour should make the statement on behalf of the Government as to their policy in regard to the question of Imperial Preference. So much for the application of rule 161. I think it is desirable in discussing this question to wipe away the extraneous matters in order to see just where we are. I submit that the right of Mr. Speaker to take the Chair does not arise for the purpose of instructing the chairman of a committee to do a certain thing, such as to put a motion. We have heard isolated and antiquated precedents quoted here, but even such worthless evidence cannot be furbished up to justify the proposition that Mr. Speaker can interfere and dictate to the Chairman of a committee as to the putting of a motion. I do not intend to labour that point, because nothing can be found in the rules, either here or in England, to warrant any such assumption. We on this side of the House are sincerely desirous that this question should be settled in conformity with what are the well understood rules of Parliament. We on this side of the House have the right to freely discuss any question that is brought before

the Parliament of Canada by hon. gentlemen opposite, whether it be a Government measure or a private measure. It has always been claimed that this is a free country and this a free Parliament where our rights are settled, where the free expression of the opinion of the Canadian people is given, and where legislation is moulded. That has been the history of this Parliament hitherto. We object Sir, to the resurrection of musty precedents, to justify unwarranted decisions. We object to the arbitrary and unjustifiable expansion of the rules beyond the lines which they were intended to follow in this or in any other parliament. We say that we should deal with these questions in the light of experience, and also in the light of what is best for the future. Hon. gentlemen surely do not want to lay down precedents to-day which will meet them perhaps before they think they will, and which, if applied in the way they have endeavoured to apply the rules, they would resent. I have endeavoured to deal with the question, in the light of all the authorities I could find and with the view of finding the proper solution. I submit that there is no parliamentary rule in existence to-day that warrants Mr. Speaker taking the Chair while the Committee of the Whole House is sitting, without a report from the Chairman of the committee. I submit that that is beyond question the rule of Parliament; it is the law of Parliament, and hon. gentlemen opposite cannot find anything to the contrary, or any precedent that would justify the subversion or the putting aside of that well-understood principle.

Mr. J. A. M. AIKINS (Brandon): The question before the House is, as I understand it, was the Speaker, on the evening of the 15th March, justified by precedent or correct in resuming the Chair when the House was in Committee of the Whole, with a chairman in the Chair, but when there was great disorder? To arrive at a proper conclusion on this question, it is necessary to know what the facts were, and then what is the law applicable to that state of facts. As I understand them, the facts were that the House was in Committee of the Whole, the Chairman was in the Chair, an amendment had been moved, and the point had been raised some eighteen hours before the occurrence out of which the Speaker took the Chair that the amendment was out of order. During the debate the right hon. the leader of the House expressed the view that, as a similar point of order had been decided previously, it was only proper that the Chairman should decide the question. The Chairman, however, did not act immediately on the suggestion, but allowed the debate to continue. The expression of the right hon. the leader of the House was:

> I think it will be desirable to have your ruling on the subject so that it might be decided, if necessary, by an appeal.

As I have said, the Chairman did not act at once on the suggestion; but eventually he rose in order to give his ruling, as will be seen on page 6518 of 'Hansard':

> The Chairman: The question——
> An hon. Member: Mr. Chairman——

I presume that if proper order had been observed, when the Chairman rose to give his ruling, no hon. gentleman should have stood. When the hon. gentleman referred to stood, while the Chairman was standing, some hon. gentlemen on this side of the House called 'order.' Immediately there was a response from the other side of the House in the form of shouts 'free speech' and 'shame.' The hon. member for St. John rose in his place. Was he in order? He knows himself. I imagine that, as he rose in his place, knowing the temper of the gentlemen behind him, he may have thought that he was leading the Tuscans, that before him was Horatius at the bridge supported by Herminius and Lartius guarding the bridge, and that it was incumbent upon him to take the leeadership in the attack; or he may have thought that he was the great Lord of Luna moving with stately stride and, seeing his followers behind him, cried: 'Will ye dare to follow if Astur clears the way? So he moved out of his seat into the gangway. Was that in order? As reported in Hansard, he states: 'I was angry.'

Mr. PUGSLEY: Hear, hear.

Mr. AIKINS: He stated that he was angry, through and through.

Mr. PUGSLEY: Hear, hear.

Mr. AIKINS: Was that in order to proceed along the gangway?

Mr. PUGSLEY: In defence of the rights of Parliament and in defence of free speech.

Mr. AIKINS: When the Chairman was standing, and then what? We find what the hon. member for St. John did when so angry. He said:

> I emphasized in the strongest possible way the fact that the hon. member for Humboldt was on his feet and that he was entitled to some consideration of the Chair.

Was on his feet? During the time that the Chairman was on his feet? That is not being in order. He emphasised it in the strongest way possible. Emphasised how? In what way does an angry man emphasise his anger and indignation in the strongest way possible when he has not a gun? He does that generally with uplifted fists and mighty shouting. How the hon. gentleman did that hon. members of the House know. He says: 'I did not touch the Chairman.' Perhaps not, but

here we had this great Lord Luna—I beg Lord Luna's pardon—setting the example to those behind him, enthusing them with that same angry temper, the result being that he starts an uproar that in the annals of British parliaments has scarcely a parallel and is almost without precedent. It was then that the Speaker happening to sit, as he had a right to sit, in the House, rose, advanced with dignity and ascended into the Chair. The impression has been made upon the House by some hon. gentleman opposite that the Speaker immediately said: 'I want the Chairman to rule.' Did he? We look at 'Hansard' and find that the first statement that was made by the Speaker was:

Order; I want the House to come to order. I regret to say I have witnessed tonight a scene not at all creditable to the House. If I see any hon. member acting in open defiance of the Chair, I will name him.

Although the Speaker was on his feet trying to get order, the hon. member for St. John was also on his feet. Was that according to the rules of order? Oh, I would like these hon. gentlemen on the other side of the House, who are such great sticklers for order at this particular time, to recall the facts of a week ago last Saturday night and see what order they observed then and see how they look in the mirror of their present speeches. Let these Daniels then come to their own judgment in condemnation. The hon. member for St. John said:

Mr. Speaker, will you allow any discussion?

Now, the fact was that immediately before the Speaker went to the Chair, the Chairman was in his place in the committee, and was about to give his ruling. It was the right and duty of the members of the committee, when he was standing in his place, to obey the Chair and wait for the ruling; therefore disorder arose. The Speaker, in answer to that question from the hon. member for St. John, very properly said:

No, I want the Chairman to rule on this point of order.

Why? Because the Chairman had been interrupted by hon. gentlemen opposite and was prevented from giving his ruling. What the Speaker said was simply this: 'I want the Chairman to resume where he was interrupted, and I want the committee and the House to observe the rule and to see that an opportunity is given to the Chairman to give his ruling.' Therefore, his statement:

No, I want the Chairman to rule on this point of order. In my judgment, it has been debated away beyond the usual length——

Some hon. MEMBERS: Hear, hear.

Mr. AIKINS: I am glad to hear hon. gentlemen say, 'hear, hear;' that means assent. After eighteen or twenty hours of debate they had not reached the issue or succeeded in convincing themselves upon the point of order. These are the facts, and, being the facts, what is the law applicable? In the first place, we turn to the first rule, which provides that:

In all cases not provided for hereinafter or by sessional or other orders, the rules, usages and forms of proceedings of the House of Commons of the United Kingdom of Great Britain and Ireland in force on the first day of July, 1867, shall be followed.

What was the law existing and prevailing at that date? You, Mr. Speaker, and hon. gentlemen know that the law of England, as well as the rules relating to procedure in the House of Commons, have been 'broadening slowly down from precedent to precedent.' It is by precedent that the British law has been established in the country and also in the House of Commons. Therefore it becomes necessary for us to consider those precedents. I submit that the inherent authority which the Speaker has would, even in the absence of any distinct provision or rule, empower him to intervene to maintain decorum and prevent disorder. That is what happened in the year 1675, in the case mentioned by Sir Erskine May at page 387, of the last edition. Comment has been made that at page 388 of May it is mentioned that:

The Speaker stated that it was to bring the House into order again, and 'though not according to order,' he had taken the Chair.

Yet, he was justified even if there was no order existing. I repeat that even if there was no precedent, no order, under the circumstances of Saturday night, by virtue of the inherent authority which he possessed the Speaker had the right to take the Chair and restore order. But it is not necessary to go that far.

Mr. GRAHAM: Hear, hear.

Mr. AIKINS: I am glad that hon. gentlemen say it is not necessary to go that far, and that they are delighted that there are other precedents. That particular case in 1675 is one precedent. I am pleased that the hon. member for Pictou (Mr. Macdonald) is now satisfied.

Mr. GRAHAM: You will have to do better than that.

Mr. AIKINS: We will do better than that and cite also the case in 1810, which has been referred to already. The report in the Debates is exactly the same as the report in the journals, referred to by my hon. friend the Minister of Finance.

The said Mr. Fuller returned into the House in a very violent and disorderly manner. Mr.

Speaker resumed the Chair and ordered the Sergeant to do his duty.

The House in that case was in Committee of the Whole and the Speaker resumed the Chair, and so we have the authority of 1675 confirmed in 1810. The hon. member for Pictou, of course being a lawyer, knows that courts are governed by precedent and authority, and let me ask the hon. gentleman if he can cite any authority reversing these two decisions?

Mr. MACDONALD: What about Sir Erskine May's own statement as to that case, and what about his statement as to the following case in the same book?

Mr. AIKINS: The hon. gentleman has practiced law for a long time, and when he is citing authorities to the judges of the bench he does not cite the text books, but the decided cases?

Mr. MACDONALD: It depends upon what is the principle.

Mr. AIKINS: As I understand it, the judges living in that part of the country in which I have practised follow decided cases, not text books.

Mr. MACDONALD: Does my hon. friend say that in his province the judges take cases in preference to legal principle?

Mr. AIKINS: The judges take the decided cases if they have not been reversed, rather than the comments of text writers, as fixing principles. These are the cases, and the comment of May, that the incident has not been repeated, is an error, for the established authorities show that he is mistaken, for the case of 1675 was repeated in 1810 and confirmed. I challenge the hon. gentleman to show any case or place where these decisions have been reversed. If he can show us we will of course bow to such decisions, but there are none. Then, not only according to the inherent authority in the Speaker, but by virtue of these precedents, Mr. Speaker was perfectly justified in resuming the Chair as he did.

Mr. MACDONALD: How does the hon. gentleman get away from rule 14?

Mr. AIKINS: We have the precedent I have cited; we have the inherent authority of Mr. Speaker, which was simply confirmed by rule 5, and now we come to rule 14, which is interesting:

> 14. The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House; but disorder in a committee can only be censured by the House, on receiving a report thereof.

The hon. gentleman from Pictou has referred to the authority of Redlich and I quote from that author on page 198 where, speaking of the Committee of the Whole House, he says:

> The procedure as the name implies consists in the House regularly in one matter after another appointing itself a committee so that though no physical alteration is made in the deliberative body its legal character is changed.

I quote another sentence at page 200:

> The procedure in committee is the same as that of the House, except on three points: no seconder is required for a motion; the previous question cannot be moved, and members are not confined to one speech on each question.

If these were the only exceptions, the Committee of the Whole House could censure a member if he violated the rules of the House, but rule 14 adds another exception and takes that authority to censure away from the committee; and so the latter part of this rule says:

> But disorder in a committee can only be censured by the House.

In other words, that the committee cannot censure disorder, but the House alone can, and to that extent the powers of the committee are limited. That is the purpose and intention of this particular rule 14. The House alone can censure, and the only way in which the House can have knowledge of what is done in the committee for the purpose of censuring, is by report from the committee.

Some hon. MEMBERS: Hear, hear.

Mr. AIKINS: I like to hear hon. gentlemen say 'hear, hear,' because it shows they are following and approving my argument. So that, if the Committee of the Whole is about to censure any member, or if the Chairman of the Committee of the Whole is about to censure any member, then the Chairman should report to the House and let the House censure. But what were the facts on the occasion we are discussing? The Chairman of the Committee of the Whole was not about to censure any member; but, standing in his place, was simply about to give his ruling on a point of order, and therefore section 14 does not apply at all. Consequently, as it does not apply at all, and is not in point, it is entirely outside the argument and inapplicable to the case.

Mr. EMMERSON: What about this part of rule 14:

> The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House.

Mr. AIKINS: The question is academic, for, supposing the Chairman is not able to keep order, what is to be done? That is a subject that is not provided for by rule 14.

Mr. EMMERSON: He could report to the House.

Mr. AIKINS: If he was about to censure he ought. He was not about to censure, and it would be absurd to say the Chairman could report to the House even if he desired, with such a bedlam as was then prevailing. The Speaker, seeing and knowing the situation, followed the precedent and authority and acted with perfect propriety in the matter by taking the Chair. The hon. gentleman from Pictou (Mr. Macdonald) also pleases me in his attitude of certainty; the speaks so self-convincingly, and with such cocksuredness that one would imagine he considers he is the Day of Judgment in trousers, and that when he has spoken the last word has been said. But it so happens that this rule 14 is entirely inapplicable as I have shown, and therefore Mr. Speaker properly exercised his authority to prevent the fair fame or our country and the honour of this House of Commons from further blot and greater indignity than was being inflicted upon it when he intervened.

Hon. WILLIAM PUGSLEY (St. John, N.B.): My hon. friend (Mr. Aikins) has done me the honour to refer to me in terms which I suppose he thinks complimentary.

Mr. AIKINS. Surely.

Mr. PUGSLEY: I am sure that the hon. member, with that reputation he has for Christian forbearance towards his fellow men, would not be guilty, even in this Parliament, of using unkind words to any member, and, therefore, I shall take the remarks of the hon. member to be characterized with that innate desire, for geniality which sometimes carries him beyond his surroundings and even beyond himself. You, Mr. Speaker, are probably not oblivious of an occasion during this session when that was the fate which befell my hon. friend. My hon. friend refers to the fact that on one occasion I had advanced in front of my seat. When the hon. gentleman was making the speech to which I have made reference, he was continually out in front, not only of his own seat but of half a dozen other seats, on the floor of the House. So far as I am concerned, I do not regret the part which I took in endeavouring to prevent as far as possible the Chairman of the committee from accomplishing what I thought would be a most serious breach of the rules of this House. There come times in the history of all parliaments when, if chairmen of committees act in a tyrannical and unparliamentary manner, it becomes the duty of those who are called upon to guard the rights of the minority to act as best as they may in defence of those rights. It is an extraordinary fact—indeed, it is a fact which reflects credit upon hon. gentlemen opposite—that not one of those gentlemen, who have spoken upon this question, has attempted to justify the course which the Chairman took in shutting off discussion. The hon. member for Portage la Prairie (Mr. Meighen) says: oh, well, if the Speaker had no authority to order him to shut off discussion and to put the vote, what harm would it do? The order of the Speaker would be like waste paper; it would be of no force or effect, and no harm would be done. My hon. friend the Minister of Finance (Mr. White), with that cautious attitude, which I suppose he has learned how to assume by reason of the responsible position in which he has been placed, although he is a lawyer, says that he will not venture to express an opinion one way or the other. My hon. friend from Brandon (Mr. Aikins) has not ventured to express an opinion. As one humble member of this House, and having some little knowledge of parliamentary rules, I shall say that the action of the Chairman was wholly at variance with the rules of this House. I am also prepared to say, and I say it with all deference and respect to you, Mr. Speaker, that the order which you gave to the Chairman to continue in his course of shutting off discussion and of taking the vote on that question, was entirely contrary to the rules which ought to govern this House. What were we to do under those circumstances? We were brought face to face with a condition of affairs which, if the views of hon. gentlemen opposite and the course they had outlined and outlined deliberately for the purpose of taking away the right of free speech which belongs to the minority in this House, had been followed out, would have rendered unnecessary any alteration of the rules of the House. They were applying closure against the rules of the House. They were taking a course which would be far more detrimental to the right of free speech than if they had the manliness to amend the rules, to introduce closure and make it one of the rules of the House. Without closure, without the right to shut off discussion, they attempted in violation of the rules of the House to shut off discussion and to deprive the minority of the right of free speech. When they attempted to do that, what were we to do?

Some hon. MEMBERS: Fight.

Mr. PUGSLEY: Were we to allow the Chairman to continue in that unparliamentary course? If he had done so, the gravest possible blow would have been struck at the rights of the minority in Parliament. The right of free speech would have been taken away. There would have been taken away the opportunity to discuss important questions—to discuss them, not for the purpose of convincing hon. gentlemen opposite, but for the purpose of placing the facts before the people of this

country, who by reeason of their being your masters as well as ours are entitled to have a hearing and know what are the views which are being presented in this House, and what are the facts which ought to influence them in the decision which they are ultimately to give, because they are the final court of appeal to which you and we must appeal. I pray that the day will soon come when you will be obliged to appeal to that court of appeal. My hon. friend the Minister of Finance stated a night or two ago in Toronto that, if there were an election, the Liberals would be beaten. I challenge my hon. friend to bring on an election.

Mr. WHITE: Without dissenting from what my hon. friend has stated, will he allow me to say that I made no such statement? I said that the Liberals did not want an election. I think it is the last thing under Heaven that they want today.

Mr. PUGSLEY: My hon. friend can determine very quickly as to whether we want an election or not. Let him offer it to us. He talks about not being able to carry on the Government of this country, because he has not got Supply through, Supply for which he has never asked, Supply one dollar of which has never yet been asked for except for the purpose of closing up the supplementary estimates of the current year. Let my hon. friend make us that proposition. If I know anything of the feelings of hon. members on this side of the House, they will meet my hon. friend quickly, and will give him Supply sufficient to carry on the affairs of the country until there is an opportunity to issue the writs and to have an election. There is a willingness on the part of hon. members on this side of the House for an election. Not only the Liberal members of this House, but the Liberals throughout the country are eager for an election on this question. The people have not had a fair opportunity of considering the questions which are involved in the important discussion which has been gong on.

You will pardon me, Mr. Speaker, if I follow, even although it may be digressing a little from the subject which is immediately before the House, the remarks of my hon. friend from Brandon (Mr. Aikins). He has called your attention, Mr. Speaker, to the proceedings which took place in committee upon the Naval Bill. Let me call your attention to some things with which perhaps you are not familiar, and which my hon. friend has not thought it worth while to bring to your notice. During these two long weeks, Mr. Speaker, I can well understand that you found it necessary to absent yourself from the House in order to take the rest which you would so much need. My right hon. friend, in one of those extraordinary manifestos which he has recently issued to the country, says that during those two weeks there was the fullest opportunity for discussion—during those strenuous hours when we were forced to remain here day after day and night after night. Does he call that discussion? Does he call that a fair and reasonable opportunity of presenting our views to the people of this country? It is a mockery to call that discussion. Let me call your attention to one fact, which you may not be aware of, Mr. Speaker, but which you are entitled to be made aware of in order to judge correctly of the conduct of hon. members on this side of the House. I remember the first night, when the second clause of the Bill came up for discussion and the committee was called upon to consider whether the $35,000,000 which it was proposed to vote—and with regard to which we made no question so far as the amount was concerned—should carry. There was an amendment which had been moved by my right hon. friend the leader of the Opposition and which raised the question which has been agitating the people of this country from the Atlantic to the Pacific, to a degree to which no other question since Confederation has agitated them—the question whether their taxes to the extent of $35,000,000 should be sent across the water as a contribution to the Imperial Government or whether that money should be spent for the building up of a Canadian navy and encouraging the establishment of a great ship-building industry. We had been discussing that question for some two or three hours, when one o'clock arrived—a reasonable hour when the House should adjourn. The leader of the Opposition, in the most courteous manner, suggested to the leader of the Government that the time had arrived when the committee should rise and report progress and ask leave to sit again. But the leader of the Government then announced, in as plain language as any language could be, that the committee would be compelled to sit until they passed that clause. And the right hon. gentleman calls that 'opportunity for reasonable discussion.' He said in effect that we must agree to pass that clause or otherwise we should be kept night and day until the next Sunday morning before he would let the committee rise. He did not say so in so many words, but that was his meaning. That is the way in which, as he says, he left the door open to 'fair and reasonable discussion' for the members of this House. And I am here to say that during that discussion, although hon. members on the other side did not favour the committee with their views, although they did not present any argument

for members on this side of the House to reply to, yet, never before in the history of this Parliament were there delivered in this House speeches more full of information, more full of unanswerable argument, than were those presented by hon. gentlemen on this side. That is the feeling of the people of this country. Compelled, as I have said, to discuss the matter under these unfavourable and unfair conditions, hon. members on this side rose to the occasion; they discussed this great question as it ought to be discussed, and as I have said, the speeches they made in the committee were models of parliamentary discussion and are of the utmost value in informing the public mind upon this question. This continued until Saturday night. All hon. members on this side, even then, had not had opportunity to speak. The debate was continued in the following week. And when Friday night came, the Minister of Public Works (Mr. Rogers)—who has had an experience in Manitoba which has rather led the people of Canada to believe that his position is that when people stand in his way politically —the proper thing to do is to arrest them and send them to prison—seemed to think that the right way to get this Bill through was to appoint temporary chairmen of the committee whose views would be known and who could be relied upon to rule in accordance with the wishes of the Government on the various questions raised. And what was done first? My hon. friend from Brandon (Mr. Aikins) was one of the first to be appointed temporary chairman. My hon. friend the Deputy Speaker (Mr. Blondin) perhaps, was not in the House just at the moment when the hon. member for Brandon took the Chair, but if my memory serves me well, he was here immediately after.

Mr. DEPUTY SPEAKER: I myself called the hon. member to the Chair. I was quite exhausted. Really I was sick.

Mr. PUGSLEY: I can well understand that my hon. friend would be sick. But what does he think of the conduct of the majority of the House in keeping the rest of us here all these days and nights? Does he think that we have greater physical powers of endurance than he? Does he think it is our duty to stay here more than it is his duty to stay here? I have no doubt he was sick—sick and disgusted with what was taking place in this House, the majority of the House riding roughshod over the minority and trampling under foot the liberties of the people. No wonder the hon. gentleman was sick. But that is not the question. I venture to say that no temporary chairman should rule upon points of order where the two parties of this House are divided. I venture to say that when an important question arises, when a member takes the Chair, as he does, only temporarily for the release of the Deputy Speaker, if any question of order arises, the temporary Chairman ought to ask the Prime Minister to move that the committee rise, or he ought to ask that the Deputy Speaker take the Chair and rule upon the point. If it were otherwise, what protection would the minority in this House have? Take, as I have said, the action of the hon. member for Brandon. I venture to say, Sir, that the Deputy Speaker will not tell me that he called upon the hon. member for Brandon without suggestion from anybody?

Mr. DEPUTY SPEAKER: I certainly will.

Mr. PUGSLEY: I accept the statement of my hon. friend. But it struck me as an extraordinary situation. We had had an amendment, moved by the leader of the Opposition, to the resolution upon which this Bill was founded. No objection was taken to it as being out of order, and a vote was taken upon that amendment. Later we had that same form of words moved as an amendment to the second clause of the Bill. That was discussed for nearly a fortnight. And it struck me as peculiar that the hon. member for Brandon should be called to the Chair and that my right hon. friend the leader of the Government should then, after this great length of time and in the absence of the leader of the Opposition who had moved that amendment take the ground that the amendment was out of order, and that the hon. member for Brandon should be so ready in giving decision, to deliver a carefully prepared argument, with as my hon. friend from Rouville reminds me, the authorities which he thought might support him evidently carefully looked up and at hand. There are some things that we cannot know in this world; but if we have any reasonable judgment we can form a shrewd suspicion with regard to them. I leave the situation with the hon. member for Brandon as it is and say nothing further, beyond this—that the hon. member for Brandon, being temporary Chairman for the purpose of relieving the Deputy Speaker, he ought not to have given a decision upon this important question. It is recognized in the British House of Commons that a temporary Chairman must not decide these important questions. Take the matter of closure; the rules specifically provide that no temporary chairman shall have the right to apply closure. And why is it so? Parliament, both in England and in this country, recognizes that after a member is elected to the office of Speaker he ought at least to try to hold the scales evenly as between the two parties. It is not always done, I admit, but Parliament is ready to agree that the Speaker shall keep himself aloof from party, and

endeavour always, as I have said, to hold the scales evenly as between the two contentious parties in this House. So with the Deputy Speaker; that is why years ago it was provided that there should be a permanent Deputy Speaker, who should be Chairman of the Committees of Ways and Means, the Committee of Supply and generally the chairman of committee on Government Bills. The principle was that he should always endeavour to remove himself above party, so that the minority in the House, as well as the majority, might be able to look upon his decisions with some degree of confidence. How much more important it is that these decisions should be given either by the Speaker or by the permanent Chairman of the committee when we consider that there is no appeal to you, Sir, from any erroneous decision which the Chairman might give. If there were an appeal to you, you would feel bound to look into the authorities, and your judgment would become of record, and would form a precedent for future Speakers to act upon. But under the rules of this House an appeal from the decision of the Chairman is not made to you, Sir, but to the House, and the decision of the Chairman is invariably sustained. There is no opportunity for discussion; no opportunty to argue the matter with the majority; no opportunity of presenting authorities to them, but an appeal is, without discussion, immediately taken to the House, and a partisan decision, confirming the ruling of the Chairman of the committee, is given. Do you not see, Sir, how important it is, if the Chairman is to have the confidence of all the members of this House, that all decisions which affect any such important matters—the rights of the minority of this House and the rights of the people of this country whom they represent—should be given by permanent chairmen, and not by chairmen who may be selected upon the spur of the moment, and who come to the Chair influenced by all those partisan motives which influence hon. gentlemen upon the floor of this House.

And what next took place in connection with this matter? The hon. member for Peel (Mr. Blain) was in the Chair. I do not know how he got there—

Mr. BLAIN: How does my hon. friend think I got there?

Mr. PUGSLEY: I would like to know by what authority he chose a member of this House to take his place? After the amendment of my right hon. friend the leader of the Opposition and the sub-amendment moved by the hon. member for North Cape Breton (Mr. McKenzie) had both been ruled out of order, there being an apparent attempt on the part of hon. gentlemen opposite to shut off discussion, and after there was, apparently at the instance of the hon. Minister of Public Works, a determination evidenced to take a vote, by hook or by crook, within the law or outside the law, in accordance with the rules or against the rules of this House, on the second clause of the Bill then under discussion, by Saturday night, my hon. friend for Peel left the Chair, and then without your authority, Sir, or the authority of the Deputy Speaker, my hon. friend from Kent (Mr. Robidoux), took his place. The discussion went on, and the point of order was raised as to his right to be in the Chair. I argued the matter, and I was able to submit to the House, the opinion of so old a parliamentarian as yourself, Sir, given in 1896, that even the Deputy Speaker had no authority to appoint a member to take his place. I am always glad to give the authority of strong and experienced parliamentarians in favour of any point which I raise, and in this case our position was infinitely stronger because of the fact that it was not the Deputy Speaker who had appointed the hon. member for Kent to the Chair, but the hon. member for Peel had sent for the hon. member for Kent at the very instant when that hon. gentleman was on his way for the purpose of taking the Chair. What inference, Mr. Speaker, would you draw from that fact? Would you think it was merely a synchronism, to use the language of the Finance Minister, that the hon. member for Kent should be walking down to take the Chair at the very instant when the hon. member for Peel was about to rise to enable him to do so, and was sending for him? Would you not come to the conclusion, particularly in view of what had taken place, and in view of the intention of the Government that by some means the second clause of the Bill then under discussion should be passed before the committee rose, that there was an understanding that the hon. member for Kent at a certain hour should take the Chair?

Mr. BLAIN: Why does not my hon. friend accept my statement in regard to that question made in the House a few days ago?

Mr. PUGSLEY: I have accepted my hon. friend's statement. My hon. friend says that he was about to send for the hon. member for Kent when that hon. gentleman suddenly appeared for the purpose of taking the Chair, and that is also the statement of the hon. member for Kent. He stated that he had come down for the purpose of taking the Chair before he had learned that the hon. member for Peel had sent for him. It is true—and I say it in justice to my hon. friend—that the hon. member for Peel stated that the reason

why he intended to send for the hon. member for Kent was that the hon. member for Maisonneuve (Mr. Verville) had the floor, and he thought it desirable to have in the Chair a member who understood the French language.

Mr. BLAIN: It was because of the request made by hon. gentlemen on the other side a few hours before, in connection with the same debate.

Mr. PUGSLEY: Hon. members on this side have urged that the Deputy Speaker should take the Chair. My hon. friend has given the reason why he sent for the hon. gentleman, but that is not the statement made by the hon. member for Kent, who has said nothing as to why he was coming down to take the Chair, but simply that he was coming for that purpose, and when he got there he learned that the hon. member for Peel had sent for him.

Mr. BLAIN: My hon. friend was in the House when the hon. member for Kent stated clearly and distinctly that my statement of the case was absolutely in accordance with his own.

Mr. PUGSLEY: That is true, but my hon. friend from Peel states only half of the case, and it is his half of the case with which the hon. member for Kent agrees. But it is the other half of the case to which I am referring. How did the hon. member for Kent come down at the psychological moment when the hon. member for Peel was sending for him?

Mr. AIKINS: I understand that the hon. member for St. John (Mr. Pugsley) has made the statement when I was out of the House that it was by some prearrangement that I occupied the Chair on the night of the 14th of March. The fact was that the hon. member for Kingston (Mr. Nickle) suggested to me that I should take the Chair for a few moments. I then noticed that the Deputy Speaker nodded to me; I went down to him, and he asked me to take the Chair. I was accordingly appointed to the Chair by the Speaker. I did not consult the Minister of Public Works (Mr. Rogers) or any other person about taking the Chair, nor did I expect to take the Chair until within two minutes of the time when I did take it. I do not make any apology for any of my rulings. They were not prepared in anticipation; they were given as the occasion arose.

Mr. PUGSLEY: I will take from the hon. member for Brandon almost anything if he will state it as a matter of fact. But it would take a pretty stiff statement from my hon. friend to make me believe that it was not known in the proper quarter what the view of my hon. friend from Brandon was as to those amendments, before he was called to the Chair.

Mr. AIKINS: Do I understand that a question is asked?

Mr. PUGSLEY: No, I am not asking a question.

Mr. AIKINS: I had not read the amendments carefully until I was in the Chair, and had formed no opinion at all as to the point of order until it was raised.

Some hon. MEMBERS: Take it back.

Mr. PUGSLEY: Then, the only thing we can say is that my hon. friend can only justify the judgment which he gave upon the ground that it was a hasty and ill-considered judgment.

Mr. AIKINS: I am not ashamed of it, and it was approved by the House.

Mr. PUGSLEY: Of course it was approved by the House, and the House came pretty near approving of the action of the Chairman, the hon. member for North Simcoe (Mr. Currie) when he sought to shut off discussion on a point of order. Fortunately for the honour of this House, the right hon. the Prime Minister happened to come in at the proper moment and prevented such a breach of the rules of Parliament as the committee was about to commit. It only shows that we ought to be exceedingly careful, that all these decisions should be given either by yourself, Mr. Speaker, or by the Deputy Speaker, who have had time to study the rules, who presumably are above party bias, and whose judgment therefore would be of more value than that of the chairmen who are merely called to take the Chair temporarily.

Then we come to my hon. friend from Kent (Mr. Robidoux), who took the Chair under the circumstances I have described. Now, Mr. Speaker, do you think that my right hon. friend the Prime Minister would expect a young member like the hon. member for Kent to bring his judgment to bear upon the rules of the House, and upon parliamentary law, so as to enable him to pass a fair opinion upon the request of my right hon. friend the Prime Minister to shut off discussion? That is the request which was made to the hon. member for Kent, N.B., when he was occupying the Chair. After the point of order had been discussed for a certain time, the Prime Minister said: Mr. Chairman, I think the discussion has gone far enough. These may not be his exact words, but they give the meaning of what he said. Then occurred an incident which to us upon this side of the House, who had been under a very long strain defending, as we thought, the rights of the minority of this House,

standing up, as we thought, for the great and inestimable privilege of parliament, the right of free speech, seemed to menace and which I thought menaced the liberties and rights of the members of this House. When the hon. member for Kent was in the Chair my right hon. friend the Prime Minister made the statement in effect that the discussion had gone far enough. What took place then? Did the hon. member for Kent bring his judgment to bear with regard to the discussion being marked by tedious repetition or not? Did he seek to bring into force the rule of this House which enables the Chairman to call the attention of an hon. member to the fact that he is guilty of tedious repetition, or that he is speaking in a manner irrelevant to the question under discussion? Not at all. Immediately, as if he understood perfectly what the right hon. the Prime Minister requested, and what he was desirous he should do, he turned his back upon hon. gentlemen on this side of the House, and proceeded to put the question to the committee. Now, Mr. Speaker, I ask you to go back to the days when you were in opposition, and I ask, what would you have done in those circumstances? As one who loves British fair play, as one who has stood with the minority in this House for the rights of the people whom you and they represented, I ask you, would you have remained in your seat silently, and seen the rights of the minority in this House so ruthlessly trampled upon without making a protest? What could we do, Sir? We knew that the Chairman at the behest of the right hon. the Prime Minister was deliberately violating the rules of this House.

Some hon. MEMBERS: Order.

Mr. SPEAKER: I would like to remind the hon. member, who is an old parliamentarian, that it is not permissible to impute improper motives to an hon. member of this House. I think he will agree with me that there is no rule better understood than that.

Mr. PUGSLEY: I do not want to impute motives; I do not impute motives. But, Mr. Speaker, I believed then, and I believe now, that the Chairman's action was not accidental. I believe he acted intentionally. I believe he acted in consequence of the suggestion of the right hon. the Prime Minister, made openly. I do not use the expression in an offensive sense at all; I am stating facts which everybody on the floor of this House is aware of. It is absolutely correct, and it would be a pretense if I were to try to use other language. I repeat, I do not impute any motives. The Chairman was a young man, unacquainted with parliamentary rules, and perhaps he thought he was bound by the request of the Prime Minister as the leader of the Government and the leader of the House. But he deliberately turned his back on this side of the House, and refused to hear further discussion when the hon. member for Humboldt (Mr. Neely) was on his feet. Now, in my judgment the rules of this House give to every hon. member the right to speak upon any question which is under discussion. When you, Sir, are in the Chair, a member can speak only once; but under the rules of the House, and under the rules of the British House of Commons, as they existed on the first day of July, 1867, it is the right of every member to speak as often as he likes upon any question which is under discussion in committee. The only right under the rules which the Chairman has to stop him is to call his attention to the fact that he is guilty of tedious repetition, that he is speaking in a manner irrelevant to the debate, that he is repeating either his own arguments or the arguments of others. That is the rule, and the only rule which the Chairman has a right to invoke. He did not invoke it. Notwithstanding the fact that the hon. member for Humboldt was, as I remember, speaking for the first time on this question, a question of great importance, the Chairman, in violation, as I thought, of the rules of this House, which as I have said give to every hon. member the right of speech upon any question which comes up, and upon the suggestion of the Prime Minister, turned his back upon members upon this side of the House, refused to hear the hon. member for Humboldt and proceeded to put the question.

Now, what were we to do? Were we to sit silent and see the rules of this Parliament trampled upon in the manner in which it was proposed to trample upon them? We are here to-day not fighting for ourselves. If it were only for ourselves, it would be a small matter, but we are fighting for the people of this country, we are fighting for those who, in years to come, will be represented on the floor of this Parliament and I know of no country in which it is more important that the people should always feel that the minority have the right of free speech, have the fullest liberty of speech and that they have at least an opportunity of presenting their views. Canada is composed of different races. One race is in the majority, others are in the minority and free speech is a great safety valve. The moment you tell the people that the majority can trample upon the rules of Parliament, close the mouths of the members of this House and prevent them from expressing their views, that day you strike a blow against parliamentary institutions from which it would take many, many years to recover.

I felt strongly upon this question and I did the only thing that I could do; I moved forward in front of my seat. I approached the Chairman and, in as strong, as loud and as respectful language as I could use, I called his attention—and I challenge hon. members opposite to deny the truth of what I say—to the fact that the hon. member for Humboldt was upon his feet desirous of being heard upon this question and demanding that he should be heard. The Minister of Finance says that there was disorder in the House, and he refers to the fact that I moved forward toward the Chairman as evidence of it.

Mr. WHITE (Minister of Finance): Mr. Speaker, I wish to point out to my hon. friend, who was out of the House during the first part of my speech, that I strictly observed the proprieties of parliamentary debate. I did not name my hon. friend in the first instance. I stated that I had seen a member stand up in front of his desk. My hon. friend who has just come in, identified himself as that member. In other words, he put the question in issue, I had to take it up as he left it, and this brought up the whole question of his conduct on that occasion. But in the first instance I simply referred to the fact that a member had stood up.

Mr. PUGSLEY: I am not complaining of the form at all of my hon. friend's remarks. If my hon. friend refers to a member, I do not object to his naming me, because I was the one; there is no doubt about that.

Mr WHITE: There is no doubt at all that the hon. gentleman was the member, but I observed the strict parliamentary proprieties as I understood them. I did not name the hon. gentleman as the member, but he identified himself and the discussion proceeded.

Mr. PUGSLEY: I do not expect that this thing will be repeated; but, if it were repeated I would, under similar circumstances, do the same thing to-morrow. I do not think it will be repeated. We have been told, Mr. Speaker, that hon. gentlemen are going to introduce the closure in this House, that they are going to move to amend the rules, but they will not try to break the rules any more They have had enough of that. The hon. Minister of Finance justifies your action, Mr. Speaker, in taking the Chair by the statement that you noticed disorder and that, among other things, you saw me close to the Chairman. I do not believe that influenced you, because, when you took the Chair, you treated me with every consideration. You did not call upon me to make any apology. I am inclined to think that you thought that the hon. member for St. John was doing just the thing that you would have done yourself under similar circumstances. But, if you had looked around you would have seen eighty odd members of this House who, by common impulse, rose to their feet and cried, 'Privilege, privilege; free speech'; all acting as one man in defence of parliamentary institutions and the liberties of the people. I would not think them worthy representatives of a free people if, under similar circumstances, they would not do the same thing again.

The question has been pretty fully discussed and authorities cited as to your right to take the Chair without there being any report from the Chairman of the Committee of the Whole. I only want to deal with one phase of the question. It cannot be said that you took the Chair for the purpose of restoring order in the committee —order which the Chairman was unable to restore. The Chairman could have instantly restored order if he had allowed the hon. member for Humboldt to exercise his right. But hon. gentlemen opposite—I should not say in an exceedingly disorderly manner, but still in a very emphatic manner—were calling out: 'Order, order'; 'sit down'; 'put him out,' and using disagreeable expressions of that character. We did not mind these expressions, but what I complain of is that the Chairman was persisting in violating the rules of the committee. I will not say that he did so intentionally, Mr. Speaker; far be it from me to do so; but through his ignorance of the rules and because of his desire to meet the request which the Prime Minister conveyed to him, a highly improper and extraordinary action, he did so. Therefore, how can you say that the Chairman was unable to restore order? He was the gentleman who was out of order, he was the gentleman who was violating the rules of the House, he was the gentleman who was trying to prevent free speech. It cannot be said that the Committee was guilty of disorder, for what the Committee was seeking to do was to insist upon the preservation of its rights. When you took the Chair, Mr. Speaker, you took it ostensibly for the purpose of having the question put, and with all deference to your honour

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Mr. SPEAKER: I wish to say to the hon. member that I took the Chair for the purpose of endeavouring to get the House in order, and for that purpose only.

Mr. PUGSLEY: I accept your statement cheerfully, Mr. Speaker, but assuming that was your object the strong objection I take to your course is that in effect you at once ordered the Chairman to put the question without discussion. Would I not have the

right, Sir, to criticise your conduct in that respect?

Mr. SPEAKER: If it is the desire of the hon. member to adversely criticise the conduct of the Chair, he is certainly taking a very improper method of doing so. If the authorities which govern parliamentary procedure count for anything, they clearly and distinctly state, that if the conduct of the Chair is to be impugned, or the Speaker's action challenged, it must be after notice is given, and a substantiative motion introduced upon which the discussion is had in the House. I have mentioned this before, and I think the hon. member for St. John is to old a parliamentarian not to know that it would be improper for me to remain in the Chair and listen to reflections on the Chair made in contravention of the rule.

Mr. PUGSLEY: I understand the object of allowing the matter to be brought up to-day on the motion that Mr. Speaker leave the Chair for the House to go into supply, was to enable the course of Your Honour and the course of the Chairman of the committee to be discussed, and we have been discussing that question during the afternoon and evening. Some gentlemen have been defending Your Honour; I have heard from two hon. gentlemen opposite that Your Honour, on account of the course you took on that occasion, was entitled to the gratitude of the House and of the country, and I did not hear any objection to these observations.

Mr. SPEAKER: The hon. member who initiated the discussion intimated to me that he wished to bring up the question on the motion for adjournment, and this I regarded as not the proper course to pursue. I had the authority of Mr. Speaker Peel to sustain that opinion. The hon. member afterwards assured me that it was not his intention or desire to reflect upon the conduct of the Chair and believing that to be the case I told him that personally I had not the slightest objection in the world that the rules should be discussed with a view to a better understanding of them. I frankly confess that the hon. member who introduced the matter did not reflect improperly upon the Chair but it seems to me that the discussion has been drifting in that direction of late. I deem it my duty to call attention to it because I think that such a course is absolutely improper.

Mr. PUGSLEY: Is it necessary to reflect upon the Chair if we question Your Honour's judgment—because one cannot discuss this question at all and be honest with himself and with the House unless he says so, if he thinks Your Honour acted in a way that the rules did not permit?

Mr. HUGHES (Minister of Militia and Defence): You can discuss it without calling in question the action of the Chair.

Mr. PUGSLEY: It would be a cowardly way of doing it.

Mr. HUGHES: Not at all; the hon. gentleman does not understand the meaning of the word 'cowardly.'

Mr. PUGSLEY: My hon. friend (Mr. Hughes) certainly does not judging from his achievements in South Africa, and of course we are all proud of the fact that the hon. member, unaided and alone, rounded up forty Boers.

Mr. HUGHES: He is sorry he did not have the hon. gentleman to round up.

Mr. PUGSLEY: If it is not out of order I call attention to 'Hansard' page 6158, whence I quote:

> Mr. Pugsley: Mr. Speaker, will you allow any discussion?
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> Mr. Speaker: No. I want the Chairman to rule on the point of order. In my judgment, it has been debated away beyond the usual length and beyond the usual privilege of debate.

I take that Mr. Speaker to be a distinct ruling and order on your part to the Chairman to pass his judgment on the point of order. I take it to be a declaration on your part that the discussion has gone far enough, beyond the usual privileges of debate, and an order to the Chairman to make his ruling and to make it without further discussion.

Mr. SPEAKER: May I explain to the hon. member my action at that time and why I took it. The hon. member for St. John made a request that I would allow a discussion and my reply was that I would not; the reason being that I simply took the Chair to restore order, and when order was restored I could not remain in the Chair longer and permit discussion. I asked the hon. member who had occupied the Chair, and who was on his feet endeavouring to give a ruling when I took the Chair, to resume the Chair and continue his duties. Having restored order, it was not proper for me to allow discussion at that particular time from any quarter of the House and to remain in the Chair. The Chairman had been on his feet endeavouring to do his duty, and therefore I replied to my hon. friend that it was improper to allow discussion while I was in the Chair.

Mr. PUGSLEY: Of course, all I can do is to quote what you are reported to have said. I perhaps may be pardoned if I took the view that the Chairman would understand your language as an order that he should give his ruling without further discussion. Then on page 6160 of 'Hansard' you are reported to have said in an-

swer to the hon. member for Beauce (Mr. Beland):

Mr. Beland: May I be permitted to ask a question.

Mr. Speaker: No, because I asked the Chair to give a ruling. The debate is closed. I want the ruling of the Chair.

I think, Mr. Speaker, that any chairman would likely take those remarks, if your Honour is correctly reported in Hansard, as being an order from you as Speaker that he should give his ruling without further discussion.

I have nothing more to say upon this question; I think it is one of very great importance indeed, because in a body like the House of Commons the only guarantee of freedom of discussion is that there shall be latitude to the members to speak upon the various questions which come before us. The rules of Parliament have been carefully prepared; they have been in existence since Confederation, not always as they are to-day it is true, because in 1910 they were revised in the ordinary and proper manner by a joint committee of the House, which consisted of gentlemen representing both political parties. I remember that on that committee was my right hon. friend the then Prime Minister, now the leader of the Opposition (Sir Wilfrid Laurier), and my right hon. friend the present leader of the Government (Mr. Borden). Those rules and amendments were unanimously agreed upon as being best suited to insure liberty of discussion, to prevent matters being discussed in an irrelevant manner, to prevent tedious repetition of argument and to bringing discussion to an end as speedily as would be reasonably possible. I think it was of the greatest importance that we on this side of the House should endeavour to direct, as far as we could do so, the attention of the Chairman, of Your Honour and of hon. gentlemen opposite to the fact that all that we were standing for, pleading for and demanding, was an observance of the rules of the House. It would be most dangerous —and I think the Speaker of the House should be the very last to countenance such a course—that a majority should be allowed to disregard the rules of the House. If the majority can do just as it pleases, then the minority might just as well go home and leave it to the majority to carry on the affairs of Parliament. These rules are framed for the protection of the minority. When you protect the minority in Parliament, you are protecting the interests of at all events a large number of the people, whose interests have as much right to be protected as those of the majority. Therefore when the Chairman, as we thought, and anyone who reads the rule and has regard to what was the practice of the British House of Commons in 1867, will think, in violation of the rule which permits freedom of discussion, deliberately sought to put the question and refused to give the hon. member for Humboldt (Mr. Neely) an opportunity of being heard, he was taking a course which certainly endangered the liberty of Parliament, was an infringement upon the right of free speech, and one which ought to be discountenanced not only by yourself, Mr. Speaker, but by every hon. member.

Mr. W. F. NICKLE (Kingston): Mr. Speaker, as the hon. member for St. John city (Mr. Pugsley) has referred to the part which the hon. member for Brandon (Mr. Aikins) played in that memorable scene of some few nights ago, I think it is but fair to you, Sir, to the Deputy Speaker and to the House at large that I should tell what little I know of what then occurred. Hon. members are well aware that the members of this House during the prolonged two weeks sitting had been taking, so to speak, relays in keeping the House in quorum. During the early part of Friday evening, I had been in my room, and on entering this House I received word by a page that the acting Chairman was desirous that I should take the Chair. Having attended the sitting during the entire Thursday night, I told the hon. member for Brandon the circumstances, and said, 'If you are on duty to-night, you had better take the Chair, and not I'; and such word was then taken to the Deputy Speaker, who, so far as I know, requested the hon. member for Brandon to take the Chair, and he did so. So far as my part went in the drama, I had not been consulted by the then acting Chairman as to taking the position of Chairman. I had no knowledge of any preconceived arrangement by which I was to take the Chair, and I am perfectly satisfied from the conduct of the hon. member for Brandon at the time that he was as greatly surprised as I was at being asked to assume the duties of that position. I have listened with considerable interest to the remarks of the hon. member for St. John. While listening to him, my fancy has perhaps run away with me. I am inclined to think that, if at any time he should sever his connection with this House, an admirable career is open to him on the stage of this country as well as of the old world. When I regard him to-night in that calm, suave, dignified, courteous role that he knows so well how to display, and when I compare it with his conduct here some nights ago, when he assured us that he had himself equally well under control, I realize that there is a magnificent opportunity for him to develop himself as an actor of prominence and pre-eminence.

Some hon. MEMBERS: Order, order.

Mr. NICKLE: Hon. gentlemen opposite say order. I do not entertain the views held by many people that the stage is a discreditable career. I think a man may obtain an honourable distinction on the stage, just as well as in this House. If the exigencies of public life and the overthrows that occasionally meet us all should bring about the time when my hon. friend might find himself severed from this House, he might turn his attention to that sphere of activity, which is useful as well as entertaining.

To direct my attention more particularly to the matter under discussion, if I understand the hon. member for St. John tonight, the main theme of his speech is this, that the right of free speech had been attacked, that the members of the Opposition and th people of this country had not been given an adequate opportunity of having the naval debate discussed, and that there was a preconceived and deliberate attempt on the part of the Government and more particularly on the leader of the Government, to stifle criticism and to prevent discussion. Such a position is absolutely at variance with the facts as they were that Saturday night. The discussion of the naval question was not before the House, that had been before the House and before the country for some three or four months. What was then under discussion was a point of order.

Mr. LANCASTER: Raised by the hon. member for St. John.

Mr. NICKLE: As my hon. friend says, raised by the hon. member for St. John. It was my privilege, perhaps my burden the afternoon in question, to be in the Chair. A somewhat similar point came up for discussion. The question for consideration then was whether or not members were entitled to discuss at length a point of order. Some one raised the question that there was unlimited discussion in regard to a point of order, and the Chair had ruled as follows:

When the hon. member for North Simcoe was in the Chair the other day, appeal was taken from his ruling in the House as to whether any debate was permissible on a point of order. The Prime Minister, prior to the question being put by the Speaker, ruled that it had been the custom of this House to permit reasonable debate on a point of order, and by that decision, of course, as Chairman to-day, I abide. If any hon. member cares to discuss the question briefly as to whether or not the hon. member for Red Deer was in order, the discussion being relevant, I am prepared to hear it, but I am not prepared to hear discussion on any other point.

Mr. WILSON (Laval): Who was the Chairman?

Mr. NICKLE: The speaker (Mr. Nickle) was the Chairman. Certainly, that ruling and decision on the point clearly establishes the principle that this House recognizes that on a point of order the question of the length of the discussion was in the discretion and within the control of the Chairman. That is not a question of the right of free speech at all; it is a question as to what length the Chairman thinks the committee should go in setting before him such information as may enable him to correctly interpret the spirit and the rules of this House.

Mr. WILSON: Where is the rule about that?

Mr. NICKLE: I think it is rule 18:

A member addressing the House shall, if called to order by the Speaker or by any other member, sit down while the point of order is being stated, after which he may explain. The Speaker may permit debate of the point of order before rendering his decision——

Mr. WILSON: How about the Chairman?

Mr. NICKLE: I am endeavouring to answer one question at a time. That is the best I can do.

—but such debate must be strictly relevant to the point of order taken.

There is another rule in this book—I cannot give the number which states that the rules that apply to the House with the Speaker in the Chair shall, mutatis mutandis, apply to the Chairman when the House is in committee. Therefore if it is within the jurisdiction of the Speaker to say when a debate on a point of order shall cease, it is within the jurisdiction of the Chairman to apply that same rule on the same principle; and if the hon. member who has interrupted me knows of any authority to the contrary, I will give him the opportunity to state that authority.

Mr. WILSON: The hon. gentleman knows very well that a member is allowed to speak only once when the Speaker is in the Chair, but that he may speak many times when the Chairman is in the Chair.

Mr. NICKLE: I regret that my remarks were not listened to by my hon. friend. I can only express to him, in my vague and unsatisfactory way, what the rules of this House say. I cannot bring to him understanding of their import.

Mr. McKENZIE: I desire to ask a question. Referring to page 4945 of 'Hansard, I find the following:

Mr. Borden: I think it has always been the custom and practice, both in committee and in the House, that there should be reasonable

discussion of any point of order before there is a ruling from the Chair.

* * * * * *

Mr. Speaker: Will the House allow me to make an explanation? As the rule is laid down here, it says: 'the point of order may be debated.' I take it that that is the usual phraseology used in Acts of Parliament where 'may' means 'shall' or 'must.'

That has not been appealed from, and must not that be regarded as established?

Mr. SPEAKER: I did not give a ruling at all, but as the appeal to the House had been settled, so that members might understand it, I quoted from Bourinot with reference to a matter which was not covered by the rules, and said that was my understanding of it.

Mr. McKENZIE: That is a ruling.

Mr. NICKLE: So much with reference to what was before the House on that Saturday evening. Now, to come to what I may call the action on appeal. The hon. member for Kent (Mr. Robidoux) who was in the Chair, as I remember, had listened with considerable patience to a long and perhaps somewhat tedious debate. He rose to give his decision when, as the hon. member for St. John says, several members on the other side of the House rose to their feet and persistently protested most vigorously against what he was about to do. I have no right to impute motives to hon. members. But it is a well known fact that for some two weeks the stress and strain in this House had been most severe. Members' nerves were frayed and the slightest thing caused apprehension and, to an extent, discord. The rumor had been rife in the corridors that the Government were contemplating some extraordinary move to cut off discussion. I am inclined to think that hon. members opposite, in their anxiety and owing to their loss of sleep, hugged this delusion to themselves till they came to the conclusion that the thought in their minds was the actuality; and when the hon. member for Kent rose they thought that critical moment had come, that the crisis was here, they thought the time had come for a dramatic scene that would permit them to pose before the country as martyrs for free speech. But what is free speech in the deliberations of a body of this kind? Does it consist of tiresome reiterations and repetitions? Does it consist in a multitude of words at times devoid of argument? Is not the very object of free speech that men may be convinced? It seems to me that there are men in this House who come here with the sincere desire to give some of their time and no little service to the country; and I use the expression advisedly, when I say that if there are many sittings of this sort, if the time of this House is to be taken up by numerous and innumerable speeches such as we have had to listen to, the time is not far distant when Parliament will be filled by professional politicians and the business interest of this country will not be represented. There are men on this side, and I know that there are men on the other side, who object most strongly to the terrible waste of time that has gone on here. Of course, ambition carries men away. I have admitted and do admit that it is an ambition that any man may cherish to occupy a Government seat, to be leader of a department and to impress his individuality upon the country. But there does come a time when, in my judgment, discussion should cease. Members who come here, not with the desire simply to advance their political interests but to give some of their time to their country, to their constituency and to the advocacy of the principles which they believe are right, should not be discouraged from entering public life, that the affairs of the country may fall altogether into the hands of the so-called professional politicians. I sympathize with men who have occupied prominent positions, and who, through the irony of fate, or, as they think, the caprice of the electorate, have been hurled from high place and either driven out of this House or left on the Opposition benches. But we have majority rule in this country. That is the principle upon which our government is founded—that the party that leads in an election shall be allowed to rule. And gentlemen opposite should conform to that principle; they should not risk all the principles to which we attach importance on a so-called gambler's chance in the hope that they may lure the electors back to their allegiance and restore themselves to the seats of power. Perhaps I should not go into this matter at such length; but I speak as one who regrets the unfortunate waste of time which has taken place in this House during the past three or four months through the tedious repetition of arguments and weary reiteration of words. As I say, the hon. member for St. John is utterly wrong when he says there was any effort to stifle free speech.

Some hon. MEMBERS: Oh, oh.

Mr. NICKLE: Hon. members opposite may laugh, but the attitude of the Chairman, as I understand it, on that occasion, was that he had listened to the discussion of the point of order ad nauseam for two hours and a half. Words had been passed two and fro across the Chamber until everybody was familiar with everything that could be said on the subject, and the Chairman then rose to give his ruling. Suddenly bedlam prevailed. The hon. member for St.

John made himself the centre of attraction and stepped out into the spot-light as if in an attempt to say to the House: See what a brave boy am I! He admits that a new man was in the Chair; he admits that he was an old parliamentarian; he admits that bedlam prevailed; he admits that the Chairman was doing the best he could to bring about order, and yet he, an old parliamentarian——

Mr. PUGSLEY: I made no such admission. What I said was that, in my judgment, the Chairman was doing everything to bring about disorder, because he was breaking the rules of the House.

Mr. NICKLE: I accept the hon. gentleman's explanation as far as it goes; but he does not say that an old parliamentarian did not leave his seat and come forward in —certainly to those of us who were opposite—a threatening manner.

Mr. PUGSLEY: I positively deny that. I did not come forward in a threatening manner, and I did not give to any reasonable man the slightest indication that I intended to touch the Chairman. All I did was to demand a hearing for the hon. member for Humboldt (Mr. Neely).

Mr. NICKLE: I take this explanation of the hon. gentleman for all it is worth. In this connection I understood him to say: 'I was angry through and through; I rose from my seat and advanced to the centre of the Chamber towards the Chairman.' My hon. friend says he did not do so in a threatening manner; then why did he leave his seat and come towards the Chairman? Was it to prevent the Chairman from giving his ruling? Was it for the purpose of intimidation, or merely to get more, shall I say, notoriety?

Mr. PUGSLEY: The Chairman's deaf ear was turned to this side.

Mr. NICKLE: It is all very well for the hon. gentleman to endeavour to make a farce of this matter; but he has been too long in this House not to know that he should not endeavour to twist what took place on Saturday night into a burlesque. It was one of the most serious occurrences that ever took place in this House, and if it had not been for the tact and judgment of the right hon. leader of this Government, we would have witnessed in this House a scene of which Canada would everlastingly have been ashamed. It is to be regretted by every member of this House that the hon. member for St. John has said that not only did he do this gloryingly, but that he would do it again if similar circumstances arose. I trust that there never will be an opportunity for hon. members of this House to witness such a scene as occurred on that memorable Saturday night.

Looking at the question from a constitutional point of view my statements on this occasion are made without careful preparation, although I did look into the question about a week ago. As I understand the rules of this House, the English rules as they stood on the 1st day of July, 1867, have been adopted. A careful perusal of the standing orders of the English House during the year 1867 does not reveal any rule or regulation which would prevent the Speaker, in the case of the House being in disorder, from taking the Chair. If there was no rule of the English House in 1867, and if there is none in this House to-day that prevents the Speaker from taking the Chair when the House or a committee thereof becomes disorderly, then I submit we must go back over the usages and precedents of the English House, upon which the procedure of this House is founded, and be guided by them. In the year 1600 or thereabouts there was a disturbance in the English House on a division, and the Speaker took the Chair and called the House to order; and by referring to the Parliamentary Debates, volume 15, pages 641 and 642, it will be seen that there was another disorder, when the House was in committee and the Speaker took the Chair and called the House to order. I submit, unless we have precedents to the contrary, and in direct opposition to those two precedents, that when the House was in disorder on that Saturday night, you, Mr. Speaker, were entitled to take the Chair, and that you did exactly what you should have done as a responsible officer of this House. You took the Chair, restored the House to order, left the Chair, and the Chairman resumed his position. Your duty is to act as the arbiter of Parliament; we look to you to maintain the dignity of the House, to see that there is freedom of debate and that the rules are observed. If at any time it happens that the House is in disorder, and you, Sir, are not in the Chair, we feel that it is your privilege and your duty again to resume the position of distinction that you occupy, so that the prestige and honour and respect which all houses of parliament feel they owe to their Speaker would at all times bring the House to a sense of its proper position; and this House owes a debt of gratitude to you for having, on the night in question, by your courage and foresight, assumed the responsibility of taking the Chair and having prevented what we all greatly feared would become——

Mr. PUGSLEY: I rise to a point of order. If, Sir, you will not permit any criticism of your conduct, I claim it is out of order to receive praise of your conduct.

Mr. SPEAKER: The words by which I am guided are 'reflection upon the Chair.' I would be very glad if the incident were not discussed at all. I have tolerated a good deal of what in my judgment is not exactly according to our rules—the reference to and discussion of a previous debate; but, as it is a matter concerning myself, from delicacy I have refrained from interfering.

Mr. NICKLE: I had not the slightest intention of using any words of praise in regard to you, Mr. Speaker; I was simply trying to state the cold truth. If the hon. member for St. John objects to that, I must allow your conduct to speak for itself, and I am quite satisfied that the members of this House feel that no words of mine could add any lustre to the course adopted by you on the night in question.

Sir WILFRID LAURIER: As I rise to discuss the matter which has been engaging the attention of the House for several hours, perhaps I may be allowed to say that I will endeavour to review the discussion in as judicial a spirit as possible. The rules of the House are certainly the bulwark of freedom, and it is the interest of every member, whether he sits on one side of the Speaker or on the other, to preserve those rules, whether it be to his immediate gain or to his immediate loss. For, if there is any endeavour by one side of the House to evade the rules, or to abuse them, the party so guilty is sure to prepare for himself whips of scorpions from which he will suffer sooner or later.

At the present time we are engaged in the task of reviewing a decision taken by Mr. Speaker. Let me say at once, Mr. Speaker, that in so doing, in starting the discussion on this side of the House, there is no intention at all to discuss or to reflect upon the motives which guided your conduct. Even although we may differ from you on the course which you took, we fully recognize that, in acting as you did, you had no motive but what was certainly consistent with a proper understanding of your duty as presiding officer of this House. But, Sir, we are all human, and we are all fallible. The rules of the House have been established because we are human and fallible, and in order to guide us, so far as they can guide us, in the many incidents of parliamentary life. You, Sir, are the first commoner of the land, and we are all delighted to bear testimony to the care with which you have discharged your duties. Even though we differ from you, I repeat, it is certainly not from any desire to reflect upon you, but simply to indicate what we think ought to be a proper discharge of the duties with which you are entrusted.

The question which we have to debate and decide at the present time is as to whether Mr. Speaker had the right, when the House was in Committee of the Whole, to interrupt the sittings of the Committee and to take the Chair. A good deal of matter has been brought into the discussion which I think can be brushed aside; it would be better for us to keep to the point immediately at issue. The point at issue, as I understand it, is whether or not Mr. Speaker has the right to interrupt the sittings of the Committee of the Whole and to take the Chair. This is the point on which we on this side of the House take exception. On a certain occasion, that is to say, on Saturday, the 15th of March, when the House was sitting in Committee, Mr. Speaker interrupted the Committee and took the Chair. At that moment, and on the Tuesday following, some members of the House asked Mr. Speaker what his authority was for having taken that course. With all respect, Sir, in order to state the point and to establish the basis of discussion, I may, with your permission, quote the authority which you yourself gave, and in your own words. On Tuesday, March 18, Mr. Speaker said:

> Bourinot at page 280 says of the duties of the Speaker:
>
> 'Amongst other things he decides only when questions actually arise. If a member wishes to challenge his action or conduct, he must proceed in the usual way, by giving notice of a motion on the subject.'

That finishes the quotation. Then Mr. Speaker went on to say:

> The quotation which I gave as to the right of the Speaker to take the Chair is in the English rules, number 161, which reads:
>
> 'In the case of grave disorder arising in the House the Speaker may, if he thinks it necessary to do so, adjourn the House without question.'
>
> This has been changed a little. The older wording was:
>
> '—take the Chair at any stage and adjourn the House if necessary.'
>
> Our rule lays down that in case of grave disorder the Speaker's duty is to take the Chair at any time, and if he is unable to get the House under control, to adjourn the House of his own motion.
>
> Mr. Emmerson: What is the number of our rule?
>
> Mr. Speaker: We have no distinct rule.
>
> Mr. Murphy: Did I understand Your Honour to say in answer to the hon. member for Westmorland that we have no rule corresponding to No. 161 of the English rules?
>
> Mr. Speaker: I said no exact rule corresponding to that.

That is the authority which was claimed by Mr. Speaker for taking the course which he did. Now, in the light of discussions which have taken place up to the present time, I think, with all due respect to you, Sir, that the rule which you quoted

would not warrant the action which you took on that occasion. Rule 161 of the House of Commons of England, which, by the way, is simply the companion of rule 21, is stated in these words:

> In the case of grave disorder arising in the House, the Speaker, may, if he thinks it necessary to do so, adjourn the House without question put, or suspend any sitting for a time to be named by him.

So far as my researches have gone, and I think upon this point they have been complete and accurate, this rule did not exist in 1867, at the time of Confederation. This rule of the House of Commons, which clothes Mr. Speaker with the power to adjourn the House, has been passed since 1867, and, if that be so, it would not apply. Therefore, that authority cannot be authority in this House. Moreover, if the rule were to apply, the authority which it gives to Mr. Speaker is not to interrupt the Committee of the Whole and to take the Chair, but simply to take the Chair and adjourn the House. I believe it has been acknowledged by the hon. gentlemen who have spoken upon the subject during the day that this rule would not apply.

It has been argued by the hon. member for Portage la Prairie (Mr. Meighen), by the hon. member for Portage la Prairie, by the hon. member for Brandon (Mr. Aikins) and by others who have spoken on the same side of the House that, from the inherent power vested in his office, according to the law of Parliament, Mr. Speaker has the power to interrupt the Committee of the Whole and to take the Chair, if he thinks it advisable to do so in order to preserve order. I think I put the case fairly, accurately, and exactly as it has been put by those who have justified the action taken by Mr. Speaker. They have not founded his authority upon rule 161, which admittedly cannot apply to our case, since it was enacted subsequent to 1867, but they have founded it upon the inherent power of the Speaker. Now, the law of Parliament is derived from two sources. It is derived from the positive enactments of the House which the House establishes from time to time for its own guidance, and which are the rules which anybody can read, and from precedents which have come to us from the House of Commons in England, the mother of Parliaments, and which, by long repetition have received the sanction of law. It has been argued by my hon. friend the Minister of Finance (Mr. White) that the Speaker had such authority, and that he found it in these precedents. He has gone back to the precedent of 1675. I have only to observe to my hon. friend that he can find no authority in the precedent of 1675. It is true that on the occasion to which he referred the Speaker of the House interrupted the Committee of the Whole and took the Chair. That is quite true; but the Speaker did so, not because he had the authority to do so vested in him by reason of his office; the Speaker on that occasion stated positively that he had no such authority. Let me quote to my hon. friend the words which we find in the books upon this point:

> On the 10th May, 1675, a serious disturbance arose in a Committee of the Whole House, which threatened bloodshed; the Speaker thereupon, 'very opportunely and prudently rising from his seat near the bar, in a resolute and slow pace, made his three respects through the crowd, and took the Chair.' The mace was laid upon the table; the disorder ceased; and the Speaker stated that it was to bring the House into order again, that, 'though not according to order,' he had taken the Chair.

He had taken the Chair although it was not according to order. Therefore, the Speaker of that day himself acknowledged that he was acting without authority. If the action which was taken by that Speaker had been a precedent, and had been followed by other precedents, these precedents would be by Parliament to this day. The rules of Parliament have been brought down from precedent to precedent, and when a precedent has been accepted and followed it becomes the law of Parliament. It is because the Speaker who took that action said that he was acting against the law, and because the incident was an isolated case, that his example was not followed. If that be the case, there is no argument at all in the statement of my hon. friend the Minister of Finance. He cannot base the assertion that this power is vested in the Speaker on any such authority as that. There was an incident on a certain occasion afterwards in the British House of Commons, and what took place? Did the Speaker then take the Chair? Nothing of the kind. The conduct of the offending member was referred to and action was taken by the House. A third case of disorder is mentioned, and the question arises as to what then took place—whether the Speaker took the Chair of his own motion or whether there was a report to the House. The Journals of the House have been carefully looked at; but they are not very clear, and, if we are to take the statement that appears in them, it would seem to justify the assertion made by my hon. friend from Portage la Prairie that the Speaker had taken the Chair without any report from the Committee. Let us look at the evidence and try to ascertain what the facts are. It is no use trying to delude ouselves by saying that these words have a meaning which a closer examination does not justify. If the matter were absolutely plain, there would be no occasion to discuss it. I will read to the House what

the Journals relate of the incident of that day. It took place on the 27th of February, 1810:

The House resolved itself into the committee; and, after some time spent therein, Mr. Speaker resumed the Chair; and Sir John Anstruther reported from the committee, that they had examined a witness, and had made a further progress in the matters to them referred; and that he was directed by the committee to move, that they may have leave to sit again.

And the House being informed, that a member of the committee had misbehaved himself during the sitting of the committee, making use of profane oaths, and disturbing their proceedings;

John Fuller, Esquire, member for Sussex, the member complained of, was heard to excuse himself; in the doing of which he gave greater offence by repeating and persisting in his disorderly conduct:—Mr. Speaker thereupon called upon the said Mr. Fuller by his name; upon which Mr. Fuller was directed to withdraw; and he withdrew accordingly.

Ordered, Nemine Contradicente, that the said John Fuller, Esquire, for his offensive words and disorderly conduct, be taken into custody of the Sergeant-at-Arms attending this House; and that Mr. Speaker do issue his warrant accordingly.

And the Sergeant-at-Arms having informed the House, that he had, pursuant to their order, taken into his custody the said Mr. Fuller;

Resolved, that this House will, immediately, resolve itself into a Committee of the Whole, to inquire further into the policy and conduct of the late exhibition to the Scheldt:—The House accordingly resolved itself into the committee; and, after some time spent therein;

The said Mr. Fuller returning into the House in a very violent and disorderly manner; Mr. Speaker resumed the Chair, and ordered the sergeant to do his duty; Mr. Fuller was accordingly taken out by the sergeant, assisted by his messengers.

Then the House again resolved itself into the committee.

This account would perhaps justify the version which was given by my hon. friend from Portage la Prairie, that upon the second occasion, Mr. Speaker had taken the Chair without any report to the House. However, May, who relates this incident, who writes the standard book upon parliamentary procedure, and who is a careful writer, does not read the incident as my hon. friend from Portage la Prairie does, because he says that upon the second occasion there was a report from the committee to the House. Let me read the incident as related by May:

This incident has not been repeated, for subsequently when a member who, for disorderly conduct, had been ordered into custody, returned into the House, during the sitting of a committee, in a violent and disorderly manner, upon a report of progress, the Speaker resumed the Chair, and ordered the Sergeant to do his duty.

Sir WILFRID LAURIER.

You see there that, after the member had been taken into custody, he came back into the House while the House was in committee and was disorderly again, and that, upon report, the Speaker took the Chair and ordered the sergeant to do his duty. In this matter it seems to me that we should be guided as to what is the usage of Parliament by May, who is the standard authority, in preference to anybody else. Whatever may be the true history of this incident, it is clear from the testimony of May, the author of the book which we are accustomed to follow, that, under such circumstances, the Speaker has no authority to take the Chair except upon a report. Is this not absolutely in accordance with the spirit of our parliamentary system? The House resolves itself into Committee of the Whole for what purpose? In order that a certain measure which is engaging the attention of the House shall be discussed more minutely than it can be with the Speaker in the Chair. It is a rule of the House, well known and never disputed, that when a measure has been committed to the Committee of the Whole, the Committee of the Whole remains seized of it until it has completed its examination of the measure and reported to the Speaker. If this cannot be done in one sitting, the rule is that the Committee must report and ask leave to sit again. It is the rule that, if it does not ask leave to sit again, the measure disappears from the Order Paper, and it cannot be restored unless by special order of the House. These rules are well known. If these rules are well known and cannot be controverted, how can it be contended that at any time the Speaker of the House can come in, interrupt the proceedings of the Committee and assume authority over it? All the authorities I have cited are against that.

Then, we have a third precedent, quoted also by May, which was established in the year 1815. May says:

So also, when during the sitting of the committee on the Corn Bill, 6th March, 1815, tumultuous proceedings took place outside, and one member complained that the House was surrounded by a military force, and another that he had been beset by a mob, on the report of progress, the Speaker resumed the Chair, and, the matter having been considered, the committee was resumed.

That is the law as I understand it. The Speaker, when he is in the Chair, is the supreme judge as between the different members of the House. The moment Mr. Speaker leaves the Chair, he is simply an ordinary member of the House, with the right to sit in the Committee of the House and to take part in the proceedings of that committee. He can debate, he can give his opinion, and the authorities say that in the eighteenth century it

was customary for the Speaker to take part in the proceedings of the House. It is well known that in the legislature of Lower Canada Mr. Papineau, when Speaker, left the Chair, took his place on the floor of the House, and participated prominently in the discussions; a course which would not be tolerated to-day. As time went on it was looked upon as unseemly for the Speaker to take part in any proceeding in the House. Of course, on matters which are not of a political nature, or which pertain to the House of Commons in a departmental sense, but not otherwise, Mr. Speaker does give explanations without objection from either political party, and he does so as a simple member of the House or as the head of the department of legislation. But, how can it be contended that Mr. Speaker can at any time, if he thinks the Chairman of the Committee of the Whole is not exercising his duty properly, interrupt the proceedings and give direction to the Chairman of the Committee? In my humble judgment, there is no possible excuse for such a proceeding. On Saturday, the 15th instant, when Mr. Speaker took the Chair as he did and interrupted the proceedings of the Committee of the House, I think the House would have been very much astonished, and Mr. Speaker himself would have been very much astonished, if he had been told that the Committee was functus officio, because, having risen without reporting, it ceased to exist. The Committee resumed without that point having been taken, although had it been taken I think it would have been based on very good procedure. If I say this, it is not that I want in any way, Mr. Speaker, to impugn the motive which prompted you to act as you did on that occasion.

I repeat, Sir, that the rules of the House are the safeguard not only of every member of the House but of our parliamentary system of government. They are the result of the wisdom and experience of many centuries in the only country which has ever properly understood parliamentary government. The rules of the House, therefore, have a sacredness which ought not lightly to be interfered with. Not only under the British parliamentary system, but under the British legal and constitutional system, adherence to precedent has been the basis of England's greatness. In the language of Tennyson:

> Freedom slowly broadens down.
> From precedent to precedent.

and all the precedents we have to guide us on this point are against the action taken by Mr. Speaker; and, unless there is some definite rule to the contrary, precedent is the law of Parliament. The rules may work to the advantage or to the disadvantage of one party or the other to-day; but woe to the party, whether in opposition or in power, which does not abide by the rules. If violation of them is attempted by one side or the other, so sure as the sun will shine again, the party that violates the rules will rue its conduct. If the majority in this House administer the rules as they are conceived, well and good; but so sure as they violate their spirit and letter, so sure will the day of retribution come. I do not say that by way of threat; I say it to emphasize the paramount necessity there is for observing the rules of procedure in this Parliament.

As to the argument about the inherent power of the Speaker, I was greatly shocked and scandalized to hear the Minister of Finance speak as he did to-day. At one time he would not, I believe, have argued after such a fashion; but to-day he laid down the proposition that it is in the inherent power of the Speaker to dictate to the Chairman of the Committee what should be his ruling—that the Speaker was in effect the censor of the House.

Mr. WHITE (Minister of Finance): May I say to my right hon. friend that I do not think I used any such argument?

Sir WILFRID LAURIER: Will you repeat what you said?

Mr. WHITE: I referred to the condition of grave disorder existing in the House at the time, and I said in substance that the Speaker in my judgment was essentially the guardian of order in this House, that he must be the judge in a particular case of how he should enforce order and that, after he had come to a decision as to the mode in which he should enforce order, then there remained only an appeal to the House against his decision. What I emphasized particularly was that which my right hon. friend has evaded discussing altogether, and that was the grave and tumultuous disorder that prevailed in this House on the particular occasion in question.

Sir WILFRID LAURIER: I have not discussed that because I was not present.

Mr. WHITE: That is the point.

Sir WILFRID LAURIER: That is not the point.

Mr. WHITE: That is the point of my argument.

Sir WILFRID LAURIER: The point is: whether there was disorder or not, had the Speaker the power to interrupt the proceedings of the Committee of the Whole? I have to tell my hon. friend that the Speaker is not the censor of this House; that he is simply in the Chair to act as umpire between party and party, that he is there to maintain order, and that when he leaves the Chair his power as Speaker is exhausted. There is at the present time a

difference between the power of the Speaker of the Canadian House of Commons and the power of the Speaker of the English House of Commons. The Speaker of the English House of Commons has to-day power which the Speaker of the Canadian House of Commons has not. If a member is disorderly in this House, the Speaker can name him, but he can do nothing more; and, having named him, it is for the leader of the House to take action as to the manner in which the member named by Mr. Speaker should be dealt with. The Speaker of the Canadian House of Commons nas no such power as that given to the Speaker of the British House of Commons. He cannot order the removal of a member; he can simply name him and then let the House decide. The anecdote is well known of Speaker Abbott, I think it was, who said that he had threatened Mr. So-and-So, without naming him, and when he was asked afterwards what would have happened if he had named him, he said, 'The Lord only knows.' He could not say himself what would have happened. The member might have been censured; he might have been expelled; he might have been suspended. That matter was in the power of the House. I go further than the argument of my hon. friend: order must be preserved. When the Speaker leaves the Chair and the House goes into Committee of the Whole, there is an authority sitting at the head of the Committee; there is somebody who is clothed with absolutely the same authority, as the Speaker to maintain order namely, the Chairman. The rule is very emphatic on this point. Rule 14 says:

> The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House.

That is the power of the Chairman, just as the Speaker has the same power to maintain order subject also to an appeal to the House. What would be the consequence if the Speaker could say to the Chairman at any time: You do not understand your duty; let me take charge of the business of the House? There might be very serious confusion, authority against authority, mind against mind, and judgment against judgment. My theory, and it is the theory of Parliament, is that in all these matters neither has any authority over the other. The Speaker has no authority over the Chairman of the Committee. I say most emphatically—and I should be surprised if this opinion were contradicted—that the Speaker has no power to take away authority from the Chairman. The Chairman is the umpire; he is there to maintain order to the best of his judgment and ability. When he has done that, he has discharged his full duty.

Sir WILFRID LAURIER.

If he finds that he cannot control his Committee and that disorder prevails, he reports to the House, and it is for the House to come in, to interfere, to pass judgment, to give such orders as it thinks should be given.

If we keep these principles clearly before us, no bad effects can be produced. My hon. friend wants me to discuss what has taken place in the Committee. This is not the time to do that. For the moment the only question on which debate has been started is to ascertain what is the authority of Mr. Speaker. In conclusion, I would say, what I said at the beginning, that for my part I bear testimony to the impartial motive of Mr. Speaker; at the same time, I vindicate, as a humble member of Parliament, the right and privilege of this House to be guided, and to be guided only, by rules which have come down to us from the ages.

Rt. Hon. R. L. BORDEN (Prime Minister): Mr. Speaker, my right hon. friend has discussed this subject in a very calm and dispassionate manner; and I think he had very properly ommitted any allusion to the particular incident out of which the debate arose. He has paid a very just tribute to the impartiality and fairness of Your Honour, in which I am sure all members on both sides of the House concur. The question for discussion really comes down to the bald technical question as to whether or not the Speaker may under any circumstances resume the Chair by his own authority when the House is in Committee of the Whole, and under what circumstances may he do so. That is the point which my friend from Westmorland (Mr. Emmerson) raised. I think that he initiated the discussion in a very proper manner and spirit, assuming that it was desirable to discuss it at all.

Before coming to that, I should like to say that my hon. friend the member for St. John (Mr. Pugsley) saw fit to make some allusions to myself which I must mention for the purpose of removing any misunderstanding on his part. He suggested that I had attempted to dictate to the Chairman of the Committee, the hon. member for Kent (Mr. Robi-doux). I have looked through 'Hansard' and I cannot find any report of my remarks, but the hon. gentleman is correct to this extent, although it does not seem to have been reported that I did say to the hon. member for Kent that I thought that he had received all the assistance that could reasonably be given for the purpose of enabling him to come to a conclusion. I should like to correct my hon. friend in one respect. He intimated to the House that immediately thereafter

the hon. member for Kent, then sitting as Chairman of the Committee, declared that he would hear no further debate on the point of order. The hon. member for St. John is entirely in error there. The debate went on for at least twenty minutes after I made that remark. It has been the custom in this House within my recollection, and I think this position is maintained by Bourinot, that even in the absence of any desire on the part of hon. members to debate a point of order, the Speaker may refer to hon. gentlemen of experience, of long standing in the House, either on one side of the House or on the other, and may ask their opinion on a point of order. I have seen that done, and I know that references to such incidents are to be found in Bourinot. I would not accede at all to the view which my hon. friend for St. John seems to entertain that, under the wording of the rule, there is absolutely unlimited debate, that the same thing may be said not only five or ten times but fifty or sixty times with regard to a point of order.

My hon. friend from St. John also alluded to a supposed desire on the part of hon. gentlemen on this side of the House to exclude from discussion the measure which is under consideration. I leave that to the judgment of all hon. members. I speak without any exaggeration or any heat when I say that during eleven of the days at least in which this matter was discussed in the Committee, the most absolute freedom of debate was permitted to hon. members on the other side of the House. All reasonable men on both sides of the House will concur in the absolute accuracy of what I am now stating.

Mr. PUGSLEY: I do not think so.

Mr. BORDEN: Then my hon. friend is the one exception.

Mr. PUGSLEY: Does my hon. friend think that that is so, bearing in mind the fact that we were kept here night and day continuously?

Mr. BORDEN: I am very glad that my hon. friend has reminded me of something which I might have forgotten. My hon. friend stated in the same breath two propositions, which seem to me to be absolutely inconsistent. In the first place he said that there had been absolutely no opportunity for discussion of the measure during those twelve days. In the next breath he said that there had never been so illuminating and instructive a discussion as had taken place during that period. How one can reconcile two statements of that kind does not occur to me at the moment; but I have no doubt that my hon. friend from St. John, with his usual ingenuity, would be able to make an argument which he would regard as getting him out of even that dilemma.

My right hon. friend the leader of the Opposition professes himself to be somewhat scandalized by some remarks of my hon. friend the Minister of Finance.

Sir WILFRID LAURIER: Not 'somewhat,' but a great deal.

Mr. BORDEN: I accept the correction. I have a very good recollection that my right hon. friend was not very much scandalized on one occasion when a very much more forcible statement was made in this House by one of his colleagues then sitting beside him. I am not able to quote the exact language, but I am able to give the absolute substance of what was said by the predecessor of the Minister of Finance. That gentleman laid it down in so many words as a principle of parliamentary Government that the minority or Opposition in this House had absolutely no greater rights than those which the majority were prepared to concede to them. I have the reference to the language, and if my right hon. friend is not convinced, I will be glad to send it to him. I do not think the Minister of Finance has equalled his predecessor in that regard, because all he said was—

Mr. EMMERSON: Perhaps both are sinners.

Mr. BORDEN: But one very much more than the other, as I think the hon. member for Westmorland with his usual fairness will be prepared to concede—and I take his silence as acquiescence. I will not further dwell upon the remark of the right hon. gentleman, but will simply say that the Minister of Finance was merely laying down the principle that under one of the rules of the House, the Speaker, being responsible for decorum, might well, in the absence of any prohibitive rule take the action he did take on that occasion. Because after all there is a certain law of self-preservation that must be regarded by Parliament as well as by every other institution; and, when a scene of very great disorder is in progress I think that a great deal of latitude ought to be allowed to the Speaker.

And there is a circumstance which seems to have been somewhat overlooked but which should be mentioned in this connection. Hon. gentlemen who have spoken on this question on the other side seem to have had it in mind, for some reason which I cannot appreciate, that the action of the Speaker in taking the Chair for the purpose of bringing back the House and Committee to a condition of order was in some way directed against hon. gentlemen on the other side. I do not so regard it. The

very premise from which they start would forbid such an assumption, because we have heard the assertions of these hon. gentlemen as to the disorder having prevailed on this side. So, I do not see how the action of the Speaker can be regarded as directed more against one side than the other. I do not wish to discuss the incident further, but I merely desire to emphasize the point that the action that the Speaker took is not to be regarded as directed against one side or against the other; it is not to be regarded as directed against any person; it is to be regarded as action taken in the interest of the House itself for the purpose of bringing back the House and the committee to the order which had been lost for the moment. That, it seems to me, is the ground upon which the action of the Speaker was based on the occasion referred to.

The right hon. gentleman has discussed this question in a very fair way; I concede that at once, and I shall endeavour to follow his example. In the first place, so far as rule 14 is concerned, upon which a great deal has been said, I cannot see that it has any bearing upon the question. The argument, so far as I have been able to understand it—and I hope I understand it correctly—was that inasmuch as disorder in the committee can only be censured by the House on receiving a report thereof, that particular provision contains a repeal of any previous usage which would have enabled the Speaker to take the Chair under the rules which were brought into force as prevailing in the British House of Commons in 1867. There was no proceeding of that kind on this occasion—absolutely none. If the action of the Speaker can be justified, as I think it can, it is to be justified on the ground that a very grave condition of disorder prevailed. True, that condition had not been brought to the attention of the Speaker by way of motion of censure or report. But the intervention of the Speaker was not based on any consideration of that kind. So, it seems to me, rule 14 has nothing to do with the case. The action of the Speaker is to be justified on the ground that a scene of very grave disorder was then taking place, and that the Speaker, being responsible primarily for order in the House, had the right to intervene under the usages of Parliament for the purposes of restoring order which had been lost. Two cases have been cited, that of 1675 and that of 1810. My hon. friend from Pictou (Mr. Macdonald), has endeavoured to throw more or less discredit upon the precedent of 1675, because he connects it in some way or other with the removal of the mace by the Protector. He is a little astray in his dates; there were a good many years intervening. Further than that, he will remember that the period to which he alludes, the seventeenth century, is celebrated for having created some of the very greatest safeguards of the liberties of the British people, liberties which we have inherited. That is one precedent, an absolutely plain precedent. It is said that the Speaker——

—very opportunely and prudently, rising from his seat near the bar, in a resolute and slow pace, made his three respects through the crowd, and took the Chair.' The mace was laid upon the table; the disorder ceased; and the Speaker stated that it was to bring the House into order again that, 'though not according to order,' he had taken the Chair.

The meaning of the expression: 'not according to order,' is not absolutely plain to me. I do not know whether he meant that it was not according to the order of the House, or whether he meant that it was not according to the order of the committee, that progress should be reported and that the Speaker should be brought in the Chair in the usual way. In the other case to which allusion has been made, I was not able to follow the contention of the hon. member for South Wellington (Mr. Guthrie), who made a very ingenious argument with regard to that particular case, but one which, it seems to me, could not be sustained. There were two distinct breaches of order; the first one had resulted in the Speaker being called to the Chair, and the member being excluded; afterwards when the House was again in committee that member returned, and the Speaker, without progress having been reported or any report having been made to him, resumed the Chair and took proceedings which resulted in the member in question being removed by the Sergeant-at-Arms. The hon. member for South Wellington, as I understand his statement, said the Speaker might regard that as a continuing disorder, but I cannot see why he could so regard it, because there were two scenes of disorder, each absolutely and distinctly separated from the other. The first incident had been absolutely closed before the second took place, and the doctrine of continuing disorder which my hon. friend has invoked does not seem to me at all applicable to the case. It has been said by my right hon. friend that May has not read it that way. So far as I am concerned, and, I think, so far as my right hon. friend is concerned, we should agree that if the journals of the House say one thing, and Sir Erskine May says another, the journals of the House should be accepted as the authority. We are all capable, I assume, of reading and understanding the record of the House in that regard, and the record of the House, according to

the plain and lucid statement which it contains, declares that the Speaker did resume the Chair, but does not indicate in any way that the Committee had risen for the purpose of reporting progress, or for any other purpose. Hon. gentlemen opposite take very strong ground in that regard, and my right hon. friend, as I understood him, said that it is absolutely impossible for the Speaker to resume the Chair, under any circumstances whatever, after the House has been resolved into Committee of the Whole, unless that committee carries a motion to report progress, or that the Chairman should leave the Chair, or for the purpose of reporting the conduct of any hon. member to the Speaker. We could give many illustrations which would indicate that that is not the case. For example, within the last week or two a message came to this House from the Senate. The House was in Committee of the Whole at the time; I consulted the officers of the House as to whether or not progress should be reported on that occasion, and I was assured by them that it was not necessary, and the Speaker therefore resumed the Chair. My right hon. friend would encounter another difficulty. Suppose some sudden illness prevented the Chairman of the Committee from taking any action at all? Something would have to be done in such a case, and it would seem to be proper that the Speaker should be ready to see that the proceedings of the House do not become absolutely futile, and that he should take such measures as would be necessary for putting the business of the House in order again. It seems also, following these two precedents, as well as following the dictates of common sense, that when disorder takes place in the Committee to such an extent that the Speaker observes that the House and the Committee are getting absolutely out of hand, the Speaker should take exactly the course which Your Honour did take on the occasion to which reference has been made. That is the way in which the matter impresses me, after having paid careful attention to all that has been said by hon. gentlemen on the other side of the House.

After all, what is the evil that is to result from a course of that kind? It is perfectly well known by every member of this House that the Speaker, from his position in the House and the character of the duties with which he is invested, commands the respect and the obedience of the House to a greater extent than any chairman of a committee, whether regular or temporary. When you have a condition arising, therefore, in respect of which the hon. gentleman who is in the Chair, whether he be the regular or a temporary chairman, is unable to control the committee, it seems to me to be a very strict and a very dangerous principle to adopt, that the Speaker could not, under such conditions, come to the rescue of the House and restore the order which for the time being has been lost. It would appear that, so far as danger to the credit, the reputation and the authority of the House is concerned, that danger is to be found not in the rule which we have been advocating on this side of the House, and which Mr. Speaker followed, but in the rule advocated by hon. gentlemen opposite. I submit, therefore, while it may have been proper and even desirable that the hon. member for Westmorland should bring this matter to the attention of the House, especially in view of the fact that hon. gentlemen opposite have felt themselves aggrieved by what has taken place, that, after the very full and reasonable discussion which has ensued has had its full effect, we will come to the reasonable conclusion that the course which His Honour the Speaker did take on the occasion in question was not only in the interests of this Parliament, was not only in the interests of the credit of this House, was not only dictated by common sense, but is also supported by precedents which enable it to be regarded as a proper course, even from strictly technical and constitutional standpoints.

SUPPLY.

House in Committee of Supply (Mr. Deputy Speaker in the Chair).

Royal Northwest Mounted Police, $19,300.

Mr. PUGSLEY: Before the committee enters in consideration of this item, I would like to ask the Minister of Finance if he can give me the information which he said he would obtain? My information is that there is a very considerable sum of money due the creditors of the Government for work done during the current fiscal year. My hon. friend said he would make enquiry about it. If possible, I think we should first make provision for closing up the accounts of the current fiscal year before we enter upon the estimates for the next year. I am told that it would amount to several hundreds of thousands of dollars. My hon. friend said he was going to find out.

Mr. WHITE (Minister of Finance): I inquired about it the next morning, because it appeared to me that my hon. friend was deeply interested. I confess I cannot understand why he was so deeply interested as he appeared to be. However, I made inquiries at the Department of Public Works, and was informed that work has been done in connection with these dredging contracts for which there is no appropriation in the supplementary estimates that were under consideration on the

day before the House rose for the recess. The explanation given is that it was impossible at the time the supplementary estimates were in preparation, to estimate with any degree of accuracy, the amount which would be required for the dredging which would be done before the end of the fiscal year. As I said to my hon. friend, it is the proper practice, so far as we find it feasible and practicable, to insert in the supplementary estimates which close the estimates for the fiscal year under consideration, all items for that particular year. But I find, as I have indicated, that there has always been considerable overlapping, and necessarily so. There was one item to which my attention was called by my hon. friend from Edmonton (Mr. Oliver), and into which, at his request, I also looked. In the last set of supplementary estimates, which we had under consideration the other day, reference is made to the report of the Auditor General, and to a certain amount representing excess expenditure. I was unable at the moment to explain it to the hon. member for Edmonton, but I found, and this will explain what I am endeavouring to bring to the attention of my hon. friend (Mr. Pugsley), that during last year, 1911-12—the item to which I referred, and which appears in the report of the Auditor General relates to that fiscal year—the Consolidated Fund expenditure authorized was $130,000,000, while there was an actual expenditure of only $100,000,000. But while that was the fact, in two principal items, one in connection with the post office administration, and another which I have forgotten at the moment, there was an excess of $95,000, and that appears in the supplementary estimates for 1912-13, which I last presented, and provision is made for the payment of that $95,000. I am informed, and it is quite reasonable, that that occurs every year. The House will readily believe that in carrying on a business so extensive as that carried on by the Dominion from the Atlantic to the Pacific, in public works and otherwise, there will necessarily be a certain amount of expenditure which cannot be comprised in the accounts of the current fiscal year. I think it is a desirable and proper practice without question that all the expenditures which can be properly accounted for should be shown in the supplementary estimates, but occasions will arise when it is impossible to estimate the amount on particular contracts, or when through inadvertence, estimates are exceeded, and these have been taken care of in the way they are taken care of in the supplementary estimates which we had last under consideration. The particular item to which my hon. friend from Rouville (Mr. Lemieux) called my attention is in the supplementary estimates item 479.

To cover unprovided items 1911-12, as per Auditor General's Report, page B—5, $95,289.77.

Mr. WHITE (Leeds).

The reason I referred to that is that it is cognate to the matter to which my hon. friend has called my attention.

Mr. PUGSLEY: What is the amount substantially outstanding for work to do during the present fiscal year for which no money is provided. My hon. friend said he would find that out.

Mr. WHITE: My hon. friend must have misunderstood me. I told him that so far as I was aware all the expenditure of the current fiscal year was represented in the main estimates, the first supplementaries, and the second supplementaries, but that there would be an expenditure of the amount to which he has called my attention, and other expenditures of which I was not aware. I am not in a position to give the information he desires, nor do I believe that at the present moment the department would be able to give it, because it would be impossible to estimate with precision the amount that is due on 31st March. These estimates are certainly intended to close the fiscal year, and to present to the House the details of expenditure which will be made during that fiscal year, so far as that expenditure can be estimated at the present time, and subject to the necessary overlapping which has always taken place and which I believe will always take place.

Mr. LEMIEUX: I suppose we shall have, later on, details of that expenditure, that $95,000 ?

Mr. WHITE: I should think that next year, just as this year, you will have such items to provide for in the supplementaries. The Auditor General's report will show a corresponding item next year, I presume.

Mr. LEMIEUX: Here we have a large item, covering several departments, which we are asked to vote en bloc. Of course I accept willingly the explanation of my hon. friend the Minister of Finance. I think he is right, but at the same time, during the present session, when we are in committee, we should have from my hon. friend the Postmaster General an explanation as regards his part of that item. We have no detailed account for each department, and I understand that the sum of $95,000 is distributed over several departments. I do not press for it to-night.

Mr. PELLETIER: I will place it before the deputy minister, and I think it will be an easy matter to get the information.

Mr. PUGSLEY: My hon. friend the Minister of Finance said he did not understand why I was so interested in finding out if there was not a very considerable sum of money due by the Government for work actually done during the present

fiscal year, and for which no provision has as yet been made. I may tell my hon. friend that every one of the dredging contractors in New Brunswick is, so far as I am aware, a political opponent of mine. The Mayes Dredging Company, the Maritime Dredging Company and the Northern Dredging Company, of which Mr. Tennant and Mr. O'Leary are managers, were brought under the control of our Conservative friends and they to-day practically control the dredging business in New Brunswick. The manager of a financial institution which has advanced money to these contractors called my attention to the fact that the Liberals were blocking the estimates and blocking the payment of the money which was due to these gentlemen, and by them due to the bank. I explained that we were not, that this should be provided for in the supplementary estimates, and that if the Government would bring in an amount to meet this expenditure I would only be too happy to do everything I could to expedite its passage. I would say to my hon. friend frankly that these amounts which, according to my information, totalled a few hundred thousand dollars, should be provided for in the supplementary estimates for the current year. I do not think this committee should be asked to make provision for carrying on public works during the coming year until we have discharged our obligations and the obligations of the country for work which has been actually done by the contractors during the current year. Let me take another question; are there or are there not, large amounts of money due to contractors for work already done upon the Transcontinental railway and for which no provision has been made in the supplementary estimates for the current year.

Mr. WHITE: Not to my knowledge. It is possible that contracts have been made in connection with the Transcontinental railway and that there may be some contractors who are waiting for the necessary certificates upon the presentation of which they will receive payment. But I am not aware that large sums are held up improperly. I understand my hon. friend to suggest that that the members of the dredging companies had changed from Liberals to Conservatives?

Mr. PUGSLEY: Yes.

Mr. WHITE: Does my hon. friend say that all the members of the dredging companies in his time were Liberals and, if so, why? I am surprised to learn that they were all Liberals and my hon. friend rather shocks me by the suggestion that they have changed their memberships to Conservatives, because, by imputation they were all Liberals before.

Mr. PUGSLEY: I will be very glad to give my hon. friend the information. In the city of St. John there were two Liberals who were interested in dredging. There was another gentleman who was a little bit variable—generally speaking a Conservative, and sometimes a little inclined towards the Liberal party. But after the election and, indeed, just before the election, there was no question about his being a Conservative. Since the election I may say that the dredging business has been entirely under the control of ardent supporters of the Government. Upon the Miramichi there was a large company controlled by the Messrs. Loggie—no relation of the hon. member for Northumberland. These gentlemen are very keen merchants, worth a great deal of money, if report is correct, but they have never taken any active part in politics. Since the election of 1911, very active Conservatives bought out the dredging company which was controlled by the Messrs. Loggie and, as appears from the records of this House, in an answer kindly given by the hon. Minister of Public Works (Mr. Rogers), when Messrs. Tennant, O'Leary and others bought out Messrs. Loggie, who had a contract for dredging in the Miramichi at 11 cents per cubic yard, they at once applied to the Government to be allowed to cancel their contract and forfeit their deposit of about $3,500. They were permitted to do so, tenders were invited for this work and these same gentlemen, whose contract was cancelled and who were allowed to forfeit a deposit of $3,500, tendered for the work again and got it at twenty cents per cubic yard, or a difference of nine cents per cubic yard. I think that, if I remember the figures correctly, they would forfeit about $3,500 and they would make an additional profit of $40,000 or $50,000 out of the Government. My hon. friend (Mr. White) is surprised to find that Liberals have been engaged in dredging under the late Government. What does he think of that? That was done when the hon. member for Jacques Cartier (Mr. Monk) was Minister of Public Works. I do not want to attack the late Minister of Public Works and I do not want to attack the present Minister of Public Works, because he is not responsible, but what I do say is that the controlling spirits in the Conservative party in New Brunswick who have brought about that operation, under which there is an absolute steal from the treasury of this country of somewhere between $40,000 and $50,000, certainly do not deserve very much consideration from this Government. Notwithstanding that these gentlemen were all Conservatives, as I have said, the manager of a certain banking institution called my attention to the fact that there was a large

amount advanced to these dredging companies for work done during this current year and he suggested that I and others on this side of the House were blocking the estimates by which they would be unable to get their pay. I said to this gentleman that if the Government would put this in the supplementary estimates for the current year I was sure that hon. gentlemen on this side of the House would be willing to facilitate the voting of the money in order that the Government could discharge its obligation. We ought to see that our debts are paid first before we proceed to vote moneys for next year. Let us wipe out the obligations of the current year. In regard to the Transcontinental railway I think there is a very serious condition of affairs existing. I am told that there are large contractors who have done their work months ago to whom vast sums of money are due, as well as to the banks which are carrying them, and that these gentlemen cannot get one dollar of the money which has been due for months for work that has actually been done for the Government of the country.

Mr. WHITE: Have the accounts been certified by the commission or its engineers?

Mr. PUGSLEY: I am told there is no reason whatever for refusing payment.

Mr. BORDEN: Who are they?

Mr. PUGSLEY: I am not going to mention names. I am told that the chief engineer, the sole commissioner, went off on a trip to Europe and that these gentlemen were obliged to wait months and months for the money which is due them. I think that before we proceed to vote moneys to carry on the work for the coming year, it is our duty to see that the obligations of the present year are properly met.

Mr. ROGERS: My hon. friend from St. John (Mr. Pugsley) is good enough to say that he does not wish to attack my predecessor, the hon. member for Jacques Cartier, but I must confess that he rather does that in a statement which he has made regarding the Miramichi dredging contract. No person knows better than my hon. friend (Mr. Pugsley) that this contract had been let by himself when in charge of this department provided for a certain amount of dredging, a portion of which was in shallow water, leading out into deeper water, and that a contract had been let by him for dredging at the further point out in the water at forty or forty-five cents a yard, while the other was let in the portion near the shore at eleven cents per cubic yard. This work was carried on for a considerable time and the contractors were complaining, and my predecessor undertook to deal with them and they forfeited the amount of their deposit and forfeited their contract. There was no other course open to the department than to forfeit the amount of the deposit. That deposit was forfeited to the Government, the Government have it, and the Government were obliged to ask for tenders for the dredging in the deeper water. The second contract was let at twenty cents a yard, as compared with forty cents a yard under the contract let when my hon. friend (Mr. Pugsley) was minister. The hon. gentlemen referred to certain contractors not receiving payment in connection with work they are doing. Let me tell him that as Minister of Public Works I have yet to see one letter from any contractor under the department saying that he has not received his money when his accounts were properly and honestly presented to the department for payment. I am surprised that my hon. friend from St. John should hear of conditions which I as minister have had no notice of.

Mr. PUGSLEY: My hon. friend (Mr. Rogers), I regret to say, has attempted to make a defence of the action of the dredging contractors who have received the new contracts for work upon the Miramichi. I am sure my hon. friend cannot be correctly informed as to the two dredging contracts which existed. When I was Minister of Public Works there were two situations with which we had to deal; one was what was called the Grand Dune Flats, which is inland and protected, and the other was a bar which was at a considerable distance out and which was exposed to storms. Tenders were called for the work separately and the lowest tender for dredging the bar was at forty-five cents per cubic yard, the tender being that of the W. J. Poupore Company, and the lowest tender for the dredging of the Grand Dune Flats, which is comparatively easy dredging was a tender by a Company controlled by Messrs. Loggie, at eleven cents per cubic yard. The lowest tender in each case was accepted, each tender being entirely for a separate class of work, the conditions being different with regard to each so far as exposure to storms and the kind of soil is concerned. The Messrs. Loggie are absolutely responsible people, reported to be worth at least one million dollars, and they are the gentlemen who entered into a binding contract with the Government to do this work of one million cubic yards at eleven cents per cubic yard. Their contract was for a lump quantity of one million yards at that price. The Messrs. Loggie worked for one season and they never kicked, or never urged that they were getting too low a price, but were prepared to stand by their contract whether they made money or lost money. After the

general election of 1911 a company composed of Conservatives, Mr. O'Leary, of Richibucto, and Mr. Tennant, of St. John, a leading Conservative worker, and possibly some others whose names I do not know, was formed, and they bought out the dredges of the Messrs. Loggie and took over their contract. My hon. friend (Mr. Rogers) will see that the original contractor was liable on this obligation and contract with the Government, and the Government had the right to tell the Loggie Company to perform the work. After the company organized by Messrs. Tennant and O'Leary had taken over the dredges and the contract, they applied to the department to be permitted to cancel their contract by forfeiting their deposit of I think $3,500.

Mr. ROGERS: $5,000.

Mr. PUGSLEY: My recollection is that the answer of the minister was that the deposit was $3,500.

Mr. EMMERSON: Poupore is not a Liberal?

Mr. PUGSLEY: Mr. Poupore was not a Liberal; he used to be the Conservative member for Pontiac.

Mr. STANFIELD: He was a good Liberal under the last Government.

Mr. PUGSLEY: My hon. friend may know as to that, but I do not. However, I am not concerned with Mr. W. J. Poupore's contract because that was done on public tender and the work was in a different place and done under different conditions entirely. I do not hesitate to say that when the company which was organized by Messrs. O'Leary and Tennant, applied to the Government to be allowed to cancel their contract and forfeit their deposit, it was with a view of their getting a new contract for this identical work at an advanced price. They took over the dredges for the purpose of doing the work and they set out to see if they could get a higher price from the Government. The contract with the Loggie Company was for one million cubic yards and at that time there could not have been performed much more than one-half the work. These gentlemen applied to the Government and they were released from that contract by simply forfeiting $3,500, the amount of the deposit. Tenders were then called for the work. I do not know whether there were any other tenders. I doubt if there were; I think they arranged so that there would be no other tenders; I think the time was short; the dredge owners in the upper provinces could not come down to tender; the result was that for that work which they were bound to perform under covenant with the Government at eleven cents, they got that part of it which remained unfinished at the time they became the owners of the dredging plant, at nine cents per cubic yard more than the price at which they were bound to do the work. I would estimate from my knowledge as minister, that there remained in the vicinity of half a million cubic yards to do, and it would mean that their profit beyond that which they would receive if they carried out the contract they were under obligation to carry out, would amount to $45,000. They forfeited $3,500 to make a further profit of $45,000.

Mr. CURRIE: I understand that the amount of the first contract was one million cubic yards at eleven cents, or $110,000. The custom of the Government is to exact 10 per cent as a deposit, which would amount to $11,000. Where does the hon. gentleman get the balance of $35,000 which he stated was profit to the contractors? That does not look right on the face of it.

Mr. PUGSLEY: The custom is to exact a deposit in respect to the particular works. It is not 10 per cent which is exacted; it is a certain definite sum which is always named in the advertisement for tenders.

Mr. CURRIE: Can my hon. friend not recall to mind a case where the Government cancelled a number of contracts for dredging on the lakes and then re-let them at a larger figure? What about the towns of Midland and Port Arthur where complaints were made about the cost of dreging? The hon. gentleman cancelled the contracts and let them at a larger amount.

Mr. PUGSLEY: The hon. gentleman knows, or he ought to know as he was in Parliament at that time, that those contracts were for the season of navigation, and then they could not be extended unless the minister extended them by order endorsed upon the contract. In the particular case to which my hon. friend refers, there was a good deal of criticism on account of the contracts having been extended the previous year, and I decided not to extend the contracts but to call for new tenders, as it was proper that I should do. This case was different. Here was a definite contract to dredge a stated quantity, one million cubic yards at eleven cents a yard. The same company was relieved of its contract and succeeded in getting a new contract to do the same work at an advanced price of nine cents, making a loss, asssuming that there was about a million cubic yards still to be done, to the country of about $45,000; and to get this the company forfeited their deposit of, I think, $3,500. My hon. friend the Minister of Public Works (Mr. Rogers) says that Parliament was bound to give them that advance. Why? Supposing a private individual had a contract to build a house for you and he said, I am strong financially; I

am wealthy; it is true that I could build the house, but I want to get out of my contract. He says, I have made a deposit, but I will forfeit that and I shall not go on with the work. If my hon. friend was a private individual, would he give the contract to do this work to the same contractor at a price nearly double what he had originally contracted to build the house for? I am sorry that my hon. friend defends that position, because I do not think it can be defended at all. The only excuse to be given is that the minister of the day knew nothing about it. The position of these gentlemen in New Brunswick, who brought about that extraordinary situation, under which they were able to get this large sum of money to do work that they were bound to do at a lower price, is utterly indefensible; and for that conduct these gentlemen ought to be punished, if it is possible to punish them. Shortly after the elections in 1911, these gentlemen formed a company to buy out Messrs. Loggie with a view to that very contract to dredge the Grand Dune flats. Having organized the company, they at once set to work to see how they could get this identical contract at an enhanced price. They did so at a cost to the country of about $40,000 or $45,000.

Mr. EMMERSON: When the new contract was let was it——

Mr. BORDEN: Mr. Chairman, I do not want to gag hon. gentlemen with regard to the Northwest Mounted Police, but I should like to have a little attention directed to that particular estimate.

Mr. ROGERS: I really cannot allow the exaggerated statement of my hon. friend from St. John (Mr. Pugsley) to pass without some notice. At one point of his remarks, he left at all events, the implied insinuation that some attempt was made by my predecessor, the member for Jacques Cartier (Mr. Monk) to ask for tenders in such a hurried manner that no other person could tender except those particular contractors. That statement is absolutely incorrect. Tenders were called for in the most open manner.

Mr. PUGSLEY: What length of time was given?

Mr. ROGERS: A very considerable length of time.

Mr. PUGSLEY: Will my hon. friend tell me what length of time?

Mr. ROGERS: I cannot tell you exactly, but I am satisfied that ample time was given, not only that, but the tender was something like twenty-three or twenty-five cents a yard. My predecessor (Mr. Monk) felt that this was too much; he and the officers of the department examined the work and he had a report from the man who was in charge of the dredging under the management of my hon. friend the member for St. John. He reported to Mr. Monk that twenty cents a yard was fair and reasonable and very cheap for the completion of this work which had become more expensive as the work went on.

Mr. PUGSLEY: When the new tenders were called for, were there any other tenders except those gentlemen, the Northern Dredging Company?

Mr. ROGERS: I think there was only the one tender, if I remember correctly. I have not looked into the matter very carefully, because it did not come under my administration. At the same time my hon. friend undertakes to state the case in a very exaggerated form when he says that the loss to the country will probably be forty or forty-five thousand dollars. The facts are that something like six hundred and eight thousand yards of this dredging had been completed leaving something over three hundred thousand yards to be completed when the change of contract took place, which would, according to the figures of my hon. friend, mean a loss of about $25,000. I answered the question put upon the Order Paper by the hon. member for St. John some time ago, and my answer gives the exact figures.

Mr. PUGSLEY: My hon. friend did not give the quantity still remaining to be done. I remember there was a million yards altogether. My idea was that it was about half done at that time.

Mr. ROGERS: Your idea was incorrect. Only some three hundred thousand yards remained to be done. My predecessor, Mr. Monk, found himself in an unfortunate position, owing to the very elastic contract made by my hon. friend for St. John, that there was no power vested in the Government to exact anything from the contractors except the deposit, namely $5,000, when the contract was let. That was forfeited to the department, and the only power which the department had to secure any return from the contractor who wished to give up the contract at any time he saw fit.

Mr. PUGSLEY: My hon. friend says that owing to there being an elastic contract—there was a firm, binding contract.

The CHAIRMAN: I understand that the minister just wished to answer the hon. member. I am afraid that he is commencing to discuss the contract. I draw the attention of the hon. member that he is out of order.

Mr. PUGSLEY: My hon. friend calls the contract an elastic contract. It was the ordinary contract of the department, which contained an absolutely binding covenant on the part of this company to do the work. Do I understand my hon. friend to say

that the Government found itself in this unfortunate position, that the company 'fell down' and asked to be released from their contract? If so, they soon 'fell up' again, because they got the contract at an increase of nine cents per cubic yard. The object of the covenant was to oblige them to do the work, and if they did not do it, the Government could do it and charge them with the difference, just as with any other contractor. The contract was definite and distinct—that they were to do 1,000,000 yards of dredging at eleven cents a yard. And there would be the drawback, of course, as security for the Government—the drawback of ten per cent.

Mr. EMMERSON: I would call the attention of the Minister of Public Works to the fact that Mr. O'Leary who has this contract, was the disburser of funds for the Conservative party in the last local election. He figured in the northern counties of Restigouche, Gloucester, Northumberland and Kent. And he speaks proudly of what he accomplished and of his openness—there is no secret about it. I understand that he is the leading spirit in this dredging company, and it may be that the renewal syncronises with the election.

Mr. LEMIEUX: With all due respect for the Halifax platform, I think that this ought to go before the public accounts committee.

Mr. BORDEN: I have not the slightest objection to the fullest discussion of the transaction referred to, but I think it would be more convenient to deal with the item before the committee and bring up this other question at a time when the minister has the paper and his officers here. The item under consideration, which I brought up because the right hon. the leader of the Opposition was then in his place, is the Royal Northwest Mounted Police.

Mr. MEDERIC MARTIN (St. Mary's, Montreal): (Translation.) Mr. Chairman, I shall speak French, considering that the right hon. the Premier understands this language. I wish to call the attention of the committee to the fact that the estimates have not been printed in French. It is now eight days since I have pointed out to this House the fact that the supplementary estimates have not been printed in French. I have just inquired about this and I was told that they were not and would not be printed in French. I am opposed to our voting the estimates for 1914 this evening because they are not printed in French, so that we may follow the work done by the committee and know what sums we are called upon to vote. I shall not allow these estimates to come under consideration until we have the French translation. We have a right to it, and this right must be respected. I am asking this because there seems to be no attention given to the French language at all.

Mr. BORDEN: (Translation.) The hon. member is right, the estimates must be printed in French and I thought they had been printed in this language.

Mr. MARTIN: (Translation.) No, these estimates are not printed in French, and the evidence is that I have sent some one for both the English and the French copy and I have been told in answer there was no French copy. Since Tuesday of the last week the supplementary estimates have not yet been printed in French, even though the hon. Minister of Finance has promised that they would be in a couple of days.

Mr. PELLETIER: I am sure the hon. gentleman wishes to be fair. He was told the other day that this work is not under the Minister of Finance nor under the Government, but is done by officers of this House. When he brought the matter up the other day, I at once asked the officer, Mr. Laframboise, what the matter was. And Dr. Flint, the Clerk of the House, sent upstairs to ask the reason why this had not been printed in French. We got the answer a few moments after the hon. gentleman (Mr. Martin) left the Chamber. But the hon. member for Rouville (Mr. Lemieux) and the hon. member for Beauce (Mr. Beland) had spoken about it, and I gave the statement as given to us by the officers that this matter had been sent to the Printing Bureau but that the proofs had not yet come back for reading. This was about seven or eight days ago. I was surprised to hear from the hon. member for St. Mary's that it was not going to be printed in French. I think we should go to the bottom of that to see what there is in it; because if officers of the House are going to authorize the hon. member for St. Mary's to declare that such work will not be done——

Mr. BUREAU: The hon. member never said that.

Mr. MARTIN: The supplementary estimates are not printed——

Mr. PELLETIER: Here are the main estimates printed in French. The Clerk of the House has just handed them to me.

Mr. MARTIN: That is not the supplementary estimates.

Mr. PELLETIER: But the hon. gentleman said he was going to object to the main estimates until they were printed in French, and here they are.

Mr. MARTIN: But these are for next year.

Mr. PELLETIER: But these are the estimates we are now considering, and to which he said he was going to object because they were not printed in French.

Mr. BUREAU: Surely, the hon. Postmaster General does not want to be unfair. The hon. member for St. Mary's said that he had sent upstairs for the estimates in French and had received the answer that they were not printed. A member can only take the facts as reported to him by the officers of the House.

Mr. PELLETIER: He said more than that—that they were not going to be printed in French.

Some hon. MEMBERS: No, no.

Mr. MARTIN: A few moments ago, I called a page and asked him to bring me the estimates in the two languages. He came down with a copy of the English version and said that the French estimates were not printed. That is why I said that if they did with these estimates as they have done with the supplementaries I would object to their passing until they were printed in French.

Mr. PELLETIER: They are printed in French.

Mr. MARTIN: Then, a copy should have been sent to me.

Mr. WHITE: I understood my hon. friend to complain in some respects of my action in this matter as Minister of Finance. Let me assure my hon. friend that I followed what I believed to be the universal practice in regard to this matter. I submit to the House the message of His Royal Highness in both languages, and I lay on the table of the House the estimate as prepared by my department, which can be taken up by the officers of this House and translated into French. I desire to assure my hon. friend that this has been the practice, as I understood it, and I should like him not to think that I have in any way discriminated against the French language in the presentation of the estimates.

Mr. GRAHAM: In this connection I would throw out the suggestion that a little care might be taken with regard to the distribution of copies of the estimates to the members. Evidently they have been printed, but have not yet been distributed to the members, and I think we are entitled to receive them as soon as possible after they are printed. Is the whole of this item to pass, or only a proportion of it?

Mr. BORDEN: The whole item.

Mr. LEMIEUX: As the Postmaster General mentioned my name in connection with the objection raised by the hon. member for St. Mary's (Mr. Martin), I may say that I did make a complaint the other day about the distribution of the supplementary estimates for the current fiscal year, and I explained to the hon. member for St. Mary's that this year the delay was due probably to the overwork at the Printing Bureau on account of the unusually long sittings of the House.

Mr. PELLETIER: The reason for the delay was the one suggested by my hon. friend—that so much of the time of the Printing Bureau was occupied with the printing of 'Hansard' during the extended sitting of the House.

Mr. GRAHAM: I had entertained the idea that a certain percentage of the estimates would be taken up and passed, but I did not know that any were to be put through in their entirety.

Mr. BORDEN: It has always been the practice, even where it is expected that a vote on account will be taken, that such items as are not of a controversial nature—such as Civil Government—shall be passed in their entirety.

Mr. GRAHAM: I find in the report of the Northwest Mounted Police for 1912, on page 8, this paragraph:

> On May 15, 1912, the Act extending the boundaries of Manitoba to the north and east came into force, thus annexing a portion of the Northwest territories which had been policed by this force. In accordance with your instructions, I proceeded to Winnipeg, in June, to interview the honourable the Attorney General of Manitoba. The result of the interview was that the services of the force would be retained by the Government of Manitoba, on similar terms to Saskatchewan and Alberta. No term of years was fixed, as it was thought that railway development might, later on, make it undesirable.

Is the Government of Manitoba assuming the expense of the Northwest Mounted Police in the new province?

Mr. BORDEN: An arrangement has been made by the Comptroller with the Government of Manitoba which is that they pay $5,000, annually on account of the expenses of a small detachment. The arrangement has not been made for any definite term.

Mr. GRAHAM: But they are paying $5,000.

Mr. BORDEN: Yes. Before the item passes, I would like to express my appreciation of the services of Col. White, who, for many years, was at the head of the force. He first entered the service as clerk in the Department of Justice in 1869. Shortly afterwards, he took up administrative work at Ottawa in connection with

the establishment of the Royal Northwest Mounted Police force. In 1878 he was given the title of Comptroller of that force. In the inception of the force he had almost complete charge in every respect. We all know that the force has been a very great credit to Canada and has done work in connection with the development of the West, which, I think, has not been surpassed by any force employed for similar purposes in any other part of the world. Very great credit indeed is due to Col. White for his services. I would like to express my appreciation of his services during the time he was Comptroller of the Northwest Mounted Police after our advent to office. He obtained leave of absence with a view to superannuation on the 1st July, 1913. He desired to be relieved from active duties, and his superannuation took effect on the 1st January, 1913. His retirement from the service was entirely on his own initiative and at his own desire. He has had a total service of nearly forty-four years, and during all that period, as I know from my own experience, and from what has been said of Col. White by my predecessor, that his devotion to his public duties was all that could be desired. His very great ability and long experience in public affairs have made that service one of very great value indeed to the country. I think I am voicing not only my own opinion, but the opinion of all members of this House, who have any knowledge of his public services, when I say that the thanks and gratitude and appreciation of the people of Canada are due to Col. White for the splendid work which he did in connection with that force.

Mr. GRAHAM: Hear, hear.

Progress reported.

On the motion of Mr. Borden for the adjournment of the House:

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

Mr. BORDEN: We will go into Supply again to-morrow.

Mr. GRAHAM: What department?

Mr. BORDEN: We will take the Civil Government estimates for the different departments, and after that I would like to take the main estimates for the Royal Northwest Mounted Police and any other estimates that more particularly concern me. It is desired, I think, that some explanation should be given with regard to some items in the capital account of the Intercolonial railway, and some reference was also made to the desirability of a statement with regard to the Transcontinental railway. The Minister of Railways and Canals is absent, and I do not think he will return until Thursday. It is possible, however, that in the course of to-morrow I may be able to give explanations with regard to some of these matters. I am not absolutely sure of that; it will depend on how far progress has been made in the department with regard to preparation. I would not undertake it, of course, unless everything were pretty clearly put before me in writing, as I am not familiar with the details of the department; and I would only do so for the purpose of expediting business. But if it should be desired by hon. gentlemen on the other side, I would make an effort to give certain explanations to-morrow as to some of these matters. I would be very glad if my hon. friend the member for South Renfrew (Mr. Graham) would ascertain whether there is any misunderstanding with regard to these items of Civil Government to which allusion has been made. I did not understand it precisely in the way in which it has been presented by hon. gentlemen on the other side of the House. I thought we would proceed in the way in which those matters have always been dealt with in the past, that we would pass, in their entirety, such of those items as we could, after proper discussion, and that these would be coupled with the vote on account as has been the practice in other years.

Mr. GRAHAM: The right hon. the leader of the Opposition will be in his seat to-morrow and we will have a clear understanding arrived at.

Motion agreed to, and House adjourned at 12.37 a.m., Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, March 26, 1913.

The SPEAKER took the Chair at three o'clock.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

NOVA SCOTIA APPLE TRADE.

Mr. KYTE:

1. How many inspectors and how many assistants or helpers under the Fruit Marks Act were employed in Nova Scotia during the season 1911-12?
2. What are names of said inspectors and helpers and the several dates of their appointment?
3. What was the pay and allowance of each?
4. How many inspectors and how many assistants or helpers under the Fruit Marks Act were employed during the season of 1912-13 to date in Nova Scotia?
5. What are their names and dates of appointment respectively?

6. What is the pay and the allowance of each?

7. How many barrels of apples were exported from Nova Scotia during the season of 1911-12, to March 1, 1912?

8. How many barrels of apples were exported from Nova Scotia during the season 1912-13, to March 1, 1913?

9. What are the respective necessary qualifications for an inspector, a helper or assistant?

Mr. BURRELL:

1. Eight inspectors and five helpers.

2 and 3:

SEASON OF 1911-12.

Name.	Position..	Date of Appointment.	Monthly Pay and Allowance.
G. H. Vroom	Chief inspector	Sept., 1901.	$108.33.
Freeman Fitch	Inspector	Aug. 21, 1911.	$125 and $1.50 a day.
Wm. Sangster	"	" 21, 1911.	" " "
J. A. Kinsman	"	" 21, 1911.	" " "
A. S. Alcorn	"	Nov. 22, 1911.	" " "
W. C. Healey	"	" 22, 1911.	" " "
Wm. Bishop	"	Dec. 6, 1911.	" " "
F. B. Wescott	"	Jan. 11, 1912.	" " "
Wm. Johnson	Helper	Aug. 28, 1911.	$50 per month.
Thos. Scanlon	"	" 28, 1911.	" "
Harry Roome	"	" 28, 1911.	" "
John Cox	"	Dec. 5, 1911.	" "
R. J. Salter	"	" 11, 1911.	" "

4. Nine inspectors and five helpers.

5 and 6:

SEASON OF 1912-13.

Name.	Position..	Date of Appointment.	Monthly Pay and Allowance.
G. H. Vroom	Chief inspector	Sept., 1901.	$108.33.
A. S. Alcorn	Inspector	Sept. 1, 1912.	$125 and $1.50 a day.
W. C. Healey	"	" 1, 1912.	" " "
S. C. Dimock	"	" 1, 1912.	" " "
Geo. Akins	"	" 1, 1912.	" " "
A. T. Morse	"	Nov. 30, 1912.	" " "
W. E. Anderson	"	" 30, 1912.	" " "
F. B. Wescott	"	Sept. 1, 1912.	$125 and travelling expenses.
Wm. Bishop	"	" 1, 1912.	" " "
*W. E. Anderson	Helper	Oct. 2, 1912.	$50 and $1 a day.
S. Bishop	"	Sept. 28, 1912.	" " "
Thos. Archibald	"	" 24, 1912.	" " "
J. P. Smith	"	" 26, 1912.	" " "
Fred. Urquhart	"	Nov. 30, 1912.	" " "
Fred. Rockwell	"	Feb. 12, 1913.	" " "

* Promoted to fruit inspector on November 30.

NOTE.—Chief Inspector Vroom is employed the year through; the other inspectors for periods of from three to six months.

7. Exports from Halifax to March 2, 1912: 1,123,430 barrels and 9,540 boxes.

8. Exports from Halifax to March 1, 1913: 688,715 barrels and 24,145 boxes.

9. (a) The Dominion fruit inspectors must have a practical knowledge of the fruit industry, particularly in connection with apples, and must be men of good judgment and recognized probity.

(b) The chief duty of the helpers is to assist in the opening and closing of packages at points where large quantities are aggregated. They are chosen, therefore, with special reference to their proficiency in this respect.

RIDING MOUNTAINS DRAINAGE.

Mr. CRUISE:

1. Has there been brought to the attention of the Government the desirability of co-operating with the provincial Government for the construction of drainage works along the northeast base of the Riding Mountains, for the purpose of protecting from the flow of

water from the mountains the land occupied by settlers, which at intervals is overflowed in whole or in part, with great injury and loss to them?

2. Is it the intention o fthe Government to make provision for same?

Mr CROTHERS:

1. Representations have been made by persons residing north of the Riding Mountains that it would be advisable to construct a drain in connection with the making of a fire guard along the north side of the mountain.

2. The representations are being looked into.

EXPERIMENTAL FARM IN DAUPHIN.

Mr. CRUISE:

Is it the intention of the Government to establish an experimental farm in the Dauphin district?

Mr. BURRELL: The question of the establishment of additional experimental farms in Manitoba is under consideration. Nothing definite in regard to the Dauphir district has been decided.

ST. CHARLES RIVER DREDGING.

Mr. LACHANCE:

1. Has any dredging of the river St. Charles been done since the 1st November, 1911? If so, what was the quantity of dredging and what amount of money have these works cost?

2. Was the dredging of the river St. Charles done prior to the 1st November, 1911? If so, when was it commenced, what quantity of dredging was done and how much has it cost?

Mr. ROGERS:

1 .(a) Yes; (b) 397,078 cubic yards at a cost of $35,736.12.

.2 (a) Yes; (b) 15th August, 1910; (c) 738,-106 cubic yards at a cost of $66,430.51.

MORTIMER PRINTING AND LITHOGRAPHING COMPANY.

*Mr. MURPHY:

1. Is it the intention of the Government to purchase or lease the whole or any part of the plant of the Mortimer Printing and Lithographing Company?

2. If so, what are the terms of such purchase or lease?

3. Has the said company offered to sell its plant or any part thereof to the Government? If so, what are the terms and conditions of the said offer?

Mr. BORDEN: In reply to this question, I understand that the company has expressed itself as willing to dispose of its plant to the Government. The offer has not been considered, and I would think that it would be quite unlikely that the Government would be prepared to entertain it.

UNOPPOSED AND UNDISCUSSED MOTIONS.

For a copy of all papers, memoranda, and instructions relating to a certain area of land on the bank of Little Manitou lake, Saskatchewan, recently transferred to the town of Waterous, for park purposes.—Mr. Oliver.

For a copy of all papers, letters, memoranda and other documents relating to the northwest of 30-25-7-2.—Mr. Oliver.

For a copy of all petitions, reports, recommendations, correspondence, letters, telegrams and other communications concerning the east half of section 36, in township 6, range 8, west of the fourth meridian.—Mr. Buchanan.

For a copy of all petitions recommendations, correspondence, letters, telegrams and other communications concerning the change in location of the post office known as Masinasin, province of Alberta.—Mr. Buchanan.

For a copy of all charges, correspondence, lettres, telegrams, petitions and other documents relating to the dismissal of Mrs. Ellen O'Neill, postmistress at O'Neill's post office, parish of Moncton, county of Westmorland, New Brunswick, and of all evidence, if any, taken in regard to the same and of all reports concerning same; and also a copy of all recommendations, correspondence, letters, telegrams, petitions, and other documents relating to the appointment of a successor, or of Robert C. Kelly as postmaster of or at the said O'Neill post office, and of all reports, if any, as to the proper location of the office. —Mr. Emmerson.

FENIAN RAID VETERANS.

Mr. SINCLAIR: I would like to draw the attention of the hon. Minister of Militia and Defence (Mr. Hughes), and, in his absence, that of the right hon. the Prime Minister (Mr. Borden), to the question of the bounties to Fenian raid veterans. The rumour is abroad in Nova Scotia that all parties who were ordered out to drill at the time the Fenian agitation was on in 1866, are to be included in the bounty that is to be given to Fenian raid veterans. We were told last year that only such veterans as had been engaged on active service were to receive that bounty. I understand that the Governor of Nova Scotia issued a proclammation in 1866 authorizing preparations for meeting the Fenian raids that were expected at that date. Very many people turned out, underwent drill for several weeks, and subsequently, when the draft was made, certain people were selected out of the number that had been engaged in drill to go to the front if they were required. As the Prime Minister knows no steps of that kind were necessary, and no person from that province went to the front. Are the parties who subjected themselves to drill and who made preparations to go to

the front if they were required entitled to share in the bounty that is to be given to Fenian raid veterans?

Mr. BORDEN: I regret that I am not in a position to give my hon. friend any very definite information on the subject, as the question to which he has alluded has not been brought to my personal attention. I would suppose that it would depend upon the terms of the statute and upon the construction placed upon the statute by the legal advisers of the Department of Militia and Defence. However, I shall direct the attention of my hon. friend the Minister of Militia and Defence to my hon. friend's question, and would ask him to give all available information as soon as possible.

JAPANESE TREATY.

Hon. RODOLPHE LEMIEUX (Rouville): I call the attention of the First Minister to an article published in the Ottawa Citizen this morning concerning the Japanese treaty. I see by the Votes and Proceedings that notice has been given that the matter will be introduced by the right hon. gentleman to-morrow, but I was rather surprised to find an outline of the proposed legislation in the press before the House had been informed of it? I do not blame the right hon. gentleman, as I suppose some of the officials may have given the information to the press. I would ask my right hon. friend if the statement is true that the proposed legislation will make provision that nothing in it shall affect the terms of the Canadian Immigration Act?

Rt. Hon. R. L. BORDEN (Prime Minister): My hon. friend is mistaken in supposing that information has been unduly given to the press, because in this day's Votes and Proceedings he will see everything that has been published. I will read to my hon. friend the proviso to which no doubt he alludes:

> Nothing in the said treaty, or in the Act to be founded on this resolution, shall be deemed to repeal or affect any of the provisions of the Immigration Act.

ALBERTA NATURAL GAS.

On the motion of Hon. W. T. White (Minister of Finance) for Committee of supply:

Mr. W. A. BUCHANAN (Medicine Hat): Mr. Speaker, I shall occupy a very few minutes in bringing to the attention of the Government a matter of urgent importance to my constituents. Some time ago I questioned the Ministry as to the exportation of natural gas from Alberta, and the Government, in answer, assumed responsibility for the exportation, and acknowledged they had authority to prevent natural gas being exported from the province. This is a question of vital importance to many communities in the district of Medicine Hat. I quote from 'Hansard' of February 24 last:

> *Mr. Buchanan:
> 1. Has the Government received petitions and resolution from board of trade and municipal councils of Alberta, asking that the piping of natural gas out of the province of Alberta should be prohibited?
> 2. Does the Government consider that the Dominion has the power to prohibit the exportation of natural gas out of Alberta?
> 3. If so, does the Government intend taking action to meet the prayer of these petitions and resolutions?
>
> Mr. Coderre:
> 1. No such petitions or resolutions have been received.
> 2. Under the provisions of the Electricity and Fluid Exportation Act (chapter 16, 1907), the Governor in Council has power to regulate or prohibit the exportation of natural gas.
> 3. Answered by No. 1.

The reason I bring this matter before the House to-day is to impress upon the Government, if I can, the importance of protecting the natural gas fields in Alberta and of limiting its exploitation as much as possible to its present area. Efforts have been made recently by certain companies towards piping gas from southern Alberta to some of the cities in southern Saskatchewan, and also to Winnipeg. As a result of the movement in that direction, an agitation has commenced in the city of Medicine Hat and other adjoining communities served by natural gas, to prevent the exportation of this gas out of Alberta.

As those who have travelled through western Canada know, Medicine Hat is being developed into one of the most important industrial centres west of the great lakes, as the result of its possessing this natural gas field. Last year, no less than eighteen concerns were either established in the city of Medicine Hat, or had come to an agreement with the city to establish industries there, due absolutely to the fact that Medicine Hat, because it possesses this natural gas, was able to offer inducements to manufacturers that no other city in western Canada could offer. The city of Medicine Hat has at the present time, or will have in existence within the next year at least twenty-five industries large and small. I want to point out briefly the effect that the possession of this natural gas is having on the industrial development of that part of Alberta. In Redcliffe, the neighbouring town to Medicine Hat, seven industries have been established during the last year on account of the deposits of natural gas. These towns, which to-day are having rapid natural industrial development, feel that the Government should make

a declaration of policy in regard to this matter to the effect that the gas should not be allowed to be exported out of that district, for the reason that the history of natural gas fields has shown that the supply is very rapidly depleted, and they want some assurance of the permanency of this gas field so that they will be warranted in encouraging manufacturers to come there. Of course, that guarantee cannot be given if the gas is allowed to be exported all over western Canada, which is the object of some of the companies incorporated for that purpose. My request to the Government is not because of selfishness on the part of southern Alberta; it is merely a desire to conserve this great natural resource and to guarantee its existence as long as possible. As I have said, towns in that district are being built up industrially by reason of this gas. At Bow Island in my constituency they have very probably the greatest flow of natural gas to be found in all western Canada. There is the possibility that that town will become a great industrial centre. You will probably remember, Sir, an article written by Rudyard Kipling after he visited western Canada a few years ago, in which he stated that Medicine Hat and the district surrounding, had 'all hell for a basement.' There is good deal of truth in that, and while we are trying to improve the conditions on the top of the earth so as to make the place as much like heaven as possible, still we are anxious to retain hades for a basement, and to restrict its confines to the neighbourhood of Medicine Hat. Some gas has been piped from these wells in southern Alberta and a company is now operating a pipe line from Bow Island to the city of Calgary. The company which supplies that city also supplies most of the villages and towns between Bow Island and Calgary. There is no certainty as to the extent of the supply of natural gas in southern Alberta. It is important, in discussing the question of natural gas and the possible duration of the supply, to look at the records in some states of the American Republic where natural gas has been of great value in industrial development. I should like to point out the record in the state of Indiana. It is only a few years ago since one company, which was incorporated in that state to supply gas to certain cities in Indiana, had to abandon its wells and to develop artificial gas plants in order to carry out its franchise. The records of that state show that the gas supply has diminished very rapidly during recent years. It is in order to prevent such a possibility in Alberta that I am calling the attention of the House to this matter, so that we may learn a lesson from the experience of other countries. In the state of Indiana, the production of gas rose gradually in value from $300,000 in 1886 to its maximum of $7,254,539 in 1900. Since that time there has been a steady decrease, as shown by the following table:

Year.	Gas produced.	Productive wells.
1900	$7,254,539	4,546
1901	6,954,566	4,572
1902	7,081,344	5,820
1903	6,098,364	5,514
1904	4,342,409	4,684
1905	3,094,134	3,650
1906	1,750,715	3,523
1907	1,572,605	3,386
1908	1,312,507	3,223
1909	1,616,903	2,938
1910	1,473,403	2,955
1911	1,192,418	2,633

This shows that the production of natural gas in Indiana has dropped in value over $6,000,000 in ten years, and that there has been a falling off in producing wells of almost 2,000. Therefore it is most important that we should protect our natural gas fields and should guarantee to communites, which have been created out of the possession of natural gas, that there will be no waste or allowance of gas to be exported.

A striking example of the exhaustion of a gas field is that furnished by the Essex field, Ontario. This lay in South Gosfield. It was opened in 1889, and a number of wells were bored that had a capacity of several million cubic feet of gas per day; for example, one on lot 6, concession 1, had a flow of 6,422,000 cubic feet; one on lot 7, concession 1, a flow of 5,877,500 cubic feet; one on lot 8, concession 1, a flow of 5,700,000 cubic feet, and one on lot 9, concession 1, a flow of 7,000,000 cubic feet per day. In 1894, a pipe line to Detroit was completed and gas was supplied to that city. For a time it was piped even to Toledo. Pressure began to fall off and, through the influence of Canadian consumers, an Order in Council was passed in October, 1901, revoking the license of occupation by virtue of which the gas was exported, and the supply to Detroit was cut off. After this the production rapidly fell off, and in 1904 the pool was practically exhausted, the supply to Windsor ceasing on April 1, of that year.

Realizing the conditions in other gas fields, people in my constituency, in communities where natural gas exists, feel that we should safeguard ourselves at the present time and that the Government should give the assurance which I have asked for to-day. On this matter of conservation, I should like to quote an authority, who is noted in that regard, Dr. Chas. R. Van Hise of the University of Wisconsin, who, in a recent work on the conservation of natural resources in the United States, had something to say in regard to this matter

of natural gas. He deals rather extensively with the subject, but I wish to quote only a few paragraphs:

Natural gas is the most perfect form of fuel which nature has furnished us; it is indeed the ideal fuel. This becomes evident when it is recalled that the best known way to produce power from coal is to transform it into 'producer' gas, before it is burned to produce energy either below the steam boiler or in the combustion engine. This is true, although the manufactured gas used for power is mixed with much inert nitrogen. The natural product is practically free from the element nitrogen, and thus has a much higher efficiency than producer gas.

He says further:

It is impossible accurately to estimate the amount or the future life of natural gas, but it is certain to be short. According to Day it cannot be expected that it will last for more than twenty-five years.

Day is an authority on natural gas and one of the officials of the United States Government. (Reading):

That the supply of natural was will not last long is shown by the fact that the older wells have been exhausted and others are yielding a diminishing flow. Not only is this so, but whole districts have been practically exhausted in a score of years or a few decades. Only a few years ago from the gas fields of Indiana great quantities of natural gas were piped into the city of Chicago to be used for manufacturing and for heating purposes. The supply has gone down until the amount which comes into that city at present from this source is insignificant.

In another part of this chapter, he remarks on the waste of natural gas by transmission:

In addition to the great waste in natural gas at the well, there has been large loss in transmission. Many of the pipes through which the gas is carried are carelessly constructed, and there is much leakage from the joints; this is a loss which can be made wholly preventable.

I mention this to show that, in the transmission of gas especially over long distances, the loss would be much greater. There is a danger of waste in the exportation of gas from the fields in Alberta into Saskatchewan and Manitoba. In another place he says:

Of all the pieces of extravagance of which the American people have been guilty, perhaps their reckless and wasteful use of natural gas is the most striking—not the most important—but the most striking. This product, severely limited in quantity, which can last only a few years at most, has been handled by us as if it were illimitable. No serious attempt has been made in any other state than Indiana to control the awful waste which has been described.

Certain it is that if we wait another score of years before effectively handling the question of this waste, there will be no necessity for handling it at all. For if past practice is continued, the amount of natural gas which will be available at the end of another twenty years will scarcely be worth consideration. Immediate action on the part of legislatures is required in all those states producing this material. Every session gone by without action represents a great and irreparable loss. It stands as evidence that one more legislature has been incompetent to administer the trust that is imposed upon it by the people.

The Government of Canada has assumed the responsibility under the Act passed in 1907, as I have said, for the exportation of natural gas. I think it must be clear from the quotations I have given of the views of authorities and the experiences of other countries, that it is most important that Canada should now act in this matter to guarantee the sections of our country in which natural gas fields exist that these fields should be protected. And, as I have said, the people of the constituency of Medicine Hat are not selfish in this regard, but they believe that nature has given them a great asset in this natural gas and they are desirous of protecting that asset, and they wish to impress upon the Government the great importance of the matter. It has been strongly urged that industries should be established in western Canada to meet some of the grievances of the people in that country. In this respect the supply of natural gas has been of great value because it has enabled manufacturers to come into the West and establish industries there, because it made cheap power available, and as a result of this we have in my constituency, I think, the greatest industrial centre of that section of Canada in the city of Medicine Hat. The natural gas area of that section has a supposed length of one hundred miles and a breadth of sixty miles, but the extent of the supply is unknown—there is no certainty about it. By some people who have studied the matter the supply is regarded as inexhaustible. But we know that that was the opinion in other communities where natural gas fields existed, and these communities have learned that the supply was not inexhaustible, but that by the exportation of this gas, by using it over a large territory it was very rapidly depleted. The industries established in western Canada in the cities of my constituency have been established practically on the possession of natural gas and the fact that this fuel afforded them cheap power. And the people in the city of Medicine Hat and other places whose development has been assisted by natural gas feel that in order to guarantee their growth and to protect their industries the Government of Canada should make it clear that the exportation of natural gas, the piping of natural gas, shall be confined within certain limits and that no permission will be given to deplete the gas fields. Even at the pre-

sent time in Alberta there is great waste in this regard, and I believe that under this Act which was passed in 1907 and under which the Dominion Government took the responsibility for issuing licenses to parties seeking to pipe gas, they should have a very close inspection of the gas fields of Alberta, that the pipes should be properly inspected and the wells also, so that there may be no waste in the gas fields that it is possible to prevent. For the records of other countries, especially that of Louisiana in the United States, shows that great waste is started at the wells themselves. I feel the Government ought to act and appoint inspectors to look over the gas area, to watch the pipes and wells and see that there is no unnecessary waste. We are anxious that that should be done. For, as I have said, there is waste already. In the city of Medicine Hat, the gas burns all day in the streets, because it is found to be cheaper to allow it to burn than to pay a man to go around and turn it out and again to light it at night. Medicine Hat possesses natural gas within its limits, and owns that gas, and this fuel has been a source of great profit. Natural gas is possessed by other communities also in a small way, with a possibility of it being found in still larger quantities. We are anxious that it should be preserved within Alberta, if possible, that it should be safeguarded as much as possible, so that these communities may be assured of the continuance of the natural gas which has brought about their industrial development; and we look to the Government to make some announcement in this regard.

Hon. T. W. CROTHERS (Minister of Labour): I am sure we all feel indebted to my hon. friend from Lethbridge (Mr. Buchanan) for the information he has given us on this very important and interesting subject. I regret very much that he did not intimate to me that he was going to bring the matter up to-day, in order that I might have familiarized myself with it and been in a position to make some observations. I listened with pleasure to the remarks he has made, and I assure him I will give the subject such consideration as I am able to give it in the near future.

Mr. W. M. GERMAN (Welland): It occurs to me that the Minister of Labour (Mr. Crothers), living as he does in a natural gas belt, should have sufficient first-hand knowledge of this very important matter to give his views on the question without having to have notice of the proposition which the hon. member for Lethbridge has brought to the notice of the House, and which is an exceedingly important one. All along the north shore of lake Erie at any rate, there is a natural gas belt. There has been natural gas produced in the county of Welland for about twenty-five years. In 1893, I think it was, there were two companies operating in the county of Welland, and they put in large force pumps by which they forced gas out of this country for the use of the people in Buffalo. We made a determined fight at that time for the Government and the province of Ontario to have this prevented, and after a long-extended struggle, we succeeded in preventing the exportation of natural gas into the United States. Natural gas is an exhaustible commodity. As was stated by the hon. member for Medicine Hat, it is one of the most excellent types of fuel that has ever been discovered, and those sections of the country which have the advantage of producing natural gas are indeed exceedingly fortunate. When a gas well is exhausted, it cannot again be drawn upon or operated, and the present supply is not so great as not to be exhausted within a reasonable time—probably in the lifetime of hon. gentlemen who now sit in this House. In the county of Welland, which I have the honour to represent, the supply is becoming greatly depleted, as well as in the county of Haldimand, although in that portion of the province the supply has not been drawn upon to a very great extent. As I have said, natural gas, which is a magnificent fuel, should be kept entirely for the advantage of the people of Canada, and should not be exported from the country, particularly for the reason that the owners of the wells, and those who have invested their money in their development, can receive as much profit from their investments by keeping the gas in Canada and selling it to Canadians as by sending it to the United States. They would not get their returns so quickly, but they would get them as surely as if they sent the product to the Republic to the south.

Very closely connected with the export of natural gas is another matter which, I think, should very seriously occupy the attention of this Government and the people of Canada generally, and that is the manufacture and export of electric current, which is being developed to a very large extent on the Canadian border at Niagara Falls. There are at Niagara Falls at the present time three large companies manufacturing electric current—the Canadian Niagara Power Company, the Ontario Power Company and the Electrical Development Company. The Canadian Niagara Power Company and the Ontario Power Company are both United States concerns; the Electrical Development Company is a Toronto firm, and does not export electrical current to the United States, although the other two companies do. The Canadian Niagara Company exports all the current produced in Canada to Buffalo, Tonawanda, Lock-

port, and communities in that vicinity. The Ontario Power Company exports a large proportion of its products to the United States, besides supplying the Hydro-Electric Commission of the province of Ontario with a limited amount of electric current. These companies are reaching practically the limit of their capacity to develop electric current, particularly the two United States firms. As I have said, I think that the matter of the exportation of electric current to the United States is one which should occupy the attention of this Government, or of any other government of this country, because the matter of power production is one of the greatest importance to Canada at the present time, and will be of increasing importance to this country as the years go by. In Canada we have not got the supply of coal which we should have for all purposes, and to take the place of coal we must have electric current. It therefore behooves us, as true Canadian patriots and believers in the success of the ultimate destiny of our country, to see to it that all the natural resources of Canada are used in this country for the purposes of its development. Ever since I have been in Parliament and in the local legislature I have used my best endeavours to secure that end. In 1893 I struggled as strenuously as I could to secure the passage by the Ontario legislature of an Act to prevent the exportation of natural gas. I strove to secure and did secure the destruction of a monopoly agreement existing between the Ontario Government and the Canadian Niagara Power Company for the development of electrical power at Niagara Falls, thereby securing the development of that power by other firms. I have in the past taken a very great interest in that matter, and I feel that same interest still. I believe it is our duty, as true Canadian citizens, to conserve, as far as possible, our natural resources, prevent them from being sent to the United States for the benefit of the people of that country, and keep them in Canada for the benefit of Canadians.

Mr. BUCHANAN: If I am rightly informed, this matter of the exportation of natural gas comes under the purvey of the Department of Inland Revenue, not the Department of the Interior, and I would like to have the views of the Minister of Inland Revenue in regard to the matter.

Hon. BRUNO NANTEL (Minister of Inland Revenue): No application has been received by the department for license to export natural gas from Alberta, and consequently no license has been issued. Since 1910 the Government has prohibited the export of natural gas from Ontario by cancelling the license, for the reason that the gas was needed in Canada. As to electricity a certain quantity of the surplus electricity produced in Canada is exported to the United States. If my hon. friend had given notice that he intended to bring this question up to-day I would have been in a position to give more information. I shall read his speech carefully and give to the question the full consideration which it deserves.

Mr. R. B. BENNETT (Calgary): I venture to make a few observations on this question, as it is one that affects vitally certain interests in southern Alberta. The question of the exportation of natural gas in Alberta is not at all the same question as that referred to by the hon. gentleman from Welland (Mr. German). The question which is raised by the hon. member for Lethbridge (Mr. Buchanan) refers only to the exportation of natural gas from one province to another. No question has yet arisen in western Canada with regard to the exportation of natural gas from the Canadian provinces to the American Republic, the single question has been whether those who have obtained licenses from the Department of the Interior to sell natural gas should be permitted to export it into the neighbouring provinces of Saskatchewan and Manitoba. It is a well-know' fact that the whole of southern Alberta is underlaid with coal measures, perhaps the greatest in extent that are known in the world. I believe that geologists have now gone that far. In the southern portion of Saskatchewan, fuel is very scarce and it is unquestioned that a very great demand has arisen on the part of many of those who live in southern Saskatchewan, where the winters are long and severe, for some benefit from the large supplies of natural gas which unquestionably are to be found in the southern portion of Alberta. A great effort has been made by those who live in the vicinity of Medicine Hat and Bow Island to have it appear that the supply of natural gas might be readily depleted. The reports that were made to the large natural gas company now carrying on operations in southern Alberta would indicate that, so far as it is possible to ascertain the supply of natural gas is well-nigh inexhaustible, and a very eminent French scientist has expressed the opinion that probably the supply of natural gas will be continuous, that it is being produced now from time to time. I do not know whether that view is correct but it is held by some scientists, notably this very eminent scientist resident, I think, in Paris. Personally, I think that the largest measure of care should be exercised in conserving the natural resources of our country and it was to me a great satisfaction to hear the hon. member for Welland

speak so strongly in regard to the orders and regulations of the department in relation to our natural resources and their preservation for those now resident in Canada and those who may reside here in the future. It is in somewhat striking contrast to the policy of his party some few months ago but it is pleasant at least to know that he still holds the same opinion as he did then on that question.

I would remind you that in dealing with a question of this character we in western Canada are surrounded by many difficulties. In the province of Ontario it might be easily possible to prevent the exportation of natural gas to the neighbouring province of Quebec, but, unfortunately, the late Administration did not see fit to give to the western provinces of Canada their natural resources; when they created us provinces they denied us equality with the other provinces and we have no power to legislate on this purely local matter as has been done by other provinces. As the western provinces at that time accepted certain cash compensation as being a sufficient payment for the resources which were retained by the Dominion, the question as to what our future shall be is one surrounded with many difficulties. I hope the day is not far distant when negotiations will be again carried on between the federal Government and the governments of the provinces of Alberta and Saskatchewan looking to our acquiring control of our own natural resources, although I will say that if the natural resources of Alberta had been handled exactly in the same manner as its credit has been handled in the last few years there probably would not be many of those natural resources left under the control of the Crown at this time. Be that as it may, I still believe that we who live in the western provinces have the same right to the control and government of our natural resources as those who live in the provinces of Ontario and Quebec, and I do not believe that this Parliament dealt fairly with Alberta or with Saskatchewan when it practically compelled those provinces—because they had very little representation at that time—to barter away their future in the way of natural resources for a few paltry dollars. I can at least say that I have always held a consistent opinion so far as that is concerned, and I think that this Government will ultimately have to deal with that question. I again remind this House and the Government that so far as we who sit on this side of the House are concerned we are committed by definite and exact promises to hand over to the western provinces, at some time, their natural resources. I agree that the question is not now free from difficulty, because the matter having once been made the subject of a bargain, it is exceedingly difficult to open the whole question, to re-fix the amount of the subsidies to the new provinces and to place a proper value on the natural resources which may be restored to us, because we cannot hope, in the words of an eminent statesman, 'to eat our cake and have it,' to obtain the same money subsidies that we now have and also obtain possession of our natural resources.

The question as to the exportation of our natural gas to the neighbouring province of Saskatchewan is one which I think this Government may find it somewhat difficult to deal with. The regulations under which natural gas is now obtained and piped to Calgary and other cities are issued by the Department of the Interior and so I take it that the matter is still under the control of the federal Government and will remain there so long as control of our natural resources rests in their hands. The hon. member for Lethbridge is right in bringing to the attention of the House the serious agitation that has been going on in some portions of southern Alberta with reference to possible results that would follow if the supply of natural gas were depleted. Medicine Hat has grown up entirely because of the cheap natural gas and the facilities which it affords for manufacturing and industrial enterprises. We, in Calgary, are now consuming natural gas piped from Bow island and sold at an average price, for domestic and power purposes, of twenty-five cents which is a very low price as hon. members for Ontario will know. I know, and I fancy this is what the hon. member for Lethbridge has in mind, that there was a proposal made to the towns of Regina, Moosejaw and Winnipeg on behalf of those who had obtained certain rights to a supply of natural gas in southern Alberta, and I thought at the time there was no possibility of the matter taking serious form. The question of financing the project was brought to my attention and it was pointed out that the cost of construction of a pipe line capable of carrying gas from Alberta to Regina and Moosejaw would be so great that the project was practically an impossible one.

I desire to utilize this opportunity to press on the attention of this Administration the promise outstanding as part of its programme to see that the western provinces receive that measure of consideration, so far as the obtaining of our natural resources is concerned, as may be necessary to place us on an equality with the other provinces of this confederation and in doing that I desire to point out the great wrong and injury done to the western provinces by the late Administration and to point out that what was once a matter of little difficulty has now become one of extreme difficulty because of certain financial considerations that will have to be dealt with. By reason of the man-

ner in which the finances of at least one of the provinces have been dealt with, it will be exceedingly difficult to lessen the subsidy we obtain from the Dominion and pay the interest charges on our public debt without resorting to direct taxation.

Mr. W. M. MARTIN (Regina): Mr. Speaker, it was not my intention to take any part in this discussion, and anything I have to say even now will be very brief. I have listened with a great deal of interest to the remarks which have been made by the hon. member for Lethbridge (Mr. Buchanan) with respect to the exportation of natural gas from that province. In Saskatchewan, and particularly in the southern part of the province, we have been somewhat interested in obtaining a supply of natural gas. Up to the present time we have not been able to obtain any supply within the limits of Saskatchewan. There was a proposition last year for the exportation of natural gas from Alberta, in the vicinity of Medicine Hat and Lethbridge, but I believe that what the hon. member for Calgary (Mr. Bennett) has said is correct that, after investigation as to the expense of piping the natural gas all these hundreds of miles, it was found that it was practically beyond reason to expect that we should obtain a supply in that way. We have in southern Saskatchewan a fairly large coal-producing area and, judging from the reports of engineers which have been submitted in the last few months, we believe that we will obtain a sufficient gas supply from the coal found in that part of the province. My reason for saying anything on the question at all has been the fact that the hon. member for Calgary has ventured here, on the eve of the Alberta elections, to make something in the nature of a campaign statement with respect to the natural resources of the western provinces. I have lived in western Canada for some years now and I had lived there for some years previous to the time when the provinces were established and we were given autonomy in 1905. I believe that I voice the views of the large majority of the people of Saskatchewan and of the people of Alberta, and that it will be so proven on the 16th of April if this question is discussed in the Alberta elections, when I say that the western provinces were very liberally treated with the cash grants that were given to them in lieu of their land in 1905. In 1905, when these provinces were carved out of the vast Northwest, there were no provincial organizations in western Canada and it was in the interest of the western provinces that the administration of the land should be retained by the Dominion Government. These provinces have grown strong in the last seven or eight years, and they have completed their provincial and municipal organizations. The people believe that they are just as capable of handling their natural resources as the Dominion Government is. I notice a statement in the papers which, I believe, is correct, that one of the ministers in the Alberta Government has stated that if they are returned to power, and if the natural resources are handed over to the province, they will deal with the question of the exportation of natural gas in Alberta and deal with it effectively, which I take to mean that they would prevent the exportation of natural gas.

Why does not this Dominion Government, pursuant to the promise made during the last Dominion election, hand over to these provinces their natural resources? You may say that I have changed my position on this question. I have not. I say again that in 1905, when these provinces were formed, it was in the interest of the provinces themselves that they should get a cash subsidy in lieu of their land; but now, when the provinces of Saskatchewan and Alberta have capable and efficient organizations of their own, why should they not have their natural resources? They are going to develop the great northern area of Saskatchewan, and that area requires draining. Is the Dominion Government going to undertake the drainage of that country? In the Alberta and Saskatchewan legislatures, on two or three different occasions, resolutions have been passed practically unanimously asking this Government for their natural resources. I remember that, when the right hon. the Prime Minister (Mr. Borden) was in Regina last summer, he was reported there, as elsewhere, to have stated that instead of giving the people wider markets he would give them their natural resources. I am informed that the Government of the province of Saskatchewan has been seeking an interview with the present Government for many months, but that up to the present time it has not been able to obtain even an interview to consider the question of handing over the natural resources to the province. It does not come very well, from the hon. member for Calgary, on the eve of an election in Alberta, to get up in this House and make a campaign speech on the question of natural resources. The question is a most important one in the interests of Canada and I would suggest to my hon. friend to use whatever influence he has with the present Government in urging them to fulfil the most definite and distinct promises that were ever made to an electorate in the Dominion of Canada when the right hon. the Prime Minister told the people that if he and his friends were elected on the 21st September, 1911, they would hand over to Saskatchewan, Alberta and Manitoba their natural resources. Nothing further has

been heard of that promise and up to the present time the Government have not seen fit to enter into negotiations with the Governments of Alberta and Saskatchewan. If we are to judge from the terms upon which the boundaries of Manitoba were increased last year, I venture to predict that it will be a long time before these provincial governments get their natural resources from this Government, notwithstanding the fact that, in the forthcoming elections in the province of Alberta, the Conservative politicians will tell the people, as they told them in the Saskatchewan elections last summer, that if they want to get their natural resources they should elect a Conservative Government.

Mr. MICHAEL CLARK (Red Deer): Mr. Speaker, I would not have intervened in this debate if some remarks had not fallen from the hon. member for Calgary (Mr. Bennett). With regard to the exportation of natural gas from one province to another, I have never, myself, been oppressed with any fear about the exhaustion of natural resources. I never heard of anything serious happening along that line. If we run out of gas, we may strike upon some other method of getting heat and light. Providence has altered the methods by which people have got illumination and heat during the various generations that human beings have occupied the surface of the earth. I have a happy belief in Providence still, for which I am sure, Mr. Speaker, that you will commend me. As a free-trader I think I will be prepared to sell gas from Alberta to another province.

I only intervene to express my satisfaction that my hon. friend from Calgary (Mr. Bennett) is still pledged to the policy which he has several times advocated in local and Dominion elections. He has a way of renewing his pledges, as my hon. friend from Regina (Mr. Martin) has said, just about election time and it is natural, even if one is in a very charitable frame of mind, to suspect that the mention by that hon. gentleman of resources in natural gas has some little political meaning just as this particular time. Not only is my hon. friend pledged, but the party with which he is associated on, the other side of the House, is very distinctly pledged to the giving of the natural resources to Alberta and Saskatchewan. It is only now, as far as I know, that we have heard from any hon. members opposite about the extreme difficulty of the process. It was the easiest process before the last election that one could conceive of. I have seen the time when every three-cent advocate who came from Calgary to oppose me in my riding went over on the ends of his fingers the things that would be done if the people only refused the market to the south of them. They were to have their natural resources and a great many other things besides for which they are looking and there was nothing extremely difficult about it then. The pledge was given unreservedly; I think my right hon. friend nibbled at the question anyhow, but there was no nibbling on the part of his followers in the province of Alberta. Why should the party in power with forty or fifty majority be repelled from a correct course of action because of its extreme difficulty? Why should an hon. gentleman like my friend from Calgary (Mr. Bennett), be repelled by difficulties. The trouble with the party opposite is that they too easily see difficulty in things. The building of a Canadian navy, for instance, did not hurt them at all when they were in opposition; but the moment they are in power they say it is an extremely difficult thing, and run away from it. So with the giving of the natural resources of the provinces. If there were any sincerity in the pledge; if it were not a mere vote-catcher, give up remodelling the British Empire for a moment and do something for the people of these provinces. If a political party in Canada should start remodelling the British Empire every time it comes into power, there will always be extreme difficulty in looking after things purely Canadian. I am tempted to quote the Book of Proverbs, but my hon. friends opposite do not always take Scripture in the way they should. There is a passage in the Book of Proverbs which says: 'The eyes of a fool are in the ends of the earth.' I would not venture to quote that, Mr. Speaker, did I not know that you would smile at me so long as I kept to quotations from Scripture. One of the evils of this remodelling of the British Empire from time to time, and looking after the business of the Admiralty, and other things, is, that it withdraws the attention of my hon. friends opposite, and their capacity which, after all, is limited, as all human capacity is, from the things which are their proper business. Surely if a political party has any proper business in the world it is to fulfill its pledges. Extreme difficulty, forsooth; why, the joys of conquest, somebody has said, are the joys of man, and the average Canadian is the very man who goes for a thing if it is extremely difficult, and so is the average Britisher. This Government wants to get over the importation of difficulties into things. As to the pledge of my hon. friend of course the people of Alberta at this time will weigh it for what it is worth; they will compare it with the same pledge given nearly two years ago and they will say: Well, if our hon. friend from Calgary only gets busy at election times with these pledges, he is too easily repelled by extreme difficulties.

Mr. BENNETT (Calgary): He is noted for being repelled by extreme difficulties.

Mr. CLARK: I do not know that it is a thing that anybody gets any particular note for, but my hon. friend has just proclaimed that he is in this particular case repelled by the extreme difficulties of it and if he takes on the general description I have no quarrel with him; if the cap fits he must put it on.

THE TARIFF.

On the motion of Hon. W. T. White (Minister of Finance) for Committee of Supply:

Mr. E. M. MACDONALD (Pictou): There is another matter to which I wish to direct the attention of the House before you leave the Chair, Mr. Speaker. Some of the remarks of my hon. friend from Red Deer (Mr. Clark) illustrate a matter which I think should engage the attention of the House at this time. Hon. gentlemen opposite are so busy reforming the British Empire that they have been neglecting the very essential concerns in which the Canadian people are much interested, including, as my hon. friend from Red Deer has so very well emphasized, the fulfillment of their many pledges given before they came into office. We have been sitting here now for four or five months, and so far we have not heard from hon. gentlemen opposite anything in regard to what they purpose doing with reference to their tariff policy. They have been in office for a year and a half, and if there was one thing that was the special care and devotion of these hon. gentlemen before they assumed office, it was the tariff. It may be said that in previous sessions the budget speech has been delayed as now, but that is true only in regard to sessions of Parliament when it was well recognized what the tariff policy of the existing Government was. Where there had been a general revision of the tariff some time previously, and where the Minister of Finance of the day had announced there would be no tariff changes the next year or the year after, the business men of the country knew where they stood in regard to tariff matters. Under the tariff policy of the Liberal party which had been in existence since 1897, the very tariff policy which the Government is using to-day and under which this country is prospering, the people of Canada were able to make their business and financial transactions in safety. And, until a stage was reached where the Conservative party indicated it had some views upon the question, there was a certainty as to the future which was of advantage to the business men of the country. But, hon. gentlemen opposite had definite views with regard to this question which they gave pronouncement to before they came into power, and, as we know, they inserted this plank in their platform:

To inaugurate a fiscal policy which will promote the production within Canada of all useful articles and commodities that can be advantageously produced or manufactured from or by means of our natural resources, having due regard to the interests of the consumer as well as to the just claims of our wage-earning population.

I am bound to point out a conspicuous illustration of where hon. gentlemen opposite have deliberately run away from this plank in their tariff policy, when they decried the idea that Canadians could build ships as well as the men of any other nationality, and when they set their face against producing in Canada these ships which can be advantageously produced here by means of our natural resources. I wish to point out also that the question to-day before the people of Canada as to the cost of living is most serious, and the Conservatives specially pledged themselves to deal with it, hon. gentlemen opposite sit still and go on to discuss academic questions as to reforming the Empire while the problem of the cost of living has no concern for them. While the business people of Canada are waiting to see what the Government is going to do in regard to the tariff, the Government is occupying the complete attention of Parliament with an effort to carry out their pledges to their Nationalist allies in the province of Quebec. The budget has been delayed in previous sessions, but there has not been in the history of our Parliament an instance in which a government has come to power pledged to deal with tariff matters, which has so long postponed action as in the present instance. The Liberal party came into power in 1896, and in 1897 they came down with their tariff policy of British preference. They dealt with that problem promptly and the people of the country were satisfied with their action. Hon. gentlemen opposite came into power in September, 1911. This is now March, 1913, and the beginning of a new financial year; yet not a word has come from the mouths of these oracles; the Sphinx remains absolutely silent in regard to any changes which might be made in the tariff policy of the Liberal party under which this country has been prosperous for the last fifteen years.

Mr. BEST: Tell us about the tariff of 1911.

Mr. MACDONALD: My hon. friend had better wrestle with the Government which has to deal with these questions. My hon. friend supports a number of men who purport to govern this country. What I am pointing out to them is this, that the question with which we are dealing to-day is whether or not this Government has any views on the tariff, and whether or not it proposes to put them into effect. When this Government brings down a tariff

policy, we shall compare it with the policy of 1907 and with all the magnificent results which have followed from the tariff management of the Liberal party. I should like to direct the attention of the House to a statement which was made by the present Minister of Finance (Mr. White) at the beginning of this session in regard to this question. I have pointed out the absolute inaction of these gentlemen who were pledged to deal with the tariff. All over this country hopes had been raised in different industries in regard to what these gentlemen were to do. Here and there throughout Canada assurances had been given and understandings made that anomalies would be removed, and this, that and the other change proposed. My hon. friend the present Minister of Finance, speaking in this House on this tariff question, said——

Mr. SPEAKER: It is not permissible to quote from a previous debate in the present session on the same subject.

Mr. MACDONALD: We have been accustomed lately to have rules laid down within very narrow lines. Perhaps we had better observe them.

Some hon. MEMBERS: Order, order.

Mr. MACDONALD: You touch the button and hon. gentlemen opposite shout, 'order.' It seems to be an automatic performance these days, Mr. Speaker.

My hon. friend the Minister of Finance, on a previous occasion, lauded the stability of tariffs. Last year, although certain changes ought to have been made in the tariff, on account of the great desirability of having a stable tariff and because a tariff commission was to be appointed, nothing was done. Hon. gentlemen opposite have accepted with great complacency the fact that they have no tariff commission. They seem to be willing to accept the tariff of the Liberal party if they were only left alone and if nothing were said to them in regard to it. I fancy that my hon. friend the Minister of Finance would be perfectly willing to take the tariff brought down by the tariff minister of this country in 1907 and to go on with it, if he could only get rid of the importunities of his friends in the country. Stability of tariff was a great virtue with him a few months ago, and anything that interfered with it was, according to my hon. friend, a vice, a great evil, and liable to create uncertainty in the country. Let us accept that proposition. What is the condition of affairs throughout this country to-day? Hon. gentlemen opposite have raised the hopes of certain gentlemen in this country that changes were to be made in the tariff. It has been rumoured all over the coun' y that here and there changes were to be made.

Mr. WHITE (Minister of Finance): What authentic rumours ?

Mr. MACDONALD: Well, it is rather invidious to my hon. friend to give names, but let him ask some of the hon. gentlemen from the province of Ontario, who sit behind him, as to whether or not assurances have not been given to them in regard to such changes. Am I to understand that we are not to have any changes?

Mr. ROGERS: You are fishing a little. Is the fishing good?

Mr. BENNETT (Calgary): I thought the hon. gentleman was asking me a question. I only wish to remind him that possibly it was a steel company that received the assurance of bounties. He is an authority on steel companies.

Mr. MACDONALD: As my hon. friend was not asked any question, I thank him for his gratuitous information. Let me say to him, however, that he need not worry about me, in regard to steel interests in this country. I have stood for the steel interests in this country during my political career; I stand for them now, and I shall stand for them in the future.

Mr. BENNETT: It was the hon. gentleman's assurances that I referred to.

Mr. MACDONALD: Let my hon. friend rest satisfied. I have no assurances from any minister in regard to this matter, and I am not speaking in regard to any interests which have my sympathy. Does my hon. friend the Minister of Finance pretend to say to this House that there are no interests in this country to-day that expected to have favourable treatment from him in certain particulars?

Mr. WHITE: None.

Mr. MACDONALD: It is just as well to have that on record, because common rumour in regard to the matter has certainly gone far astray. If, as a matter of fact, there is no business interest in Canada to-day which expects from the Minister of Finance favourable treatment in regard to the tariff, let us have that definitely on 'Hansard' so that we shall understand it. My hon. friend intimated last year that he thought several changes should be made in the tariff, but he postponed the making of them on account of the benefit and advantage of stability in the tariff. He asks if assurances were given. If he looks at 'Hansard,' he will find that he gave an assurance that it was his opinion that changes should be made. This brings me to the point that I am making that the business interests of this country have

been improperly postponed all through this session of Parliament, and that up to date no statement has been made by this Government as to whether or not it proposes to deal with the tariff question. It is rumoured that financial conditions are not satisfactory in certain localities. My hon. friend the Minister of Finance knows that well. Yet, in spite of the fact that difficulties of that kind are more apt to arise from uncertainty as to what tariff imposts are to be in this year of 1913, and that nothing would more accentuate financial difficulties than that very problem of uncertainty as to what the tariff is to be in the future, he is perfectly willing that to sit quietly, to make no move and to give no intimation to the country as to whether he intends to stand by the policy of a stable tariff or whether he proposes to make changes. The stable tariff, that he is standing by, is the much-abused tariff of 1907 of the Liberal party. When my hon. friends came into power, with the views they were supposed to entertain, I would have thought that what they intended to do would have been done in the session of 1911-12, that they would have proceeded at once to remove the anomalies in this tariff to take away the difficulties that existed, and to give to those who were relying, upon them, the remedy to which my hon. friends declared that they were entitled. But hon. gentlemen opposite did nothing of the kind and every day that they have sat in office since October, 1911, they have been paying the strongest possible testimony to the wisdom and judgment of the Liberal party and to that party's tariff policy under which Canada has prospered. I should be satisfied, and I think that the whole business interest of this country would be satisfied, if the Minister of Finance would tell us that the stability of the tariff is to be maintained. The hon. Minister of Finance should make a statement on this question at the earliest possible date, on account of the situation of the country and on account of the fact that throughout Canada business interests are wanting to know the policy of the Government on this question. Let me point to another matter. These hon. gentlemen came into power pledged to this:

> **The promotion by negotiation, legislation and other constitutional means of a system of mutual preferential trade within the Empire.**

That was a part of their tariff policy. What have they done about it? They have signed an agreement with the West Indies which was merely putting the finishing touches to negotiations which had been carried on by the Liberal Government. The Minister of Trade and Commerce has gone to Australia—for what? For the purpose of dealing with any scheme that has been originated by these hon. gentlemen? For the purpose of developing any policy that they ever created or imagined? Not at all; he has gone to Australia and New Zealand for the purpose of carrying out the plans of a tariff commission which was brought into existence as the result of a motion moved by the leader of the Opposition (Sir Wilfrid Laurier), when he represented Canada at the Imperial conference in 1911. And even the West Indies agreement is not completed. It remains in the doldrums, waiting, waiting, without being brought to a conclusion in Parliament. Why is this proposition delayed? Why is not the third reading of the West India Bill proposed? And outside of this West India matter and of the mission of the Minister of Trade and Commerce to Australia and New Zeeland, what have these hon. gentlemen been doing to carry out the proposition of a system of preferential trade within the Empire? I would like to hear from these hon. gentlemen whether they have any understandings with any public men in England on this question on their visit of last year. We have heard a great deal for the last four or five months of their conferences and discussions on other questions, but not a word about the policy of mutual trade preference. Have they done anything? Do they intend to propose at this session of Parliament that anything should be done in this matter? They have not laid before Parliament anything that indicates that on this question they have any views whatever. Here is the position: Up to this very late date the Minister of Finance has failed to bring down his budget, has failed to lay before the people of Canada the statement of their own affairs to which they are entitled; on Tuesday next we start a new financial year. We have in power, a Government which, when in opposition was pledged by the declaration of their leader in a special platform to a tariff policy which, by necessary inference was different from that which up to that time prevailed. Yet to-day they keep the financial and business interests of this country in a state of uncertainty, because they are unwilling to indicate in the slightest degree what they intend to do in regard to the question of the tariff. On this question of mutual preference within the Empire what are these hon. gentlemen going to do? Is there to be a decrease of the British preference at this session? Why should these hon. gentlemen keep the House and the country in a state of uncertainty for so many months? Conditions in the financial circles in certain sections of this country, conditions of which the Minister of Finance is aware, may create a financial situation at any moment of the

utmost danger and of the greatest moment to the Canadian people. But the hon. gentleman sits tight, unwilling to assist the business interests, unwilling to place them in such a position that they may know what they should do in this year of grace. One of the few impediments we have to our industrial life in this Canadian land is our winter season. We are opening up now for the summer. Every phase of business life is waiting for the starting of the increaing currents of trade which come with the springtime, and plans for this business year are being made all over the country. Yet the Minister of Finance keeps all these interests in a state of uncertainty. The hon. gentleman wants to reform the Empire, but he is unwilling to tell this Parliament what he is going to do about the tariff. I submit that any further delay on the part of the Government or the Minister of Finance in bringing down the budget and telling us what this Government's policy is to be with regard to the tariff matters, is a menace to the business of the country; and I submit that there should not be a day's further delay in telling us whether they intend to introduce changes in the Liberal policy of 1907, whether they intend to do anything about carrying out the planks of their platform, or whether these two planks are like almost every other plank in that platform, put there to talk about and not with any idea of being carried into effect.

Mr. E. W. NESBITT (North Oxford): I would join my hon. friend from Pictou (Mr. Macdonald) in urging the Minister of Finance to bring down his budget and his tariff as soon as possible. I am quite in earnest when I tell him that at this time of the year many manufacturers throughout the land are accustomed to order their supplies for the next year's manufacture, and it would be very convenient for them to know if there was going to be any change in the tariff. It is impossible for them, if they think there is going to be a change in the tariff, to buy raw material properly. I have also had numerous letters from farmers, not only in my own riding but in other parts of the country asking me to find out whether or not the duty was to be remitted on ditching machines. Ditching by machinery is a practically new operation in the province of Ontario, and is now very largely practised; but no ditching machinery is manufactured in Canada, at least so far as I am aware. The farmers are very anxious that the duty on this machinery should be remitted, and, as the matter is not very serious as far as the income from the duties on that article is concerned, I hope the hon. minister can see his way clear to grant this wish of the farmers. I quite appreciate the fact that the minister cannot tell us whether or not he intends to do so, but at the same time I may suggest that if he would bring down his budget speech as soon as possible, the farmers would then know whether or not he intends to take any action in the matter to which I have referred. Another matter I desire to mention is in connection with the fact that last year the duty was remitted on cement for a short time. The farmers of this country are extensive users of cement, and I understand that they have got it into their heads that it is the intention of the Government this year to reduce the duty on cement. If that is the case, it would be a great convenience, particularly in view of the fact that this is the time of the year when the farmers are in greatest need of cement; if the hon. minister would make known his intentions in regard to the matter. I am sure my hon. friend will appreciate that what I have said in regard to this and other matters is absolutely correct, and that it will be wise on the part of the Government to let the people know, as soon as possible, what changes, if any, are to be made with reference to the tariff. I do hope that my hon. friend will seriously take into his consideration the matters I have mentioned, and give us an early answer.

Hon. W. T. WHITE (Minister of Finance): As I have stated before in this House, it is a tradition, and a very commendable one, on the part of the Finance Department that no announcement with regard to the tariff should be made except to the House and in the budget speech. As I have said, that is a very wise tradition, and, so far as I am concerned, I do not propose to depart from it. My hon. friend from Pictou (Mr. Macdonald) and my hon. friend from North Oxford (Mr. Nesbitt) have complained that there has been some delay with regard to the bringing down of the budget. Whose fault is it, I ask, that up to the present time, the budget has not been brought down? It is an encouraging sign that my hon. friend is beginning to realize that there may be serious consequences attendant upon the obstruction that has taken place in respect of the business of this House. Even belated repentance is praiseworthy, and I can only hope that in the next couple of weeks there will be manifested some of the fruits that are generally considered to be meet and proper results of that repentance in the conduct of hon. gentlemen opposite with regard to the deliberations and discussions in this House. My hon. friend from Pictou is getting into a rather dangerous frame of mind. He lives in a very invigorating atmosphere in the eastern province, and, during his stay in that portion of the country, he lays in a varied store of physical and intellectual energy. He comes up here with a chip on his

shoulder; but by the time spring arrives the chip disappears, and he goes back in a chastened frame of mind. The attitude of my hon. friend reminds me very strongly of a Shakespearian quotation: 'I am Sir Oracle, and when I ope my mouth let no dog bark.' Although I atttribute to my hon. friend a great degree of intellectuality, I would suggest that one of the things he lacks is a befitting sense of humour, because it is recognized that a humorous man is able to see himself as others see him. My hon. friend presents many matters to this House with a great deal of vigour; and, I may say, with a certain amount of arrogance, and he seems to have the faculty of deluding himself into the belief that anything he brings to the attention of the House is an entirely new discovery of his own, no matter how obvious it may be. With reference to his remarks as to the confidence of the business interests of this country in the Government of the day, let me tell my hon. friend that the business interests of this country, rather than being in the least degree uneasy, have the most perfect and profound confidence in this Administration. I am in touch with these interests from day to day through my office, and the statements the hon. gentleman has made as to uneasiness with regard to this Government are entirely unfounded. I commend to my hon. friend a more moderate style of debate in this House, or he will become known as the Bombastes Furioso of this Parliament. Coming to a discussion of this matter in a sense in which it has not been dealt with by my hon. friend—that is a sound business-like standpoint—let us consider for a moment why the budget has not been brought down. It was said by Lord Brougham that if he knew a little about the law he would know something about everything, and my hon. friend, who evidently assumes to know something about everything, would have been in a better position in this matter if he had consulted his colleague, the member for Halifax (Mr. Maclean), before bringing the matter to the attention of the House. The hon. member should know that the budget should not be brought down until the West Indian trade agreement has been translated into law, until the Act has received validity by the sanction of the Senate. In other words, the budget this year, as I have stated on more than one occasion, should, to use a word which is a favourite one on the part of hon. gentlemen opposite, synchronize with the going into effect of the West India trade agreement.

Mr. MACDONALD: Why did you not pass the West Indian trade agreement?

Mr. WHITE (Leeds).

Mr. WHITE: My hon. friend says why have we not reached the third reading of the West Indian Trade Agreement. If he had been in the House when I spoke about that to the hon. member for Halifax the other day or had inquired of that hon. gentleman he would have been told that I offered a month ago to move the third reading of the West Indian Trade Agreement, if hon. gentlemen opposite would indicate anything as to the probable length of discussion, in the midst of the naval debate. I said that to the hon. member for Halifax, and I gathered that he was entirely willing.

Mr. MACDONALD: That is no reason.

Mr. WHITE: That is a very good reason. The second reading of the Bill had taken place after discussion; it is a simple Act validating the agreement but the junior member for Halifax told me afterwards that as a matter of fact the Opposition were not willing that the Act validating this agreement should be passed into law in this House without further discussion; in other words obstruction was to take place with regard to the discussion of the West Indian Trade Agreement just as it was taking place with regard to the Naval Aid Bill.

Some hon. MEMBERS: Order.

Mr. WHITE: I think I am entirely in order.

Mr. CLARK (Red Deer): I raise the point of order. I ask your ruling Mr. Speaker as to whether it is in order for the hon. minister to charge the whole of the Opposition with being guilty of obstruction.

Mr. SPEAKER: On the point of order I think that the term obstruction is not regarded as a permissible parliamentary expression.

Mr. WHITE: I have, of course, so much regard not only for your ruling but for the sensibilities of the hon. member for Red Deer that it gives me the greatest pleasure possible to withdraw the word. Of all men in the House the hon. member for Red Deer is the last who would be guilty of obstruction.

I do not intend to refer to the debate on the Naval Aid Bill except in so far as my hon. friend has said that we do not desire to build ships in Canada. My hon. friend gave me no notice of this debate, and I could not surmise that he would draw into question the ship-building policy of the Government. I happen to have in my pocket a statement handed to me by the officers of the Marine Department and I shall point out to my hon. friend that this conversion of hon. gentlemen opposite to the policy of Canadian ship-building is almost as sudden as the conversion of Saul on his way to Damascus, because I have here a list of ships in the Marine and

Fisheries Department, the Naval Service, the Department of Agriculture, the Post Office Department and the Public Works Department, and I find that they were built in the following places during the time that the hon. gentlemen opposite were in power: Kiel, Germany; Paisley, Great Britain; Inverness, Great Britain; Dantzig, Germany; Dundee, Newcastle and so on down the line. Why in the world did not hon. gentlemen opposite, when on this side of this House, institute their ship-building industry and build ships for the services of the Dominion? We never heard of such a thing until we proposed to build three dreadnoughts for the Admiralty.

Mr. MACDONALD: Why did you not speak on the navy?

Mr. WHITE: If I have a chance—

Mr. MACDONALD: You had lots of chances.

Mr. WHITE: It goes to show the entire lack of appreciation of the refined courtesy that we have extended during all this time to hon. gentlemen opposite. I have been extremely solicitous that hon. gentlemen opposite should have no cause whatever for complaint, that they might not be able to say that we had limited the freedom of discussion, or that we had applied the gag—because they have said all that—they said all that to a patient Government, which has been sitting up at night with them when they were sick and petulant and irritable and yet the hon. member actually says to me, as being a reproach: You have not spoken on the naval question. We have been giving hon. gentlemen every opportunity; I have listened to my hon. friend speak four or five times on the naval question, not always with pleasure and yet he actually has the temerity to reproach me with not having spoken on the naval question. It seems to me that the position of my hon. friend is absurd in the extreme. As I have said, in general terms, the entire community of Canada has the most supreme confidence in this Government and there is none of the uneasiness that my hon. friend has attempted to proclaim. I have stated upon more than one occasion, I stated it during the discussion of the cement duty, that this Government, as the late Government, has stood for reasonable stability of tariff until a general revision took place and yet my hon. friend to-day complains that the budget has not been delivered when in reality that is his own fault owing to the delay caused by the Opposition.

The hon. member for North Oxford (Mr. Nesbitt) comes in and you would think he too was a second Columbus, just making a discovery with regard to ditching machinery. Ditching machinery has been brought to my attention by the Department of Agriculture of Ontario and by at least a dozen hon. gentlemen on this side of the House; but apart from that I am reasonably wide awake and I know the situation with regard to ditching machinery. I am not going to be drawn even by my hon. friend so as to announce in advance any tariff changes. That has not been done and is not going to be done. If my hon. friend wants to know what we will do I have stated that it is well known to the business community that we stand for reasonable stability of tariff and if he wants to know particularly what we are going to do with regard to the tariff I say to him: Wait and see. If he wants the budget brought down, if his professions are genuine and sincere, if he is interested in the business community and believes that there is any uneasiness, which there is not, I say let his acts correspond with his words and let us see if we are going to have the business of this House blocked. We have had discussions day and night, four thousand pages of 'Hansard,' ninety per cent of it by the Opposition, and yet he says we are applying the gag to the Opposition. If that is gag what is free speech?

Mr. MACDONALD: It would only take an afternoon.

Mr. WHITE: My hon. friend took his time and I will take my time in replying. We will have to give some extra attention to my hon. friend; he is getting into a dangerous frame of mind. He has some of the pride that goeth before a fall and it may be necessary for some hon. gentleman on this side to give special attention to him, in his own interest, so that he will not appear so headstrong, arrogant and confident in the statements he makes to this House. Let me commend him when he desires to deal with questions of tariff, in which he is not a specialist—he told us yesterday among other things—

Mr. MACDONALD: Do not refer to a past debate.

Mr. WHITE: All right, I will let my hon. friend down; I am generous; he cries for quarter and I will give him quarter but on some other occasion I shall discuss the matter with him. When he comes to me again with questions of tariff about which he does not know very much although he thinks he does, I would advise him to speak to his colleague the junior member for Halifax, who is better posted, who is the financial critic of the Opposition and who should bring this matter to the attention of the House. He is a specialist and, with great deference to my hon. friend's knowledge on all subjects, very much better posted with regard to the tariff than my hon. friend.

A division of labour, of governmental work and discussion in the House is very proper, and I would commend to my hon. friend, before he brings this matter again to our attention, to discuss it with his colleague the hon. member for Halifax (Mr. Maclean) and ascertain something as to the propriety of a debate upon tariff matters, and as to when the budget shall be brought up. I do not know that there is anything else that the hon. gentleman has said of any consequence. He spoke about the commercial situation first and then about the financial situation. He seems to indicate that, because the financial situation appeared to be somewhat troublous, the tariff had a good deal to do with it. As a matter of fact we all know there has been a financial stringency and that it has been world-wide. It has been occasioned by many circumstances. World-wide commercial expansion has had a good deal to do with it, but unquestionably, the immediate cause of the world-wide money stringency has been the war between Turkey and the Balkan States. Happily that war appears to be near its conclusion, and I have every confidence in the future. I do not get stampeded, like my hon. friend, because money is tight. We have seen tight money before, we will see tight money again, and we will see easy money again. We must not forget that a tight money situation has within itself the seeds of its own cure. Everybody is endeavouring to relieve the situation, and it will only be a matter of time until the money stringency will ease off and disappear. I do not know what my hon. friend has gained by this——

Mr. MACDONALD: You have not yet told us when you are going to make your budget speech.

Mr. WHITE: I will tell my hon. friend now that the budget this year should synchronize, to use an expression that he has made his own, with the going into effect of the West Indian trade agreement. I ask my hon. friend now; I ask the right hon. leader of the Opposition (Sir Wilfrid Laurier), as to whether it is proposed to obstruct the business of this House by a debate on the third reading of the Bill.

Some hon. MEMBERS: Order, order.

Mr. WHITE: Well, I will withdraw that.

Sir WILFIRD LAURIER: There is no intention whatever.

Mr. WHITE: I am very glad to hear my right hon. friend make that statement. He is another recent convert. He says that there is no intention whatever. I am very glad for this reason, that the business interests of Canada concerned in the West Indian trade, have been very much disturbed by the fact that the business of this House has not proceeded as it should have done recently for reasons that I will not refer to for fear that I might be ruled out of order. Just as soon as I can get this Bill through the House and the Senate, and just as soon as it is assented to by the Governor General and proclaimed, I propose to bring down the budget. There are in the trade agreement a number of changes necessitating changes in the tariff. There are some changes specified in the agreement itself. There are a few changes of a minor character and the budget must await the passing into law of the West Indian trade agreement. If my right hon. friend will facilitate the passing of the Bill—and I was told that hon. gentlemen opposite will not facilitate the passing of this Bill—we will endeavour to get it on as soon as possible.

Mr. HUGH GUTHRIE (South Wellington): Mr. Speaker, perhaps in the end the hon. Minister of Finance (Mr. White) has given the House information which was sought by my hon. friend from Pictou (Mr. Macdonald) when he opened the discussion on this matter this afternoon. I think it would have been better if the Minister of Finance had given the answer in the first instance instead of in the concluding language of his speech. The impression he gave me throughout his remarks was that he was making a very tame reply to the criticism which was fairly levelled against him by my hon. friend from Pictou. I sometimes wonder just what is the frame of mind of the Minister of Finance when he discusses matters in this House. When I find him arising in his own place and discuss questions calmly and without excitement or attempts at wit or humour, I think that he is not on very sure ground, that he is rather uncertain of himself. But when he boldly walks forward and hammers the desk of the Prime Minister, instead of his own desk, he assumes an air which is rather ex cathedra. To-day he certainly hammered the Prime Minister's desk to his heart's content and I suppose the statement which he did make to the House was ex cathedra. The business that comes before this House is under the control of the Government and not of the Opposition. The Government is responsible for the programme from day to day throughout the session, and if the budget has been postponed for good reason or bad reason, the Government is to blame for the postponement. It is a poor, quibbling excuse for the Finance Minister backed by a majority of between forty and fifty in this House to say that they cannot do this or that, or that they cannot bring forward this or that measure, because the minority on this side of the House will not allow them to do so. If these hon. gentlemen cannot govern under these circumstances

they should allow people who can govern to take their places. My hon. friend (Mr. White), in closing his remarks to-day, stated that he proposed in the near future to bring down his budget. The country is waiting for the budget—I do not say with anxiety, but I say with a considerable amount of interest—waiting to know whether, after all, the present Administration is going to carry out what is known as the Fielding tariff which has existed since 1897.

Some hon. MEMBERS: Oh, oh.

Mr. GUTHRIE: Certainly, that is the fiscal policy of this country to-day and it is a matter of considerable interest to the country to know whether that policy is to be remodelled, changed, or left as it is. I believe the time has come when there might be some modification of that policy. I believe that the policy has worked so well, and has been so conducive to trade posperity, that the time has come when there might be some modification of the burden which it imposes. There are a great many people in the country at the present time who, as they see the cost of living rising, and rising and ever rising, and wages not rising at the same time, are inclined to think that, with a surplus in the treasury of some $50,000,000 this year, the time has come when there might be some lessening of the burden of taxation. For that reason, if for no other, I think the Minister of Finance would do well to bring down his budget at the very earliest opportunity. His excuse that he has not done it because it is necessary in the first instance to give a third reading to the West Indian Trade Bill is absolute nonsense, an excuse of the flimsiest kind. He seriously tells the House that someone has told him that my right hon. friend the leader of the Opposition (Sir Wilfrid Laurier) is going to oppose the third reading of the Bill. I challenge him to say who told him that.

Mr. WHITE (Minister of Finance): I had communication both in the House and outside with the hon. member for Halifax (Mr. Maclean). He stated to me as I understood, both in the House and outside of the House, that, so far as he was concerned, he would facilitate the third reading of the Bill but that there was a desire on the part of hon. gentlemen opposite to discuss the Bill further.

Some hon. MEMBERS: Hear, hear.

Mr. WHITE: In the course of the Naval Bill discussion. What did that mean?

Mr. GUTHRIE: From any information the Finance Minister received from the hon. member for Halifax he must have concluded that the Bill was being favourably considered by this side.

Mr. WHITE: By him.

Mr. GUTHRIE: The Finance Minister had no reason to believe that any one on this side looked at the Bill unfavourably. The truth is that the Government deliberately made up its mind, on the 5th December last, that first and foremost they would force through the Naval Bill and put all other legislation aside. They knew the Naval Bill was going to be strenuously opposed; opposed on a great question of principle. But notwithstanding that knowledge, they made up their mind they would by hook or crook, by brute force or otherwise, by day and night sittings, put that Bill through.

Mr. WHITE: I submit, Mr. Speaker, that the expression 'brute force or otherwise' is not parliamentary.

Mr. SPEAKER: The expression is not considered parliamentary.

Mr. GUTHRIE: I withdraw it and I substitute ' physical force.' That is the reason the budget has not been brought down; that is why the West Indian Trade Agreement Bill has not had its third reading; that is the reason the Banking Act has been sidetracked; that is why public and private legislation has been deferred, and the whole responsibility rests upon the Government, who have absolute control of the business programme of this House. I would suggest to the Minister of Finance that he take the first opportunity to bring down his budget and the West Indian Trade Agreement Bill, and while we may discuss it the discussion will not be lengthy. We look upon that measure as a creature of our own.

Mr. WHITE: Do I take that as an assurance that there will be no blocking with regard to the West Indian Trade Agreement Bill?

Mr. GUTHRIE: There has been no blocking in the past.

Mr. WHITE: But there will be in the future.

Mr. GUTHRIE: There will be reasonable and proper discussion, I assume, but I do not think it will take very long. It is all very well for the Minister of Finance in his ex-cathedra fashion to say that the business communities of the country have absolute confidence in the Government.

Some hon. MEMBERS: Hear, hear.

Mr. GUTHRIE: I think the Minister of Finance has absolute confidence in one thing, and that is in himself, but I do not know any great reason why he should make the other statement. There is uneasiness and uncertainty in the country and if the Minister of Finance does not know it he ought to know it, and the Prime Minister knows it and gentlemen sitting immediately

behind the Prime Minister know it. We want to assist in avoiding everything detrimental to the business or financial interests of the country, and we do not desire to be kept here day in and day out, week in and week out, considering an unnecessary measure at the present time, to the exclusion of measures which are exceedingly necessary for the welfare of the country. Look at the despatch published in this evening's Citizen in regard to a phase of the naval question that has occupied so much of our time, and that has been pressed upon us as an emergency measure. Here is a despatch in this evening's Citizen, dated London, 26th March, this very day:

Naval Holiday in Building of Ships—Hon. Winston Churchill has a New Proposal on Naval Question.

London, March 26.—A naval holiday for a year as far as new construction is concerned was the offer made to the world today by Winston Spencer Churchill, First Lord of the British Admiralty, when he submitted the British naval estimates to the House of Commons.

In this way, he says, the peoples of the world would obtain an almost instantaneous mitigation of the thraldom in which they had been involved by the evil and insensate folly of the present acute rivalry in armaments. Scores of millions, he declared, were being squandered year after year without making any real preference in the relative naval strength of the nations. His proposal, he argued, would involve no alteration in the relative strength of the world's navy, and added:

We address this proposal to all nations, and to no nation with more profound sincerity than to our great neighbour over the North sea.

Mr. Churchill concluded with a graceful recognition of the sensible improvement that had taken place in Anglo-German relations.

A naval holiday in ship-building; a whole year and nothing doing.

Mr. LEMIEUX: Would you please state if this is the same Mr. Churchill who has been advising gentlemen on the other side of the House?

Mr. GUTHRIE: Here we have been kept in session day in and day out, night after night, day after day, having forced upon us a naval measure for the construction of three dreadnoughts, and the First Lord of the Admiralty is proposing to-day a whole year's holiday in ship construction.

Mr. PELLETIER: Mr. Churchill is not proposing that; he is making that offer to the other nations.

Mr. GUTHRIE: I say to the Minister of Finance, bring down your budget so that the people may know what the tariff changes are to be, and whether there is to be increased taxation or lessened taxation.

Mr. GUTHRIE.

Mr. BELAND: And take a holiday in naval matters.

Mr. GUTHRIE: Yes, and take a holiday in naval matters, and go forward with this Bank Act and the private legislation and the other pressing measures which are before the country and which have been held up by the Government.

SUPPLY.

House in Committee of Supply. (Mr. Deputy Speaker in the Chair.)

Mr. WHITE (Minister of Finance): Yesterday, the hon. member for St. Mary's (Mr. Martin) drew attention to the French translation of the estimates for 1913-14. I I have made inquiry and I find that French copies of the estimates in question were received at the Distribution Office on February 27, 1913, quite a month ago, and one copy was placed in the post office box of each French-speaking member. I think my hon. friend from St. Mary's (Mr. Martin) has confused the main estimates with the last supplementary estimates for 1912-13.

Mr. MARTIN (St. Mary's, Montreal): I am perfectly satisfied with the explanation given by my hon. friend.

Civil Government—High Commissioner's office, London—contingencies, $28,074.

Mr. EMMERSON: Have any changes been made in the personnel of the clerical staff in the High Commissioner's office? In previous years, some complaint was made that no distinctive Canadians were connected with that office.

Mr. BORDEN: I can only say to my hon. friend that I am not aware of any changes, and I do not think that any changes have been made. The complaints which he has mentioned have not come to my attention.

Mr. LEMIEUX: The item under consideration includes rent and insurance on office. The last time when we were discussing the salaries, I branched off and spoke about the proposed central building which Canada intended to have in London. My right hon. friend was kind enough to give the committee the necessary information for the time being. I do not object to what he said or to what he did not say then. I understand that, when the Government intends to buy land, it must act very discreetly. Since that discussion, the right hon. gentleman must have seen in the papers that our former Governor General, Lord Grey, obtained from the London County Council an option on a certain site in London near Kingsway, with the object of establishing a central building where all the overseas dominions would be located, and where permanent exhibitions

of the products of the various dominions would be placed. I saw in a dispatch that the option had been obtained at a rather moderate figure, because the London County Council viewed that idea with favour. Is there anything in that dispatch which comprises some of the intentions of the Government as regards our offices in London?

Mr. BORDEN: No, Mr. Chairman, I do not know anything of the proposal alluded to, except that which I have observed in the public press, as my hon. friend has done. I do not know that I have anything to add in reference to the building in London beyond what I said last year. I think I indicated then that there had been some idea of erecting a very large building in a very prominent place. The difficulties, which stood in the way of that, were that, so far as our own staff in London was concerned, a building of that kind might not be suitable for all purposes. For example, the particular location suitable for the High Commissioner's office might not be suitable for the immigration office. The project of erecting a very large building would involve also the leasing of a very considerable portion of it. Up to the present time the provinces seem disposed to erect their own buildings instead of joining in a project of that nature. As I said last year, the fact that a proposal by this Government had been advertised to a certain extent had not tended to decrease the values put upon available properties in London. I examined a number of sites during the past summer, but I really cannot say that the project has advanced very much beyond the stage which it reached last year.

Mr. NESBITT: Is it proposed to buy freehold property or to lease property?

Mr. BORDEN: As regards all property in London, you have to take what title is offered. A great many properties there are held on long leases. It is not always very easy to get a freehold. My hon. friend from Red Deer would know more about that, perhaps, than I do.

Mr. LEMIEUX: I quite realize that there are difficulties in the way, and these are succinctly stated by the right hon. gentleman. But if we can find in London, at a reasonable figure, a proper site for a Canadian building, I would earnestly ask him and his Government to do their utmost to bring under the same roof the offices of the various provinces. I am most strongly provincial in matters of provincial rights, but in London what predominates is the name of Canada. We should bring under the same roof the Dominion and the provincial offices. There is no reason why there should be at one end of the Strand an office for the Ontario Government, and on King's Way an office for the Quebec Government, and somewhere in Lennox Gardens, an office for Prince Edward Island. I think that is not conducive to the best interests of Canada.

Mr. BELAND: I do not see the salary paid to the High Commissioner stated here. What is the amount?

Mr. BORDEN: It is fixed by statute. The amount, I believe, is $10,000.

Mr. EMMERSON: I confess absolute ignorance as to the personnel of the staff in the commissioner's office, but complaint has been made to me in the past by those visiting that office that there are none there who are at all familiar with local conditions from a Canadian standpoint, particularly with the conditions in the maritime provinces. The officers seem to be informed with respect to western Canada in a general way, but as to the eastern provinces there seems to be a lack of the knowledge of the conditions which prevail.

Mr. BORDEN: Is my hon. friend speaking of the High Commissioner's office or of the immigration office?

Mr. EMMERSON: Of the High Commissioner's office. Complaint has been made to me; I do not vouch for its correctness. Friends of mine who have been in the office think that there should be a little more distinctively Canadian atmosphere there than there is. It is, they say, wholly English.

Mr. BORDEN: The hon. gentleman will recollect that the secretary, Mr. Griffiths, is a Canadian.

Sir WILFRID LAURIER: Not a Canadian by birth, but he was a long resident of Canada.

Mr. BORDEN: I thought he was born in Canada. At any rate he lived in Manitoba a long time. So far as my own experience is concerned, Mr. Griffiths has been most painstaking and indefatigable in anything I asked of him. I am not so familiar with the other gentlemen employed in the office. There are seven of them, I think.

Sir WILFRID LAURIER: I am glad to add my own testimony to that of my right hon. friend with regard to Mr. Griffiths. Mr. Griffiths is not a Canadian by birth, but was long in Canada, a resident of Manitoba, and I think he is thoroughly familiar with everything that concerns Canadian life. He is most painstaking and devoted to his duties, and during the many years I was connected with the Administration, I found him always willing to do every-

thing in his power to make his office of real service to the public.

Mr. LEMIEUX: I did not understand my hon. friend from Westmorland to criticise Mr. Griffiiths, just now, but he said that the atmosphere of the office on Victoria street was distinctly English and that information regarding Canada, more particularly regarding eastern Canada was difficult to obtain there. This only emphasizes what I brought to the notice of the Prime Minister—that if we had a central office in London with the provincial officers under the same roof, this difficulty would be overcome. And particularly would this be the case if you had there a man like Mr. Obed Smith, who is at the head of the Department of Immigration in London and who is certainly one of the best informed men in England as regards Canadian conditions. If you go to the Canadian office on Victoria street, you get more information about the West than about the East of Canada, but if you go to Mr. Obed Smith at the Immigration office, you get information about the whole Dominion. There is an office for Quebec on Kingsway where you can get information about Quebec, another office for British Columbia, and another office for Ontario, and so on. It would be excellent policy for the Government of Canada to have all these offices under the same roof. And if there is to be a new building for Canada, all these offices should be brought together.

Mr. EMMERSON: I do not wish to be misapprehended. I have not had personal experience with regard to the London office and I am not making personal complaint but only stating to the committee the observations made to me by those who have been at that office.

At six o'clock, House resumed and then took recess.

After Recess.

House resumed at eight o'clock, and again went into Committee of Supply (Mr. Deputy Speaker in the Chair).

General consulting engineer to Dominion Government—salary, $7,600.

Mr. GRAHAM: Is that the item relating to Mr. Schreiber?

Mr. BORDEN: Yes.

Mr. GRAHAM: Can my hon. friend give me any information as to Mr. Schreiber's report regarding the condition of the western section of the Grand Trunk Pacific railway?

Mr. BORDEN: I think I cannot now give any special information with regard to Mr. Schreiber's report, but if my hon. friend desires any special information I will try to have it brought down in connection with the discussion of the Transcontinental estimates.

Mr. GRAHAM: There were quite a number of miles of railway constructed eastward from Prince Rupert through the Rockies, and the difficulties of construction, I understand, chiefly consisted in the forwarding of supplies. The last report I saw in the press with regard to the matter was that they were rushing the work with a good deal of success, and intended to have it completed within a year.

Mr. BORDEN: The reasons why I have not more information on the subject is that we have relegated consideration of such reports to the Department of Railways and Canals. Mr. Schreiber is technically placed under the supervision of the Prime Minister, but, as a matter of fact, as his reports relate more especially to technical matters, this subject has been discussed as relating to the Department of Railways and Canals, and I have been consulted when any matter of special importance required to be considered.

Sir WILFRID LAURIER: Did Mr. Schreiber make a report last year?

Mr. BORDEN: He has made several reports. His usual course is to make a report every time he goes over the line for purposes of inspection.

Department of External Affairs—contingencies, $7,500.

Mr. GRAHAM: What do the contingencies consist of?

Mr. BORDEN: Printing, stationery and sundries.

Mr. GRAHAM: There has been no change in the staff?

Mr. BORDEN: None that I am aware of.

Conservation Commission—salaries, $28,862.50.

Mr. GRAHAM: I understand that there is a health department in connection with the Conservation Commission. Did the commission not take some part in the discussion with reference to the water supply of the city of Ottawa?

Mr. BORDEN: I think so. I believe they have done a valuable work in connection with matters of that kind all over the country.

Mr. GRAHAM: In this connection I may say that I saw a report in one of to-day's papers saying that the Government was considering the establishing of a health department, and I was wondering if that would be really necessary if the Conservation Commission, through its health

department, could perform all the work that would be necessary for the preservation of the health of the public, so far as the Dominion is concerned. There is, I suppose, the possibility of a slight conflict between the provinces and the Dominion in regard to health matters, if the Dominion undertakes to go too much into detail. Speaking of the province of Ontario—and I think the same system is in vogue in the other provinces—we have our various local health boards and medical health officers in each municipality, who get instructions from the provincial authorities. I do not think that so far there has been any friction between these officials and the Conservation Commission, but if we are to have a health department in the Government it would almost seem as if there might be an overlapping of work, unless the health department is to obsorb the Conservation Commission, or the work being done by them through their health department. If there are to be so many health departments, we may be doctored to death.

Mr. BORDEN: There has been no conclusion reached with regard to that subject. We have heard delegations—notably one delegation at the time of the medical conference in Ottawa a few months ago—when medical men urged upon us very strongly the necessity of establishing a department of health which would gather within its jurisdiction a great many matters now dealt with in the different departments of the Government. I realized that there was a great deal of force in some of the representations that they made, but, speaking quite frankly, I have not yet been able to give to the subject the consideration which I think it should receive before we undertake any reorganization of that kind. So far as the Commission of Conservation is concerned, my hon. friend will remember that that commission is purely an investigating and advisory body, and is not invested with any executive or administrative functions. The work of the health department, therefore, which would include certain matters which are now regularly under the jurisdiction of the various departments of the Government, would not, it seems to me, conflict with the idea of having this commission carry on the work it is now doing. My hon. friend will, of course, agree with me that, while we do not want to be doctored to death, one of the most important subjects to which the principle of wise conservation can be applied is the health of this country. The subject has been brought to our attention not only by the delegation to which I have allluded but in other ways as one which should engage the attention of the Government, and if it should be possible to bring under the jurisdiction of a single department to be established as a department of public health, the various matters to which I have alluded which are now scattered among several departments of the Government and in that way to carry on more efficiently and perhaps to extend this work, we might eventually make such proposals to the House, but we have come to no conclusion up to the present time, because as I have already said, there has not been sufficient time to consider it.

Mr. GERMAN: Will the minister explain why it is necessary to spend $28,000 on the office of the Conservation Commission when the officers of the commission are not paid anything?

Mr. BORDEN: The members of the commission are not paid.

Mr. GERMAN: Why is the $28,000 necessary?

Mr. BORDEN: My hon. friend will find the information in regard to that in the report of the commission.

Mr. GERMAN: I have looked at the report of the Conservation Commission and I have failed to see wherein they have given $28,000 worth of information or anything that would entitle them to any such amount of money. I cannot see where the money has been earned. While the people have strong views concerning the conservation of our natural resources and want anything necessary to be done in that direction, they want more information as to what has been done, as a consideration for the payment of this amount of money. I fail to see where, up to the present time, the Conservation Commission has done anything to earn this money. It is not necessary to spend $28,000 to get a theory when you can get that from a Finance Minister.

Mr. BORDEN: For less than $28,000.

Mr. GERMAN: Yes, and much more useful. I think we should consider carefully before voting $28,000 for a purpose which, under the circumstances, has been of no utility to Canada.

Mr. BORDEN: The organization of the staff of the Conservation Commission was fixed under the late Administration and we have not made any change in it.

Mr. GERMAN: Perhaps so but they were not always right.

Mr. BORDEN: At the time of the establishment of this Commission I gave it my very warmest support.

Mr. GERMAN: Also the Naval Bill.

Mr. BORDEN: Not just at that point. I think my hon. friend gave it his support at the time.

Mr. GERMAN, Oh, well, probably.

Mr. BORDEN: Perhaps we might be quits so far as that is concerned. I would not agree that this Commission has not been of benefit. I think it has been a very distinct and great benefit. I know that the members of the Commission have taken a great interest in securing the conservation of our forests and they have interested themselves greatly in all questions of public health. I do not think the officers of the Commission have enjoyed a pure sinecure by any means. They have an efficient secretary, Mr. White, who, I know, is a very busy man. For example, in connection with several matters coming under the consideration of the International Joint Commission I have received valuable assistance from Mr. White and in everything that concerned the proper development of our public resources I can assure my hon. friend that, speaking from personal experience, I have received invaluable assistance from the Conservation Commission.

Sir WILFRID LAURIER: The idea of the Conservation Commission when it was first laid before the House was approved by everyone, and rightly so. The Commission is destined to serve a very useful public service. If it has any fault it is that its members cannot give all their time. They are not paid, and can only give the surplus time at their disposal. The report for this year has been laid on the table, and I have taken a glance at it. As I am told it has not yet been printed, I think my right hon. friend would do well not to press this item, but to allow it to stand over until we can look at the report. I must say that the Commission to my certain knowledge and to the knowledge of everybody, has done good work.

Some hon. MEMBERS: Hear, hear.

Sir WILFRID LAURIER: The sittings of the Commission, which take place in Ottawa, have been public. They have discussed most important subjects, amongst others, public health and the conservation of forests and water. The advantages in these two respects alone are enough to justify all the expenditure that has been made on the Commission. We have no more important subject than the preservation of our forests and waters. The Commission has presented certain views on this subject. I do not know how far they have been acted upon. As my right hon. friend has stated, the Commission has no executive authority: it is merely advisory; it collects information. The information it has collected with regard to forestry would go naturally to the Department of the Interior, where there is a Forestry Branch. The department has done very valuable work in this connection, and I believe that during the last two years great progress has been made in the preservation of our forests and in guarding them against fire. Last year and the year before there was a marked decrease in the number of forest fires. For instance, in the building of the Transcontinental railway through New Brunswick I do not think there has been a single fire. When the Minister of Marine was Premier of New Brunswick we made an arrangement with his Government whereby a body of fire rangers were engaged to look after the railway roads, and the result has been most marked: not a single tree has been burned as a consequence of the building of the railway through the forest. This is the first time in the history of the country that such a thing has taken place. This result is due to the work of the New Brunswick Government, the Government of Canada, and the Conservation Commission. If I have any criticism to make, it is that perhaps it would be well to have a permanent chairman of the Commission. Mr. Sifton is a most experienced man, and no man could perform greater services than he could if he were free to give all his time to the work of the Commission; but he is a man of business and, being frequently away from Ottawa, he cannot give to the work of the Commission the time that it requires. I do not know but that we shall have to have a permanent paid chairman to look after the work of the Commission.

Mr. BORDEN: I think I should say in justice to Mr. Sifton that, when he is in Ottawa, he does give a great deal of time to the work of the Commission.

Sir WILFRID LAURIER: Hear, hear; I know that and he does good work too.

Mr. BORDEN: My right hon. friend has suggested that the item should stand until the report is distributed; I have no objection.

Mr. GRAHAM: Mr. Sifton, as chairman of the Commission, has done a good deal of work that perhaps is not apparent to the public. When I was Minister of Railways and Canals, for example, Mr. Sifton, as chairman of the Commission and one or two other gentlemen whose names I cannot recall at the moment, held several meetings in my office and out of those meetings resulted an amendment to the Railway Act giving the Board of Railway Commissioners power to pass regulations compelling the railways to make every effort to protect property from fire along their lines, not only during construction, but during operation as well. I do not know what extent that has been made operative, but a few months ago I noticed in the press that these regulations were being enforced in connection with some of the railways. When this item comes up I will ask for some information as to how these regulations have been

enforced and whether they have worked successfully. At the same time it was suggested, and I agreed with the suggestion, that while the Intercolonial railway did not come under the Board of Railway Commissioners, that railway should be put under the same conditions, as far as protecting property from fire along its line was concerned, as other railways. I would like to know whether that has been carried out.

Mr. BORDEN: I will have the request of my hon. friend for information on these points brought to the attention of the Minister of Railways and Canals. Speaking from memory, I do recollect that the Commission brought to my attention some few weeks, or some few months, ago the fact that they had engaged a very experienced and capable man who was to be entrusted with the duty of seeing that these regulations were carried out by the railway companies. If I am not mistaken, his salary is to be provided for, in part by the Commission, and in part by the Department of Railways and Canals. I think the purpose of his appointment is that the regulations shall be carried out.

Mr. GRAHAM: There was a question as to whether the enforcing of such regulations by the Board of Railway Commissioners might not interfere with certain regulations or enactments of the Department of the Interior. There are some regulations, or it possibly might be a statute, under which a branch of the Department of the Interior protects certain property through which railways run. In discussing these regulations with Mr. Sifton at the time, mention was made of the possibility that there might be an overlapping of jurisdiction and work between the two. I hope that the hon. Minister of the Interior will be able to speak about that when he comes to his estimates. I agree with the Prime Minister and the leader of the Opposition that one of the most useful works in which the Government, of Parliament, or the Conservation Commission, or the Board of Railway Commissioners, can be engaged is the preservation of the forests of the Dominion. Anything that the House can do to encourage that work, it ought to do.

Mr. ROGERS: My hon. friend (Mr. Graham) is quite right in suggesting that there may be an overlapping in so far as the forestry branch of the Department of the Interior and the Conservation Commission are concerned, and it is a matter well worth looking into, because, undoubtedly, the work might be duplicated by these two services.

Mr. HAZEN: The right hon. the leader of the Opposition (Sir Wilfrid Laurier) has referred to the good results that followed in the way of the protection of forests and the prevention of forest fires along the line of the National Transcontinental railway through the centre of the province of New Brunswick as the result of an agreement entered into between himself when he was Prime Minister and the Government of New Brunswick at the time when I was premier of that province. I would like to endorse everything that the hon. the leader of the Opposition has said. The result was most satisfactory, and one has only to consider the small amount of damage that has been done by fire along the line of the National Transcontinental railway, compared with the damage that was done in the construction of other railways in the forest sections of New Brunswick, to appreciate the great advantage which has resulted from that arrangement. I am satisfied that the public discussions that have taken place on this subject of the prevention of forest fires, not only through the Conservation Commission, but at the conventions held each year by the Dominion Forestry Association, have attracted attention to the question, have caused men to think about it and the result is that means for the prevention of forest fires have been taken which have saved immense timber areas from destruction and which will be of incalculable value to the Dominion of Canada.

As to the Conservation Commission, I may say that about a year ago, as Minister of Marine and Fisheries, I was charged with the management of the preparation of the case to be submitted to the Secretary of State for War in Washington in opposition to the application of the Chicago Sanitary Commission for the privilege of withdrawing 10,000,000 cubic feet of water per second from Lake Michigan. It was felt that if that permission were granted the result would be prejudicial to the shipping and navigation interests of the great lakes and of the St. Lawrence. In the preparation of that case, I would like to bear testimony to the fact that I received very valuable assistance and information from the Conservation Commission, which was thoroughly alive to the importance of the question and whose secretary, Mr. White, rendered assistance that, I can speak of, without any exaggeration at all as being of the most valuable character. There is no doubt in my mind that the Conservation Commission, while it has done very good work in the past, is capable of doing very good work in the future, and I believe that the chairman and members of the Commission should be paid salaries and devote their whole time to the important work that they have undertaken.

Mr. CARVELL: Mr. Chairman, I would not like to say anything to mar the har-

mony of the mutual admiration society that has been established between my right hon. friend the leader of the Opposition (Sir Wilfrid Laurier) and my hon. friend the Minister of Marine and Fisheries (Mr. Hazen), but I am afraid that both are giving a great deal more credit to the Conservation Commission for the absence of fires along the line of the National Transcontinental railway in New Brunswick than is really due to it. I believe, as the Minister of Marine and Fisheries has stated, that the mere fact of the public discussions that have taken place through the Conservation Commission and the statements that are being put forth in the newspapers are doing an immense amount of good. But we do not want to forget that the Commission should not receive very much credit for the absence of fires along the National Transcontinental railway through New Brunswick during the last three years. In 1910 some of the most serious forest fires in the history of New Brunswick took place along the line of the National Transcontinental railway at three or four different points. At one place an area of from seven to ten square miles of valuable timber land was absolutely destroyed, and at another place, on the Miramichi river, three or four square miles. It was said that these fires had spread from camp fires along the line of the National Transcontinental railway, but I believe that is not correct. My impression is that the fires originated through sportsmen. The matter has not been settled yet; it will have to be inquired into by the courts and possibly we may find out the exact cause of these fires. We have been fairly free from forest fires since 1910; in 1912 it rained so much that you could hardly light a fire in the woods if you wanted to, and in 1911 the immunity from fire was almost wholly due to the very effective protection supplied by the railway contractors who felt that a great deal of loss had occurred the year before and that it was up to them then to do everything in their power to prevent a recurrence. I fear the public might be left in a false state of security if the statement were allowed to pass without explanation. What has been done by the Conservation Commission towards protecting the forests in the province of New Brunswick? The provincial Government have a number of fish wardens who I think are fire guardians to some extent, but so far as I know the Conservation Commission has taken no active part in the prevention of fires in that territory.

Mr. HAZEN: The work done by the Conservation Commission in this respect is largely in the line of educating the people to the importance of protecting the forests from fire. As I understand it the arrangement entered into between the late federal Government, the National Transcontinental Railway Commissioners and the provincial Government was that the commissioners should supply fire wardens during the construction of the railway and pay them, and the Government of New Brunswick vested these wardens with authority and power under the laws of New Brunswick. I would remind my hon. friend that the damage done to the forest wealth of New Brunswick during the construction of the Transcontinental railway is small compared with the tremendous loss of forest wealth during the construction of the Intercolonial railway and other railways in that province. Under the System in New Brunswick, every man who is a fish guardian or a game guardian is also sworn in as a fire warden. The guides are also sworn as fire wardens and no class of men are more interested in preventing forest fires, because if you destroy the forest you destroy the home of the game and indirectly deprive these guides of their means of livelihood. Each succeeding year a greater number of persons are attracted to New Brunswick in pursuit of game; the guides make a very good living out of their business and are an important influence in protecting the forests against fire. I have no hesitation in saying that admirable results followed on the arrangement entered into by the late Government with the Transcontinental railway contractors and the province of New Brunswick in regard to preventing fires.

Mr. CARVELL: I would point out to the minister that the arrangement he refers to provides that these fire wardens shall be paid by the contractors, so that no very great credit is due either to the federal Government or to the provincial Government in that respect, except, that the precautions taken may have been a means of educating the people to the importance of preventing forest fires. I do not want the committee to get the idea that the Conservation Commission has done much towards preventing forest fires in New Brunswick, nor do I know it is their duty to enter into that field of work, nor, that they have money supplied them to employ fire wardens. From the information which has come to me in the course of certain arbitration cases I believe that not only the Conservation Commission but the federal Government and the local Government and the owners of timber property could learn a great deal if they studied the precautions taken in the State of Maine, not only by the Government but by private owners who employ wardens by the hundreds, who have a regular telephone system through the woods, and depots with fire-lighting appliances at regular intervals. They go about the business there in an intelligent and effective manner. If the Conservation Commission would establish a

system such as that in New Brunswick we could well afford to vote them twice the amount of this appropriation.

Mr. BORDEN: The commission is not doing any executive work at all.

Mr. CARVELL: I suppose they could not do executive work, but they could conduct an educational campaign.

Mr. BORDEN: I think they are doing that.

Mr. GRAHAM: As I had the honour of making that agreement referred to when I was Minister of Railways, I may say to my hon. friend (Mr. Carvell) that the Government of New Brunswick and the Dominion Government, through the Railway Department, came to an amicable arrangement, by which this Government agreed that this line of construction would be thoroughly patrolled. Fire rangers were engaged to protect the forests from any fires that might arise owing to the construction camps, although they would follow fires wherever they started. I am in favour of the work done by the Conservation Commission, and I think we ought to encourage it in its work. During the past two or three years, it was realized that some improvement was necessary in the way of forest protection in the forests of Ontario. The Conservation Commission and the Government of Ontario had some correspondence in reference to the matter, with the result that there may be a uniformity of action. In years gone by, the trouble was that the timber areas of Ontario were not sufficiently manned with fire rangers.

There is another point on which I would like information. I think Mr. White and another gentleman waited on the various departments and asked for a list of the water powers under the control of each department, the names of the people to whom each power was leased, the date of the lease, the price per horse-power and so on. I presume that my right hon. friend, if it is not in the report, will give us some idea of just what we own in that respect. In this report we have the various rates, a synopsis of the terms of the leases and the dates of the water powers under the control of the Railway Department. It will be very interesting, because conditions are so different, to work out, whether these leases are equitable or not. Some water powers in the Railway Department are leased for a long term of years; the original lessors are getting practically nothing, but the water powers are sublet several times until the sub-leases reach quite a large sum. Under the old leases in perpetuity, the Government was getting practically nothing for the water powers that are being enjoyed by the people at the present time.

Mr. BORDEN: It is a very proper request; and, if the information is not in the report, I shall apply to the Secretary of the Commission for all available information on the subject. The item in the meantime can stand.

Mr. BUREAU: My hon. friend from Carleton (Mr. Carvell) has stated that if we went to the State of Maine or some other state, we might get pointers. No region in Canada has had to suffer so much from forest fires as the St. Maurice region. The lumbermen there have formed what they call the St. Maurice Forest Protective Association. In conjunction with the local Government this association has done more to prevent forest fires than anything done by the Conservation Commission or by any government. Instead of choosing men itself, the Government takes the recommendation of trusted employees of the lumber company. The men are sworn in as fire rangers; a telephone system has been installed; on the highest peaks in the forest are observation towers, and at different points tools are stored. Sand or earth is used in some places where it is difficult to get water. Whenever a man sees smoke, he telephones to the station, and the rangers run to put out the fire. Since the organization of this association, there have been no great fires as they have been kept under control. I think the example of this association ought to be followed.

Mr. MURPHY: Could my right hon. friend inform the committee why the Conservation Commission, in making its annual report, follows a practice different from that followed by each of the departments and commissions of the Government? I think it is the custom or the duty of each department or commission to make its annual report to the responsible minister. The Conservation Commission passes over the Minister and makes its report direct to the Governor General.

Mr. BORDEN: That matter has not been brought to my attention. I shall make inquiry about it.

Mr. BELAND: I understand that the Conservation Commission is under the control of the Minister of Agriculture.

Mr BORDEN: My recollection is that an Order in Council was passed connecting it in some way with the Department of Agriculture, but I cannot say just in what way. By the terms of the statute, the Conservation Commission is not technically under any minister. For purposes of convenience of administration, I think it was identified in some way with the Department of Agriculture. If my hon. friend

wishes, I shall bring down the Order in Council.

Mr. BURRELL: When I took office, I found that I had something to do with the Conservation Commission, but I did not quite know what the position was. After making enquiries, I found that it was not a department or a branch of any department, but that the Minister of Agriculture was made an intermediary between the Conservation Commission and Parliament in Council. I do not think my hon. friend is quite correct in stating that the Conservation Commission is under the control of the Minister of Agriculture. So far as I am concerned, I must confess that I have no control over it.

Mr. BELAND: The reason I said that was that the late Administration paid particular attention to this matter of conservation. And I might add, before you leave the item, that there is a great deal in what the right hon. the leader of the Opposition has said, that as long as the members of the commission are not paid they cannot devote much of their time to the work of the commission. A great deal of work has been done by the Chairman, the Hon. Clifford Sifton. I believe that he is the chairman no longer—I am not positive—

Mr. BORDEN: Yes, he is chairman.

Mr. BELAND: He was absent and Senator Edwards was acting chairman during his absence. I may add just a few words for the information of my hon. friend from Welland especially. The members of the House are, perhaps not wholly conversant with the work of the Commission. It consists especially in gathering information to direct the action of the Government in securing the conservation of the natural resources of the country, including water, forests, land, minerals, fisheries and health. While some hon. members contend that the report of the Commission was rather meagre, may I be permitted to say that special reports are periodically published by the Commission. For instance. an extensive and very elaborate report was published a few months ago—perhaps over a year ago—on the water-powers of Canada, a very carefully prepared document and a most valuable source of information for everyone in this country. Then, the services of Dr. Robertson have been secured by the Commission to investigate by what means the resources of our soil could be best conserved, and I believe that a very important report has been published on that subject. Then, regarding forests, of course the jurisdiction of the Commission of Conservation does not directly extend outside the forests that are under the care of the Dominion Government; but the Commission has been instrumental in bringing about the creation, or if not the creation, the perfecting, of what is known as the Rocky Mountain Forest Reserve, which I understand, is the most important forest reserve in the country. And the Commission has secured the services of Mr. Campbell, one of the officials of the Interior Department, a very able man and one eminently qualified for this kind of work; and he has suggested to the Commission some plan, I believe, by which the conservation of that important resource can be attained. I am not positive, but I think that another important report or bulletin has been issued by the Commission regarding the conservation of minerals. Everyone in this House realizes what an enormous waste of natural resources goes on in this country. I remember hearing Mr. Pinchot, whom everybody knows and who was an important official under the Roosevelt Administration in the United States, state that the waste of coal in the United States amounted to $300,000,000 a year, the waste of land to $500,000,000 a year, the waste of forests to $500,000,000 a year and so on. I have not figures which would show the waste that goes on in Canada, but I do not doubt that they are proportionately large. That work of the Commission is carried on in different ways—by securing the services of experts such as Dr. Robertson to investigate the subjects, by carrying on extensive correspondence, and otherwise. I am quite sure that this item, $28,000, is a rather small amount for the work that is being done by the Commission. I am a member of the Commission but we receive no allowance whatever, and I thoroughly believe that the work of the Commission is a most important one for the country. This item, I take it, is not the whole amount that is being expended through the Commission, but there must be another item elsewhere in the estimates; this amount, I understand, covers only the salaries of the employees in the office. As I recollect it, last year or the year before last we appropriated somewhere about $50,000 for the Commission of Conservation. A similar commission exists in the United States. It is considered there an important part of the Government, and it should be considered in the same light in Canada. If the right hon. gentleman is ready to allow this item to stand, I have no objection, but, so far as I am concerned, I should have no objection to having it go through.

Mr. BORDEN: My right hon. friend the leader of the Opposition suggested that the item should stand until the report had been distributed. I assented at once; and when the item comes up again, I will have more exact information as to the work of education and investigation which the Commis-

sion has carried on. In the meantime, I would like to express my thanks to the hon. member for Beauce for the very useful information he has given respecting the work of the Commission, and I would like to join with him and other hon. members who have discussed the question in appreciation of the excellent work which the Chairman of the Commission has done. I know personally that he has devoted a great deal of his time when in Ottawa to the work of the Commission, and has always taken a great interest in it. He has brought to that work all the great ability and energy which he possesses.

Item stands.

Civil Service Commission—salaries, $29,025; contingencies, $50,500.

Mr. SINCLAIR: Might I ask if appointments are made to the inside service without the authority of the Civil Service Commission?

Mr. BORDEN: So far as I am aware, they are not. I could not understand how, under the law, they could be made without application to the Commission.

Mr. SINCLAIR: Are promotions being made which are not authorized by the Commission?

Mr. BORDEN: I am not aware that they are, and if my hon. friend will direct my attention to anything of the kind, I will make inquiry as to the matter. I do not understand how it could be done except in accordance with the provisions of the law.

Sir WILFRID LAURIER: If my memory serves me rightly, my hon. friend obtained authority last year by statute to increase the number of the Civil Service commissioners, and, although a year has elapsed I am not aware that the number of the commissioners has been increased.

Mr. BORDEN: I had expected before this to have made considerable progress in extending the scope of the Civil Service Act. My right hon. friend will remember that I went away almost immedately after the session last year and was absent until the autumn. When the autumn arrived, we secured the services of Sir George Murray for the purpose of investigating Civil Service conditions, and he has made a report which has been laid on the table of the House. We hope to give that report consideration in connection with the extension of the Civil Service Act, and, possibly, in connection with some revision of that Act, which is not in all respects absolutely satisfactory in its operation. In the meantime, until that extension does take place, and until the consideration of that report can be made, it is not thought necessary that a third commisioner should be appointed. The appointment will, however, eventually be made.

Sir WILFRID LAURIER: My hon. friend had not thought of the report of Sir George Murray when he obtained power to increase the number of the commissioners. When my hon. friend last year introduced the Bill authorizing the Government to increase the number of the commissioners, we offered no objection. We assumed at that time that my hon. friend had made up his mind to have a third commissioner, and although the reasons given were rather meagre, we took it for granted that there were good reasons for this change. Perhaps we too readily took matters for granted, because my hon. friend has now been deliberating for a year, and I do not understand that he is even at the present time in a position to say that the third commissioner will be appointed.

Mr. BORDEN: A third commissioner will be appointed in due course, but I think it is desirable that, before doing so, the operation of the Act should be carefully reviewed and the recommendations made by Sir George Murray with regard to the working of the Act and the efficiency of the Civil Service generally should be fully considered; and also that his suggestions pointing to the possibility of greater efficiency should be considered by the House and by the Government.

Mr. GERMAN: I understand that under certain circumstances the commission can appoint officers to positions without reference to the Government or the ministers thereof. I would like to know whether, if in those circumstances the Commission has appointed a man to a position, it is within the power of the minister of the Crown in whose department he may have been appointed, to dismiss him without the consent of the Commission?

Mr. BORDEN: My recollection of it is that when an officer is required, application is made to the Commission, who send to the department one of the applicants who is selected according to the efficiency attained by the candidates in the regular examinations. He goes to the department for a certain period on approbation, and, if his services are unsatisfactory, the commission will name some one else, who also takes the position on approbation before receiving a permanent appointment.

Mr. MURPHY: In putting through an item a few days ago, the Postmaster General explained that the amount of money covered by the item was required for the salaries of persons who had been appointed outside of the Civil Service Commission, that is, by some departmental or minister-

ial Act; and he mentioned that the Commission had been unable to find persons qualified to fill the requisite offices in the Post Office Department. At that time we did not get any explanation as to how these persons were appointed, if it were not on the recommendation of the Civil Service Commission. Does my right hon. friend know anything about that?

Mr. BORDEN: No such matter has been brought to my attention, but I will be very glad to mention the matter to the Postmaster General.

Mr. GRAHAM: I have had persons come to me in reference to obtaining positions in the Civil Service, and I have informed them that they must pass an examination, and that the candidates obtaining the highest number of marks would get the first appointments. To my surprise, some of these persons have turned up in the department, and laughed at my advice to go before the Civil Service Commission. If the Civil Service Act is to be of any value, it will have to be adhered to, and if it is wrong it should be changed, but no member of the Government should attempt to evade the Civil Service Act. I have always maintained, however, that the private secretary of a minister should not come under the provisions of the Civil Service Act, and I maintain that the private secretaries of the ministers of the Crown should be selected and appointed absolutely at the discretion of the ministers. The relations existing between the minister and his private secretary are of such a confidential nature, that I do not think any outside party should be allowed to make the selection for him and, whether or not he has passed an examination, if, in the opinion of the minister whose private secretary he is to be, he is the man who will best suit the minister's purpose, the minister ought to be allowed to select that person. The present Government did bring in their own private secretaries through some clause. I go so far as they say that they were right in doing this.

Mr. BORDEN: We brought in private secretaries under a provision of the Act of 1908 which my hon. friends passed. It was amended last year, but not in principle. The provision was that a minister might appoint a private secretary without resort to the Civil Service Commission, but not in a class higher than the class named in the statute, and that after serving for one year as private secretary to the minister the person so selected and appointed would be permanently a member of the Civil Service on that salary for the time being and subject to promotion in the ordinary course. We amended the Act last year by fixing a higher class, because we found it impossible to get efficient private secretaries at the maximum salary which was fixed by the enactment of 1908. A Bill was presented to the House for that purpose and passed without a great deal of discussion.

Mr. GRAHAM: My difficulty would be only partly solved by that explanation. It was impossible under that statute as it then existed to engage as private secretary the man you wanted because you could not pay the salary required. I am of the opinion that the Civil Service law ought to have very little to do with a man's private secretary except that it should protect him and ensure that he should continue to be a member of the Civil Service even should the minister retire and he be not continued as private secretary to the incoming minister. Only to that extent should the private secretary be under the Civil Service law.

Mr. BUREAU: I absolutely endorse what the hon. member for South Renfrew (Mr. Graham) has said. I think the minister who employs a private secretary should have absolute choice of the man he is to employ. We might extend this principle to the members of the House. There are a lot of stenographers here, employed in common; the members have nothing to say as to their selection. It may be on a smaller scale, but the business of the members is as important to them as that of the ministers. This is not the proper way to handle correspondence. I may say that I have my secretary outside of those employed by the House. This service is apart from that of the sessional writers who do general work. The men and women downstairs are supposed to be secretaries of members. I think the members of the House will admit that it is very difficult for any member who has private correspondence, even although it may not be directly on matters relating to the House, but on other political matters, to trust a stranger perfectly unknown, with it. Some change ought to be made. If you cannot supply a secretary to each member, do as they do in the United States, allow each member a certain amount, $100 or $200, and let the member have his own choice of the secretary who will be called upon to do his work. I have found it impracticable to send work down to the room where thirty or forty are working together, and where your letters are lying around loose so that any one passing can read them.

Mr. GERMAN: Several years ago I was in the Ontario Legislature when government by commission was first inaugurated

and it has been growing since. I remember the time when the Government of the Dominion and of the various provinces was carried on by the responsible ministers of the Crown and we had no commissions to carry on the various branches of government. It appears to have reached this stage now that, although we have responsible ministers of the Crown not only in the Dominion but in the provinces as well—and the Liberal party are not exempt from the criticism I am making, because they established the system in Ontario many years ago—everything appears to be done by commissions, and not under the responsible ministers of the Crown. We have a Conservation Commission at an expense of $50,000 and a Civil Service Commission at an expense of $44,000, and I fail to see of what benefit the Civil Service Commission is in so far as the Government of Canada is concerned. What better inside or outside service have we than we had before the Civil Service Commission was appointed? We had good officers then, we have good officers now, but we have no better officers now than we had before the Commission was appointed. I fail to see the benefit to Canada of all these commissions which are appointed to relieve the ministers of the Crown from the responsibility which is on them to govern this country properly and to make the appointments.

It has been suggested that the Civil Service Commission should not only have jurisdiction over the inside service but over the outside service as well. I wish to express my positive conviction that the Civil Service Commission could never, with any degree of satisfaction, control the outside service. I fail to see where they have controlled the inside service with absolute satisfaction, but I am positive that they cannot control the outside service. How could the Civil Service Commission possibly know who was the best man to appoint to a position in the custom house, or in the immigration department, say, in the county of Welland, or Lincoln, or any other county? I know that I have appointed officers that the hon. Minister of Customs (Mr. Reid) and the hon. Minister of Railways and Canals (Mr. Cochrane) have seen fit to leave in their positions. I have heard the opinion expressed frequently in various parts of Canada that we are having too many commissions appointed to control affairs that should be controlled by the responsible ministers of the Crown. These commissions are appointed at large salaries and we have not only the salaries of the commissioners, but the salaries of the staff, which will continue to grow until they reach a figure that will be staggering. The time has come when we should call a halt, because we cannot govern this country by commission.

Mr. EDWARDS: Would the hon. gentleman give us some of the reasons which were advanced why the Civil Service Commission should be appointed, and which reasons evidently influenced him in supporting the appointment of such a commission?

Mr. GERMAN: It was the unanimous opinion of the House that the appointment of Civil Service employees should be taken out of politics as far as possible and that a Civil Service Commission should be appointed who would have the right to appoint men to the Civil Service by reason of competency rather than by reason of any political influence that should be exercised. That was the object of appointing the Commission; but, as far as my information and observation go, I cannot see that the appointments to positions have been made any differently since the Commission has been appointed than they were before. They are made by reason of political influence now just the same as they ever were.

Royal Northwest Mounted Police—pay of force, $425,000.

Sir WILFRID LAURIER: I noticed yesterday that my hon. friend paid a very well deserved tribute to the late comptroller, Mr. White. I would like to ask him if Mr. White has been replaced as comptroller.

Mr. BORDEN: Yes, by Mr. Fortescue, who was formerly the deputy.

Sir WILFRID LAURIER: Has he been formally appointed?

Mr. BORDEN: Yes.

Sir WILFRID LAURIER: Mr. Fortescue is a very good officer, he has had large experience in the department, and I do not think that my right hon. friend could have selected a better man. I find that there is an increase of $85,000 this year; that is by reason of the increase in the pay of the force. In looking over the report, I have found that there is very little change in the organization of this force, and in reference to that I certainly do not complain. I presume, however, that my right hon. friend will be obliged to extend the force northward. At the present time settlement is going on in the territory north of the provinces of Alberta and Saskatchewan, and especially of Alberta, along the Mackenzie river and the Peace river, and around Great Slave lake. The mounted police has certainly been the best asset that we have had in connection with the settlement of that western country. I am sure that my right hon. friend is besieged with demands to extend it northward. I

believe that he cannot resist doing so, but I presume that the time will come when he can transfer some of the force from the older provinces to this part of the country. Out of a force of about 700 men he has about 300 in Alberta, 200 in Saskatchewan, 20 in Manitoba, and between 40 and 50 in the Yukon. He may have also to increase the force in Manitoba. Settlement will go on along the line of the Hudson Bay railway, and, as it goes on probably he will have to establish new stations along the railway up to the Churchill river where we have a force at the present time. The same thing will apply to the territory north of Alberta and Saskatchewan. I notice that the commissioner complains that the force is not sufficient in the Yukon. I am not quite sure that I would agree with the commissioner as to that. The population is not increasing in the Yukon, as far as my information goes. I notice that the commissioner recommends that the force of about forty should be increased. I do not know whether my right hon. friend has given any attention to that or not.

Mr. THOMPSON (Yukon): The numerical strength of the Royal Northwest Mounted Police force in the Yukon has been reduced to a point below that at which it should be maintained in a territory so far removed from the centre of Government. Some of the members of the force have retired and others, when their time expired, did not re-enlist. The Yukon territory is over 200,000 square miles in area, with scattered settlements which in some instances are two hundred or three hundred miles away from the larger towns and villages. It is extremely necessary that such a territory should be well policed, and I am glad to know that the strength of the force is to be increased. At the very least we should have fifty men, whereas, at present, we have less than thirty. The mounted police have done splendid work in that territory; they have enabled the people to live under the protection of the law and to be assured that life and property are as safe there as in the most law-abiding communities. So long as I am a member of this House I shall press upon the Prime Minister the necessity for keeping the Yukon force up to its full strength.

Mr. LEMIEUX: Could my hon. friend give us information as to the recent statement in the newspapers that a dredge had been dynamited in the Yukon, and that there were anarchists in that district?

Mr. BORDEN: I am informed that an arrest has been made.

Mr. LEMIEUX: Where did this outrage take place?

Mr. THOMPSON: Within two miles of Dawson. I may say it is the first instance of the kind that has ever occurred in that territory and it affords a further reason why it should be well policed. I never have been in favour of reducing the mounted police force in the Yukon to a mere skeleton.

Mr. LEMIEUX: What was the extent of the damage done?

Mr. THOMPSON: An arrest has been made but the trial has not advanced sufficiently to bring out the reasons for the dynamiting. An anonymous letter was addressed to the manager of the company which owned the dredge but no specific reasons were given.

Mr. BORDEN: The number of men at present in the Yukon is twenty-six and this estimate is based on an increase to fifty.

Mr. BUCHANAN: The Northwest Mounted Police have been in my constituency for a great many years and the people have a very high regard for the work they have done in the past, and the work they are now doing. I know nothing in western Canada which makes a better impression on the new settler than the presence of the Royal Northwest Mounted Police and the guarantee which they give of the enforcement of the law and the maintenance of order. For some time past there has been a demand that the force should be increased in Alberta to meet the requirements in the new sections of the country which are becoming populated. I had occasion this year to bring two or three cases of this kind before the commissioner at Regina, and his complaint was that it was impossible to get men to meet all the demands in western Canada. We have not yet in Alberta complete municipal organization and the enforcement of the law in districts which have not come under the Rural Municipalities Act rests practically in the Royal Northwest Mounted Police. I would urge that efforts be made to send members of the force to these new districts. We have still a few cattle rustlers in that country and ranchers need police protection. The people in the West believe that the members of the force should be paid sufficiently to induce men to enter the service. The province of Alberta is being developed in the far north and there will be need there of the Northwest Mounted Police for many years to come. I urge upon the Prime Minister the necessity for placing members of the mounted police force in these new settlements as promptly as possible.

Mr. BORDEN: I entirely concur in the appreciation my hon. friend has expressed of the work which the Northwest Mounted Police have been doing in the past and are at present doing. What he has said as to the good impression made upon new settlers by the presence and efficiency of this

force in a country of vast extent and sparse population, is undoubtedly true. My hon. friend is aware that an Act has been passed this session by which the pay of the force has been increased. The force at present numbers 671 and this estimate will provide for 760 which is a very considerable addition. I imagine that as communities become established and municipally organized in the more thickly settled portions of the province the police will be transferred to the more remote districts. That will be in the ordinary course of events, as my hon. friend will realize. Applications are continually being made to the department from various new communities for small detachments. We have endeavoured to meet those demands as best we can, and in that matter I am altogether guided by the advice of the Comptroller and the Commissioners of the Royal Northwest Mounted Police. Some difficulties have arisen under the arrangement which was made between the Government and the provinces of Alberta and Saskatchewan. The guard rooms of the force have been rather overcrowded, and I think it will be necessary to take that matter up with the governments of the provinces of Alberta and Saskatchewan to see whether we cannot secure some arrangement by which the provinces will undertake to provide for the custody of these prisoners to a greater extent than they are doing at present. It is thought that the increase in pay will be of very great assistance in keeping the force up to the strength which I have mentioned. I understand from the comptroller that very satisfactory results have already made themselves manifest in the re-enlistment of men who otherwise would probably not have re-enlisted. I hope that, under the statutory provision to which I have alluded and with the policy which I have outlined, we shall be able to get the force up to seven hundred and sixty, and to do more in the way of satisfying the demands of new communities than we have been able to do in the past.

Sir WILFRID LAURIER: In my experience of the force, I never found that recruiting was a serious difficulty. The pay is not very large, but connected with the force are some advantages, which have always been found sufficient to keep it up to its maximum. The men are boarded and lodged, and they receive a pension after twenty years' service. A man, who enlists at twenty years of age can retire on a pension at forty. He knows the country thoroughly; he can go into business, and get on very well. The force has been an anomaly from the first, but still it has been a very useful and very creditable anomaly to Canada. When it was first established in 1873-4, the object was to protect settlers against the Indians. The Indians ceased to be a danger many years ago; but the force has been such an asset to the country and such protection to the settlers, that whenever we have thought of removing it, at once protests have been raised which no government could resist. The sight of the uniform, whenever it appears in the back territory, carries a sense of security to the settler. The force itself is dispersed over what is practically a continent, from the southern boundary to the mouth of the Mackenzie river and from the Yukon Territory to Fort Churchill in small detachments of five or six, and sometimes two, or even one. These few men scattered over that vast territory have preserved law and order in a manner altogether unknown on the other side of the line; and their work is appreciated by American settlers perhaps more than by anybody else. When we established the provinces of Alberta and Saskatchewan we might have altogether removed the force from those two provinces. We might have told them: You are setting up houses for yourselves; you have all the advantages, and you must assume the responsibilities, and look after law and order in your own provinces. Settlement, however, is going on there, and will be going on for many years; and it would not be good policy to reduce the force. The demand made by my hon. friend from Lethbridge (Mr. Buchanan) shows that, instead of contemplating the removal of the force, we should rather increase it. In course of time some of the larger settlements may be left to the policing of the local authorities, and the force may be pushed northward. Settlement is going on at Grand Prairie on the Peace river, also on the Mackenzie river, and gradually from the northern boundaries of Saskatchewan and Alberta towards Hudson bay. More posts may have to be established. I only hope that under the management of my hon. friend the force will be kept up to its normal standard, and that it will continue to be a credit to the country.

Mr. LEMIEUX: The right hon. gentleman has referred to the sense of security which the force carries with it. It was hinted last year that the Government contemplated the creation of a subsidiary police force to wear civilian clothes. Has anything been done in that regard?

Mr. BORDEN: I never heard of it before.

Mr. BUCHANAN: For the information of the Prime Minister, I might state that the province of Alberta is preparing to enlarge the present provincial jail at Lethbridge, and to establish another jail in the northern part of the province, to meet the congestion in the guard rooms of the mounted police. It is intended to erect a new jail at Fort Saskatchewan this year.

Mr. THOMPSON (Yukon): The force has impressed itself upon the citizens of the United States, who reside in the Yukon territory, during the early days when the duties of that force carried it into the different parts of that territory, and with them went law and order. The United States are giving local government to the district of Alaska. The residents of that great territory, which is some 600,000 square miles in extent, are impressing upon the Government the advisability of creating a force similar to the Royal Northwest Mounted Police to police the district of Alaska.

Royal Northwest Mounted Police—subsistence, forage, fuel, light, clothing, buildings, repairs and renewals, horses, dogs, arms and ammunition, medical stores, billeting, transport, water service, stationery and contingencies, $410,000.

Mr. BOULAY: (Translation.) Mr. Chairman, with the kind permission of the committee, I wish to call your attention to the following fact: I understood that the estimates were going to be voted virtually in the same order as they were submitted to us, that is to say, consecutively, as in the Budget Blue-book. I noticed that you had changed this order, that you were passing from one subject to another, taking up different pages and leaving aside several items. I would beg of you, Sir, when such changes happen, to repeat in French the number and item under consideration, so that we may understand the estimates we are voting.

Government of the Northwest Territories—salary of Mr. Fred. White, C.M.G., commissioner of the Northwest Territories, $1,000.

Sir WILFRID LAURIER: Does Mr. White still remain commissioner of the Northwest Territories?

Mr. BORDEN: Yes.

Government of the Northwest Territories—schools, $3,000.

Sir WILFRID LAURIER: Can the right hon. gentleman give me the number of schools under the authority of the commissioner?

Mr. BORDEN: I could not, but I will let the item stand if my right hon. friend desires.

Sir WILFRID LAURIER: Yes.

Item stands.

Maintenance of insane patients, $900.

Sir WILFRID LAURIER: Where are the insane patients maintained—in Manitoba?

Mr. BORDEN: Yes, at Selkirk.

Maintenance of prisoners, $500.

Sir WILFRID LAURIER: Are these maintained at Selkirk also?

Mr. BORDEN: No, in the guard rooms in the territories.

Sir WILFRID LAURIER: Perhaps it would be better to let all these items regarding the Northwest territories stand until the information is available.

Item stands.

Government of the Yukon territory, $303,000.

Sir WILFRID LAURIER: I think we are entitled to some information with regard to the administration of the territory. I understand that since we met there has been quite a change in the personnel of the administration. In the first place, I understand, we have a new commissioner, and all the officers of the Government there have been dismissed and new appointments made.

Mr. BORDEN: I think that matter has been dealt with by the Department of the Interior. The Minister of the Interior is not here at present. If the right hon. gentleman desires the information, I will let the item stand.

Item stands.

Pensions—Mrs. Fitzgerald, $525.

Mr. MARTIN (Regina): There is a matter I wish to mention; probably I should have brought it up on one of the items already discussed, but perhaps I may be allowed the privilege of speaking of it now. There was a man employed by the North West Mounted Police in the barracks in Regina. I do not think he occupied the position of constable or sub-constable, but was an ordinary employee around the barracks. While operating his wagon two years ago, ice being on the wagon, he fell and ruptured himself very badly. I took up the matter of getting some assistance for him with the commissioner in Regina, but the commissioner was under the impression that nothing could be done with such a case. The man is entirely out of employment at present, and is not able to work by reason of his injuries. He has a wife and three or four children to support. The man has been a number of years in the employ of the Government and was injured in the course of that employment; and, though not an officer of the post, I think the matter is worthy of a good deal of consideration, and I would urge it upon the Prime Minister. If there are other facts that he needs I shall be glad to give them at any time.

Mr. BORDEN: If my hon. friend will be good enough to send me a memorandum of all the facts within his knowledge, I will be glad to confer with him as to whether this is such a case as would justify us in asking Parliament for a special vote.

Offices of Assistant Receivers General and country savings banks—salaries, $58,700.

Mr. WHITE (Minister of Finance): The hon. member for South Renfrew has asked for an explanation of an increase of $4,000 in respect of this item, and I may say that it is due to an increase in the staff of the assistant receiver general at St. John, and of other small increases in the offices of the receiver general throughout the Dominion.

Mr. GRAHAM: How many additions have been made in the staff of the office at Toronto?

Mr. WHITE: Four or five.

Mr. MURPHY: How many of these outside offices are there?

Mr. WHITE: There are offices at Halifax, St. John, Montreal, Toronto, Winnipeg and Victoria. Further answering the hon. member for South Renfrew, I may say that the accountant at Toronto resigned a month or so ago for the purpose of taking another position, and I am under the impression that the vacancy was filled by promotion.

Mr. CARVELL: Prior to the time the Post Office Savings Banks were established, there were a number of these Government banks scattered throughout the country, but after the establishment of the Post Office Savings Banks, a large number of them were abolished. There seems to be a few of them left; can the minister tell where they are, and why they are still in existence?

Mr. WHITE: They are in the maritime provinces, I think principally in Nova Scotia. My hon. friend has correctly stated that there were a number of them in existence some years ago, and the business connected therewith is being gradually transferred to the Post Office Savings Banks. The policy which I found in vogue in my department when I took charge was that when those in charge of the Government saving banks in the maritime provinces deceased or gave up the positions, the business was transferred to the Post Office Savings Banks. I have hesitated to change the policy which has been in vogue, and I have allowed the matter to continue as it has been.

Mr. SINCLAIR: At this stage I would like to direct the attention of the minister to the fact that these savings banks are a great accommodation to some of the smaller towns in Nova Scotia. Under the Post Office Savings Bank system, it requires quite a considerable time to draw money out. Notice has to be given to the post office in the locality; it has to be sent to Ottawa, and as a rule it usually takes about ten days to withdraw a comparatively small amount of money. That is very inconvenient to the farmers who live twenty-five or thirty miles from the towns, and in some isolated places these small banks, from which the money can be drawn at once, are very useful indeed. It is not costing the Government a great deal, and I hope the minister will consider the matter before he abolishes these smaller stations that are scattered throughout the province of Nova Scotia.

Mr. WHITE: I am glad indeed to have the views of my hon. friend with regard to the continuance of these savings banks. As I have said, I have no intention of changing the policy which I found in vogue, and I can understand from what my hon. friend has said that these banks may serve a very useful purpose throughout his province.

Mr. GERMAN: In view of the discussion which has taken place in the country with regard to this matter, has the hon. minister any intention of increasing the rate of interest that the Government is paying through the Post Office Savings banks, or these particular banks under consideration at the present moment?

Mr. WHITE: I dealt with that question in a general way in answer to a query on the part of the hon. member for Rouville the other day, but no doubt the hon. member for Welland was not in the House at the time. I stated that the matter had not been under consideration by the Government, and I pointed out that it was a matter that required very careful consideration before the Government would feel justified in taking the action suggested by my hon. friend. My hon. friend probably knows that in London the securities upon which we borrow money for public purposes run for forty years, and up to the present we have been able to borrow on a little higher than a three and a half per cent basis for a period of forty years. We pay three per cent in the Government and postal savings banks, but we are required by statute to maintain a ten per cent gold reserve against these deposits. That gold brings us no interest, and that increases the cost to us by one-third. Add to that the cost of administration of the Government and post office savings bank, my hon. friend will see that the money for which we pay three per cent to the depositors in the Government savings banks and postal savings banks costs three and a half per cent. In dealing with this matter, we would unquestionably have to consider what would be the effect upon our securities in London and the price which which we would obtain—which is an extremely important matter to this Dominion—if we increased the rate of interest that we pay for demand money here so that we would be paying more for demand money than we would pay for forty-year money in

England. That is one of the considerations to which careful attention would have to be given. What the banks say is one thing, and what the Government says is another. I also pointed out to the hon. member for Rouville that my predecessor reduced the rate in 1898 from three and a half per cent to three per cent, and, according to my recollection, he stated that it had been drawn to his attention that the discount rates were high throughout Canada, and he was of the opinion that the rate established by the Government—three and a half per cent—which, I think, was also the rate paid by the banks, made it necessary for the banks to charge higher discount rates to their borrowers throughout the country. That is another feature that has to be taken into consideration, and which was given attention by my predecessor. Whether the interest rate will be higher or lower in the immediate future I, of course, am unable to say. We have been passing through a very tight money period, and all high-class securities in London have been selling, as my hon. friend knows, upon a higher interest basis than in the past. It may continue for some time, or it may not. At the present time, having regard to all the considerations I have mentioned, I am sure my hon. friend will agree that in considering the questions he has brought to my attention, very many factors have to be taken under review and given careful attention, but my answer is that the matter has not been actively under the consideration of the Government.

Mr. CARVELL: We have heard this statement before, and I am well aware that is one of the reasons advanced why the rate should remain at three per cent. My recollection is that the moment the Government reduced the rate which they paid for money in the savings banks, the banks reduced the rate which they paid to the depositors, and I do not think there is a man in Canada who could say he borrowed money any cheaper from the banks by reason of that fact. It may have been the argument used by the late Minister of Finance, but I think that any business man in Canada will know that the Minister of Finance was wrong in his supposition of what might happen. I think the banks are probably charging more for money to-day in Canada than they were in 1898, notwithstanding the fact that they were at that time paying three and a half per cent interest, while to-day they are paying only three per cent. It seems to me that if the Government thought it best to increase the rate to three and a half per cent, the banks would be compelled to pay three and a half per cent for the money they are receiving as special deposits. I think this Government should consider, in view of the high rates charged by the banks, and the amount of money they are making, whether people should not receive three and a half per cent instead of three per cent for their deposits. Another matter which should receive consideration is whether or not it is necessary for the Government to maintain this ten per cent gold reserve for the money which is deposited with the Government in the Dominion savings banks and postal savings banks. It does seem to me that the credit of Canada ought to be sufficient, and I am sure that no person in Canada will refrain from depositing money with the Government simply because that gold reserve is not there. I do not suppose there is one man in a thousand who makes a deposit in the Government Savings Bank who knows that there is a ten per cent reserve. You will get as much money without the ten per cent as with it and you will take away the argument that you are really paying three and a half per cent for money. If the people of Canada continue to prosper as they have done in the past you will find that by increasing the rate to three and a half per cent you will get a great deal more money than you do to-day even if you should do away with the ten per cent reserve. Perhaps we have not reached the point where we can frunish all the money the Government needs to borrow, but we can furnish quite a lot of it and I am satisfied that if the rate were increased to three and a half per cent it would result in more being deposited in the Government Savings Banks.

Mr. GRAHAM: Money is always tight with me so I can discuss it freely from that point. It has always struck me that if money is worth four per cent when John Jones has it to lend to the Government it should be worth the same when some other person has a deposit with the Government. If the Government were buying any other commodity I am not prepared to say that they buy it cheaper than other persons would buy it, but when they go to London to borrow money they pay three and a half per cent and four per cent although if I had a few dollars which I wanted to lend them I could only get three per cent.

Mr. WHITE: We do not pay four per cent in London.

Mr. GRAHAM: You pay whatever the market price is. Sometimes in the bank the Government has paid as high as four per cent. That is on a temporary loan, but why am I on business principles not entitled to the value of that money which I lend to the Government? It is the only commodity I know of in which the individual is discriminated against. I am of the opinion that the Government ought to pay residents of Canada as high a price for money as any person else and that no argument can be brought to bear that will be convincing to the people to the contrary. We discuss navies and other questions in

this House but if the Minister of Finance will put his ear to the counter in the grocery store and other places where the people congregate in the country he will find that this question is discussed almost more than any other.

Sir EDMUND OSLER: The Government could no doubt get a very much larger sum of money from the people of Canada if they paid a larger rate of interest, but every dollar that the Government takes is put into permanent work and is not loaned out again in Canada. Supposing the Government took one hundred million or two hundred million of the deposits of Canada, they would withdraw so much money from the lending power of the banks or other financial institutions of the country and make the public rather than the Government borrow abroad. The Government can borrow cheaper than the individual can borrow abroad and I think that is the reason why the Government do borrow abroad rather than at home where they can borrow money for very little more than they pay for money at home.

Mr. GERMAN: Then why does the Government take anything on deposit at all?

Sir EDMUND OSLER: You might carry it out in that way if you chose.

Mr. CARVELL: I can point out a way: that is for the Government to so amend the Bank Act that the banks can not lend outside of Canada. If we had the money that the banks lend in Mexico, Cuba and New York, financing cotton plants, &c., I think there would not be such trouble. The moment the banks start to talk you commence to see special privilege. I appreciate the force of what the hon. gentleman says that if the Government raise the rate of interest and take a lot of money it is put into permanent work, but it gets into the country again and is circulated. The hon. gentleman says that the banks may have to borrow money abroad. That may be a misfortune to the banks, but if the Government will stop the banks from sending out money we will be able to have all the money that is required.

Mr. MARTIN (Regina): I see that certain points are added for the delivery of Dominion notes; Regina and Calgary are named as additional points where Dominion notes will be delivered in exchange for gold. Will offices of the Assistant Receiver General be established at Regina and also at Calgary?

Mr. WHITE: That item would not include salaries for these two officers. The new Bank Act will come into force on the 1st of July and it will take some time to get suitable premises in those two cities. If we decide that there should be inserted here an item for salaries in the two offices in question it will appear in the supplementary estimates for 1913-14. My hon. friend is correct in the statement that it has been customary to have in each province, when the population warrants it, an office of the Receiver General. After making as careful inquiry as I could I came to the conclusion that offices in Calgary and Regina would best serve the purpose.

Mr. MARTIN: We have the assurance of the hon. gentleman that offices will be established in these two places?

Mr. WHITE: That is my intention.

Contingencies, printing Dominion notes, $325,000.

Mr. MURPHY: Does that item relate to the contract with the American Bank Note Company, and if so, what is the reason of the increase?

Mr. WHITE: This is a very substantial increase of $50,000. It is principally due to two things. First, my hon. friend (Mr. Murphy) may be aware that I have been endeavouring to improve the character of the Dominion note circulation, particularly with reference to Dominion one and two dollar bills, which constitute the small change, in the way of notes, used by the Canadian people. Early in the year I took the matter up with the several banks and asked them to co-operate, so that when any of their branches received a soiled, torn or defaced note, they would forward it to the nearest office of the Assistant Receiver-General and receive a new note in exchange. So successful has that been, that, during the past year, the circulation of ones and twos has been almost completely renewed. I do not mean to say that there are no outstanding soiled, defaced or torn bills. On the 31st December, 1912, there were, of one dollar notes, $12,000,000 in circulation and new notes had been issued to the amount of $11,572,000. We redeemed over $10,000,000 of ones last year. Of twos there were in circulation, on the 31st December, 1912, $9,000,000; we issued $7,000,000, and in that case we redeemed $7,000,000. It will be seen that the circulation of ones and twos has been almost completely renewed during the past year. That necessitated the printing of new notes. In addition to that we withdrew the four dollar bill and substituted the Dominion five dollar bill. There was a very great demand for these Dominion fives last fall during the crop-moving period when the call for circulation is at its greatest. We issued $13,000,000 of these new five-dollar notes. It has been in connection with the redemption of the ones and twos and the issue of the new fives that this increased cost has been incurred.

Mr. MURPHY: It has already been incurred ?

Mr. WHITE: The expenditure has been incurred and this estimate is based on that.

Mr. CARVELL: What is the custom adopted by the department in calling in these worn and filthy one and two-dollar Dominion notes ? I presume there must be some regulation and I would like to see it made stricter than it is. I do not think that anybody will object to the extra cost of printing these notes if we can have a cleaner currency. One of the things that impressed me more than any other when I came back from the other side of the water was the filthiness of our currency, and I presume that it has impressed every man who has travelled abroad. I never realized before how filthy it was and I think that the ones and twos are the worst of all.

Mr. WHITE: There is no legislation, nor can there be any legislation, that will compel, let me say, my hon. friend, who may have a soiled two-dollar bill in his possession, to exchange it for a new note. There are deposits taking place in the various branches of the banks throughout the Dominion from day to day. We requested the banks to actively co-operate with the department in the attempt to improve the quality of the Dominion note circulation and I must say that they very willingly responded and the result has been on the whole most gratifying. I think that the quality of the Dominion notes will be substantially improved, within the next year or so; in fact, it has been substantially improved up to date as has been attested by the figures which I have given. The several branches of the various chartered banks forward, to their head offices, any soiled, torn or defaced notes. When they come to the principal offices in the various centres, such as Winnipeg, Victoria, St. John, Toronto or Halifax, they send them to the offices of the assistant Receiver General which have supplies of new one and two-dollar notes, and which take in these old notes, cancel them in the cutting machines and issue new notes in their places. Then the old notes are forwarded to Ottawa, the necessary entry is made in our books, the notes are burned and a record is kept of the amount so destroyed. All we can do is to work through the banks in order to get new notes into circulation. You cannot compel an individual to exchange notes.

Mr. GERMAN: Why cannot the notes and bills in circulation in Canada be issued and made redeemable by the Dominion Government and pass current in any part of the world in the same way as bills or notes issued in the United States pass current? If a bill or note is issued in the United States it is issued by the Government of the United States.

Mr. CARVELL: No, the National Banks issue notes.

Mr. GERMAN: But they are all guaranteed by the United States Government. The Government of Canada issue one, two and five-dollar bills. Why cannot they issue all the bills and distribute them among the banks, the Government being responsible for the notes and bills which they issue, so that when a man goes to New York, Washington or Philadelphia, or any other place away from the International boundary line, with bills in his pocket people will take these notes at par? At the present time, if you have a note of any one of the banks of Canada, you cannot pass it a hundred miles south of the international line. In many places they will not take it at all. In some of the hotels in New York, where they have a large Canadian business, they will take our Canadian bank bills, but in Philadelphia or Pittsburg you cannot pay your hotel account with a Canadian bank bill. Why is that? I think it would be different if these bills were all Canadian Government bills, because they would know that the Canadian Government would be responsible for them. I am not a banker and I have not had very much business with banks except to lose money with them, but it does seem to me that the Government of Canada could just as well issue all the bills and be responsible for them, and make the banks responsible to the Government in exactly the same way as they are responsible at present.

Mr. WHITE: My hon. friend has raised a large question, which has been very much discussed by financial men, and on which a very great variety of views prevails. Neither Canadian bank notes nor Dominion notes are legal tender in the United States, nor would my hon. friend be compelled to accept notes of the national banks of the United States in payment of a debt unless he chose to. Our people seem to take United States bank notes without question, and on the other hand in the United States, in some places, they take the notes of Canadian banks. Here, from day to day, the notes of one bank, received by another bank, are presented, and clearance is made in gold as between the banks. If my hon. friend presented a Dominion Government note in any city of the United States one hundred miles south of the boundary, that note would have to be returned to Canada for redemption, and I suppose that is one reason why it is not accepted. Another

reason is that in the United States they do not extend to us the courtesy we extend to them, although, in 1907, we had no difficulty in cashing our bills in New York or elsewhere. Questions of this kind will be fully discussed in the committee on the Bank Act, and at this late hour I do not suppose my hon. friend (Mr. German) would expect me to enter into a dissertation on such a very wide question.

Mr. GERMAN: Is it absolutely necessary that the Dominion Government should keep a reserve of gold to redeem the notes, or, is not the credit of Canada good enough without the gold behind it? It has always seemed to me that we should have some way of issuing notes which the people of the United States would take, so that when we get away from home with ten or fifteen dollars of Canadian money in our pockets, we could pay our hotel bill without having Canadian notes refused or having to pay a discount on them.

Sir EDMUND OSLER: If the hon. member has ever tried to pass a Dominion Government note in any town south of the border he will find that it will not be taken any more readily than a Canadian bank note. A Dominion Government note has no more credit anywhere in the United States than has a note of a Canadian bank.

Mr. GRAHAM: Some of the leading Canadian banks have branches in United States cities, and if they could let it be known that Canadian notes would be taken at these branches, that might help to solve the difficulty.

Sir EDMUND OSLER: That might be all very well in New York; but when you went to some small town in the United States you would have the same difficulty as at present.

Mr. GRAHAM: My trouble is about New York; I never spend my money in a small town if I can get as far as New York. It does strike me that banks with branches in the United States cities could relieve the situation without inconvenience and probably with profit to themselves.

Sir EDMUND OSLER: The Bank of Montreal in New York will redeem Bank of Montreal notes.

Mr. GRAHAM: There is no question about that, but there must be some lack of knowledge that the Bank of Montreal is there or else leading business men in New York would not hesitate to take Bank of Montreal notes at par.

Sir EDMUND OSLER: In Canada we require a great many American bills to supply travellers who are going to the States; and in fact it is very often difficult for a person going to New York to get a sufficient quantity of American bills to pay his expenses.

Mr. GRAHAM: The difficulty sometimes is to get enough of any kind of bills.

Sir EDMUND OSLER: The consequence of that demand for American bills here is that Canadian business people are ready to take American notes because they can always get rid of them.

Mr. CARVELL: It occurs to me that if the Bank of Montreal, for example, would make it known in an American city in which it has a branch, that it would redeem Canadian bills at par, it would facilitate the taking of Canadian bank notes by the business people. We know that a Canadian branch bank in an American city can receive Canadian money but it cannot issue its own currency. It seems to me it would cost only the merest trifle to get that money back to Canada. In some places, in the New England States, they will take Canadian Government bills, but they will not take Canadian bank bills. My experience in Boston is that you can get rid of Canadian Government bills at their face value. That may be because there is so much intercourse between the maritime provinces and that city. In Portland, which is 100 miles from Boston, Canadian Government bills pass at their face value in the stores and elsewhere. If Canadian banks, which have agencies in the large centres of the United States, would exert themselves a little, they could remedy this difficulty, and perhaps the Minister of Finance might have some influence in the matter.

Sir EDMUND OSLER: They would not be allowed to do business in any state of the Union, if it was known that they had an office there for the redemption of notes.

Mr. SINCLAIR: I think my hon. friend from Carleton (Mr. Carvell) is misunderstood. His proposal is that the banks of the United States should be induced to do what we are now doing in Canada. In the same item, we are proposing to expend $15,000 for the purpose of sending American coin back to the United States. Could a similar arrangement be made with the banks of the United States by which they would return Canadian currency to Canada, so as to promote the circulation of our money in the United States?

Sir EDMUND OSLER: The Americans want to prevent the circulation of our money there absolutely. While the banks can redeem notes as a matter of courtesy, if they did it as an established business the United States would prevent them from doing business. It cannot be done officially.

Mr. CARVELL: I realize that the member for Toronto West (Sir Edmund Osler) knows a great deal more about banking than I do. Does he mean to say that it would be contrary to the license under which the Bank of Montreal does business in New York to redeem $1,000 of Canadian bills, if brought in there by a United States bank, by a hotel company, or someone else? It is only a matter of exchange of money. If my friend from West Toronto says that it is a condition of the license under which the Bank of Montreal is doing business there, I accept his statement, but I am very much surprised to hear it.

Sir EDMUND OSLER: No Canadian bank can have an office under its own name in the United States. The Bank of Montreal is not really the Bank of Montreal there, but carries on business through certain agents. The bank might redeem notes as a matter of courtesy; but if they did it as part of their business and advertised that they were redeeming their own notes, or in other words were circulating Canadian money in the United States, they would be turned out and their license cancelled.

Mr. BUREAU: Do I understand the hon. member to state that the Bank of Montreal is not doing business in New York under its own name?

Sir EDMUND OSLER: No; two or three men act as its agents. Their names are on the door, not as the bank, but as its agents.

Charges of management—printing, advertising, inspection, express charges, &c., $30,000.

Mr. BUREAU: What is the $5,000 increase?

Mr. WHITE: That is in connection with the distribution of Dominion notes. In the supplementary estimates for 1912-1913, there was a similar item for printing, advertising, inspection, express charges, &c., further amount required, $5,000. It is on account of the demand for $5 notes. There are insurance charges and certain other charges in connection with them, and we estimate that for 1913-1914 a further increase of $5,000 will be required for that purpose.

Charges of management—commission for payment of interest on public debt, purchase of sinking funds, $50,000.

Mr. MACDONALD: Where is that commission paid and is it paid under some fixed agreement or does it depend on fluctuations in the market?

Mr. WHITE: It is paid under a fixed agreement which we have with the Bank of Montreal. As I stated to the House the other day, I negotiated a new agreement with the Bank of Montreal for a period of five years, and the rate was to be the same as during the past ten years with the exception of two items. There is a reduction of one-half of one per cent on overdrafts, and a provision, that we pay one-eighth of one per cent upon drafts cashed by the Bank of Montreal in London, has been cancelled, so that the new agreement is to that extent more favourable to the Dominion than the agreement which terminated at the end of last year.

Mr. MACDONALD: Did any other bank compete for a share in that agreement?

Mr. WHITE: As I stated the other day, the Bank of Montreal had rendered excellent service to the Dominion, and I was very glad to renew the arrangement with them. We did not call for tenders from other banks, nor were any representations made by other banks with respect to the matter.

Mr. MACDONALD: As a result of that arrangement, there is a saving of $10,000?

Mr. WHITE: No. There will be a saving in connection with the two items that I have mentioned; but this commission for payment of interest on the public debt, purchase of sinking funds, depends on the amount of interest paid on the public debt and the amount of sinking funds purchased. There has been some reduction in the public debt during the past year, and we estimate that for the year 1913-1914 there will be a less amount by $10,000 paid by way of commission for payment of interest on the public debt and purchase of sinking funds than for the past year.

Mr. SINCLAIR: I understand this is commission which we pay on interest payable in London on our bonds. What is the rate that we are paying to the Bank of Montreal when it meets our liabilities there?

Mr. WHITE: We have an arrangement with the Bank of Montreal by which they discharge our debt at the rate of £150 per million dollars of debt. They pay the interest as it matures, that is apart from these other charges that I have mentioned

Brokerage on purchase of sinking funds, $5,600.

Mr. BUREAU: There are two items: 'Commissions for payment of interest on public debt purchase of sinking funds,' and 'Brokerage on purchase of sinking fund.' Why the second one?

Mr. WHITE: My hon. friend knows that in the operation of a sinking fund you buy your own securities on the market. These are bought through a broker. The Bank of Montreal, our fiscal agent, let us say, desires to expend certain moneys in sinking fund operations. They give an order to a broker to buy, and this money is for the

brokerage charges in such a case. These are listed securities.

English bill stamps, postage, &c., $20,000.

Mr. GRAHAM: There is an increase there of $8,000. Does that mean that the minister is going to borrow a great deal more money, and so needs more bill stamps?

Mr. WHITE: No, that means that during the past year, we have been, and will continue to be, remitting money to London to meet our maturities. We purchase exchange on London—sixty-day bills; that is the usual way in which it is done. In that way you make on interest. Last year, we made $100,000 by buying sixty-day bills. We will begin to buy soon to meet our July maturities.

Removal of foreign and uncurrent coin from circulation, $15,000.

Mr. GRAHAM: How much of that coin does the minister remove in a year?

Mr. BUREAU: Before the minister answers, perhaps I may be allowed a question. Reference here is made to 'Uncurrent coin.' I suppose that includes coins that are defaced. Sometimes there you are offered a coin that is so defaced you cannot see any stamp on it at all. Is there any understanding with the banks in relation to defaced coins such as there is in the case of bills?

Mr. WHITE: Yes, to some extent they present them. With regard to the removal of foreign coins, the committee is aware that there is a seignorage or profit upon the silver coinage that we issue. That is one reason for the arrangement we have that American silver is to be exported—it is profitable to us that our own silver should be in circulation, and it is not desirable that the American silver should replace our own. The American silver exported in 1909, amounted to $900,000 and in 1912-13 to $1,700,000. We pay express and a commission of three-eights of one per cent to the exporting bank.

Mr. BUREAU: And Canadian coins are returned to the Receiver General's office?

Mr. WHITE: Yes.

Mr. CARVELL: I do not think the minister has understood the question of the hon. member for Three Rivers (Mr. Bureau). I think the hon. gentleman wishes to know if the Government is doing anything to call in silver coins that have become badly worn and are not really worth their value as silver. He asks if this is being done as it is done with regard to bills. The minister explained that the banks are encouraged to bring in worn bills and have them re-issued. I do not suppose he has that arrangement with regard to silver coins.

Mr. WHITE: No.

Mr. GERMAN: I do not understand what this item means, and I ask the minister to explain it to me. Why is the Government of Canada expending fifteen thousand dollars for the removal of foreign and uncurrent coins from circulation? Are they buying them?

Mr. WHITE: There is a great deal of American silver in circulation in Canada. I pointed out that there was a profit on the coinage of silver; that profit amounts to forty or fifty per cent—I have forgotten exactly. If American silver replaces our own silver, it means that we lose the profit upon that amount. Therefore, it is in the interest of the Dominion to export American or other silver that is in circulation here. So an arrangement was made with the several banks under which they agreed that for a commission of three-eighths of one per cent and the payment of the express charges, as American money comes in, deposited in the usual way, they would send it to the United States where it is current and get its equivalent in gold.

Mr. GERMAN: But if you get it back in American gold or silver that means bringing it back into Canada?

Mr. WHITE: Not necessarily. The hon. gentleman now gets into the field of exchange, which is a pretty wide field. It does not necessarily come back in the form of gold; it might come back in the form of manufactured articles, or settlers' effects, or anything else.

Mr. GERMAN: But so long as American silver passes currently and is allowed to be taken, what in the name of common sense is the use of the Government of Canada paying out money to keep it out of Canada? I should think the Government would either declare that it shall not be current at all or else give up paying out fifteen thousand dollars to export it out of the country.

Mr. WHITE: The hon. gentleman confines his attention to the fifteen thousand dollars paid out, and overlooks the profit which is more.

Mr. BELAND: How much more?

Mr. WHITE: I have stated that the profit is forty or fifty per cent upon the silver, and the amount of the silver exported last year was $1,700,000. So, this is a profitable arrangement for the Dominion Government. American silver is not, of course, legal tender in Canada. It is taken only because some of the people along the border accept it and obtain its equivalent. The fact of the matter is that it is profitable for the Dominion to pay the banks to do this.

Mr. LEMIEUX: Will the hon. Minister of Finance inform me if the Government is still issuing twenty-five cent paper notes and twenty-cent pieces?

Mr. WHITE: I think that very few, if any, of the twenty-cent pieces are issued. It was my intention to have discontinued the issuing of the twenty-five cent notes, but taking the whole matter into consideration, and especially having regard to the fact that a large number of people make use of them for the purpose of ordering goods, I thought it inadvisable to make any change at the present time.

Mr. BUREAU: With reference to my question a few moments ago, what I wanted to know was if the Finance Department had made any arrangement to redeem or call in used Canadian coins. It is well known that, with regard to many of these coins, their value cannot be ascertained, owing to the extent to which they are worn. The Minister has explained that, so far as the Bills are concerned, there is an understanding to the effect that they shall be sent back to the Receiver General to be destroyed, and I think these coins should be sent back to the Mint and new ones issued against them.

Mr. WHITE: We continually exchange defaced coins; what I said was that I had not made any special arrangement with the banks with regard to getting them back.

Mr. BUREAU: Is it the intention to do this?

Mr. WHITE: We have not had it in mind, but I shall be very glad to give the matter consideration.

Mr. LEMIEUX: At the last Imperial Conference the British post office authorities insisted on having the privilege of circulating their postal notes in Canada, and a resolution was, I think, passed by the conference to the effect that in every post office in the Dominion where postal notes are issued and sold, these postal notes should be issued according to the English currency. When I was Postmaster General I objected to that demand being carried into effect, because I thought it would create confusion in view of the fact that we had our own decimal currency. However, the British post office authorities insisted to such an extent that I believe, as I have said, a resolution was carried at the last conference, and I would like to know if any arrangement has been made to carry that agreement into effect.

Mr. WHITE: Not to my knowledge. I laid on the table of the House last year, I think, a copy of the contract entered into with the American Bank Note Company, but, further than having negotiated that contract, or at all events, having called for tenders and accepted one of them, the matter has not been under the control of my department.

Mr. GRAHAM: I suppose my hon. friend has not appointed any person in his department except under the Civil Service Act?

Mr. WHITE: Not to my knowledge. The Deputy Minister looks after the appointments. They have been simply of temporary clerks or help.

Progress reported.

On motion of Mr. White (Minister of Finance), House adjourned at 11.25 p.m.

HOUSE OF COMMONS.

THURSDAY, March 27, 1913.

The SPEAKER took the Chair at three o'clock.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

BATHURST LETTER BOX SERVICE.

Mr. TURGEON:

Is it the intention of the Postmaster General to ask for tenders for the letter box service at Bathurst, N.B., at the expiration of the present contract held by Jos. J. Roy?

Mr. PELLETIER: The contract of J. J. Roy expires on the 30th June next. The department has arranged a new contract from 1st July with Narcisse Lavigne at the same price as now paid to Roy, viz: $150 per annum. Inviting tender is not necessary since contract is under $200.

PURCHASE OF ROSS RIFLES.

Mr. LEMIEUX:

1. How many Ross rifles have been purchased by the Militia Department since the 1st January, 1912?
2. At what cost have they been supplied?
3. Are there any orders under way from the same source?
4. What is the date of each order given and the price paid in each case?
5. Have said rifles been distributed to the various militia corps? If so, to which?

Mr. HAZEN:

1. 3,000 Ross rifles Mark II.
2. $25.00, plus $1.90 extra for Long instead of Short rifle; and for extra rear aperture sight base and chargerguide.
3. 8,000 Mark III rifles are still due on an order for 10,000 given November 3, 1911.

4. Date of order first above mentioned--March 21, 1912. Same as No. 2.
5. None have been distributed.

BRITISH-JAPANESE TREATY.

On motion of Rt. Hon. R. L. Borden, (Prime Minister) the House went into Committee to consider the following proposed resolution:

Resolved, that it is expedient to provide as follows:—
That a treaty signed at London on the 3rd day of April, A.D. 1911, between His Majesty the King and His Majesty the Emperor of Japan be sanctioned and declared to have the force of law in Canada, provided that
(a) Nothing in the said treaty, or in the Act to be founded on this resolution, shall be deemed to repeal or affect any of the provisions of the Immigration Act.
(b) Article VIII of the said treaty shall be deemed not to apply to Canada.

Mr. BORDEN: Hon. members are aware that the former treaty between Japan and Canada was denounced, and that a new treaty was entered into on the 3rd of April, 1911. So far as the interests of Canada are concerned, the new treaty does not differ very materially from the former treaty. This resolution is for the purpose of having founded thereon a Bill to ratify the treaty, subject to the provisions which are set forth in the resolution. I shall be prepared to give full explanations with regard to the matter on the second reading.

Sir WILFRID LAURIER: I think it would be more advisable to have the discussion on the second reading, when we shall have the full text of the treaty before us.

Mr. MACDONALD: Are copies of this treaty, which my right hon. friend proposes to ratify, obtainable by hon. members?

Mr. BORDEN: A copy is set forth in the schedule to the Bill, which I will introduce in a moment, and the Bill will be ready for distribution almost at once.

Resolution reported, read the first and the second time and agreed to.

Mr. BORDEN thereupon moved for leave to introduce Bill, No. 156, respecting a certain treaty of commerce and navigation between His Majesty the King and His Majesty the Emperor of Japan. He said: The Bill is precisely in the terms of the resolution, except that section 1 given a short title, and that section 3 provides that the Act shall come into force on a day to be fixed by proclamation by the Governor in Council, and published in the Canada Gazette. The adhesion of Canada to the treaty must be notified in Tokio on or before the 5th day of May.

Motion agreed to, and Bill read the first time.

Sir WILFRID LAURIER: Can my right hon. friend give us any idea when he intends to take up this Bill for the second reading?

Mr. BORDEN: I will meet the convenience of my right hon. friend in that regard. For the reason that Canada's adhesion is to be notified on or before the 5th day of May, I would like to take up the second reading at some conveniently early date.

Sir WILFRID LAURIER: Hear, hear.

QUEBEC PILOTS' EYESIGHT TEST.

Hon. H. S. BELAND: I call the attention of the Government to the following dispatch which appeared in this morning's Citizen:

Quebec, March 26.—Dr. H. B. Fritz, oculist, of St. John, N.B., and Wreck Commissioner Lindsay, from Ottawa, arrived here to-day and commenced to test the eyesight of the Quebec pilots. It is said the old test is being used. There is some dissatisfaction existing at bringing an outside oculist here to perform the duty when there are so many capable members of the profession here.

I ask the hon. Minister of Marine whether Dr. Fritz is permanently attached to his department or to any other department of Government, and, if he is not, I ask for what particular reason the oculists and opticians of the city of Quebec have been overlooked in this matter.

Hon. J. D. HAZEN: The statement read by my hon. friend is quite correct. The appointment of an outside oculist was made on the unanimous request of the commission which is investigating the pilotage conditions below Quebec and which commission comprises Captain Lindsay, Wreck Commissioner of Canada, Mr. Adjutor Lachance, Chairman of the Pilots of Quebec, and Mr. Robb of the Shipping Federation. These gentlemen sent a unanimous request, signed by all three, that an oculist who was not local and who was outside entirely of Quebec should be employed to examine the pilots as to their eyesight. That recommendation, I say, was unanimous by the members of the Commission including the presidents of the pilots. Dr. Fritz is a gentleman of excellent standing in his profession and is far enough removed from the scene to be beyond any suspicion of being influenced by local considerations.

Mr. BELAND: Was there any reason specified in the report why an outside oculist should be selected?

Mr. HAZEN: I do not think the commissioners gave their reasons; they made the unanimous request that it should be done.

Mr. BUREAU: Did they ask that an expert should be chosen outside of the province?

Mr. HAZEN: Outside of Quebec.

Mr. BUREAU: Outside of Quebec province or city?

Mr. HAZEN: I am not able to answer that.

Mr. BUREAU: It seems to have been interpreted against the province.

Mr. HAZEN: Their evident desire was to have someone appointed from outside who would not be influenced by local considerations.

Sir WILFRID LAURIER: Will the minister place that report on the table of the House?

Mr. HAZEN: I shall be very happy to.

SACKVILLE WHARF.

Hon. H. R EMMERSON: An order of the House was passed on the 12th of February for a copy of all correspondence, &c., in the Department of Railways at Ottawa or in the office of the Intercolonial at Moncton relating in any way to the new public wharf at Sackville, N.B. The return brought down contains the papers on file in the office of the Intercolonial at Moncton, but does not contain a copy of the documents on file in the department at Ottawa. I have been advised by parties in Sackville that they have sent petitions and memorials as well as correspondence to the department at Ottawa, and it probably has been an oversight that this has not been brought down.

Mr. BORDEN: I shall be pleased to direct the attention of the Minister of Railways to the observations of my hon. friend.

CHARGE OF OBSTRUCTION.

Hon. WM. PUGSLEY (St. John, N.B.): I desire, Mr. Speaker, to rise to what I think probably is a question of privilege. It is with reference to a statement made yesterday in the House by the Minister of Finance. I was not present at the time; but, speaking in regard to the third reading of the Bill to ratify the agreement between Canada and certain of the West Indian colonies, the Minister of Finance is reported in 'Hansard' to have said:

> The second reading of the Bill had taken place after discussion; it is a simple Act validating the agreement but the junior member for Halifax told me afterwards that as a matter of fact the Opposition were not willing that the Act validating this agreement should be passed into law in this House without further discussion; in other words, obstruction was to take place with regard to the discussion of the West Indian Trade Agreement just as it was taking place with regard to the Naval Aid Bill.

I was one of those who informed the Government that it was my intention to discuss, not at length, but briefly the West Indian treaty upon the third reading. I so informed the Minister of Customs, who at the time was acting as Minister of Trade and Commerce, after Mr. Foster had left for Australia; and I told him that my intention was to move that the Bill be referred back to the committee for the purpose of inserting a section providing that whenever the British West Indian colonies offered to Canada a preference of fifty per cent, the goods the product of the colonies enumerated in schedule 'B' should be admitted into Canada free of duty. I thought it was very important to test the sense of the House upon the question of the admission of West Indian products free of duty, particularly in view of what is recognized as the high cost of living in Canada and the desirability of reducing it as much as possible. But there was no thought, so far as I was concerned, of obstruction, and I am sure that my hon. friend from Halifax (Mr. Maclean) had no thought of that. Has it come to this pass, that no member of this House can discuss a Bill during its various stages without being charged with obstruction? If so, I wish to protest against such an idea. It does not follow at all that because any member of this House desires to discuss the West Indian Trade Treaty Bill or any other Bill upon its second reading or third reading or in committee stage, that we should be charged with obstruction. It looks to me very much like an attempt on the part of the Minister of Finance to prevent freedom of discussion in respect to important measures which come for the consideration of the House.

Hon. W. T. WHITE (Minister of Finance): I do not at all dissent from the view of the hon. member for St. John that Bills may be, and ought, if members so desire, to be discussed at all stages. That is so obvious that it needs no comment from me. But we have to take situations as we find them. I made the statement yesterday that obstruction had taken place in this House in connection with the Naval Aid Bill and I withdrew that statement because it was challenged as unparliamentary. I meant it in no offensive sense. I am not going to recall the circumstances of the past two or three weeks, but I must state my view that, as a matter of fact, obstruction did take place in this House.

Some hon. MEMBERS: Withdraw. Order.

Mr. WHITE: Before you decide, Mr. Speaker——

Mr. PUGSLEY: I submit that the hon. minister is out of order in charging members of the House with obstruction.

Mr. WHITE: With your permission, Mr. Speaker, I desire to discuss very briefly the point of order.

Mr. SPEAKER: I think the hon. member is within his rights to make the explanation or to discuss the point of order.

Mr. WHITE: I have taken the trouble to look up the matter since yesterday; and I believe, although I leave the decision entirely to you, Mr. Speaker, that if I make the statement that obstruction did take place as a matter of fact, I am not using an unparliamentary expression, especially if I say as I do say, that I am not using the word in any offensive sense. I therefore desire to have your ruling as to whether the word 'obstruction' used in the sense which I attribute to it is parliamentary.

Mr. PUGSLEY: The question my hon. friend the Minister of Finance has raised is quite an important one. In considering the weight which will be given to the remarks of my hon. friend, it is necessary to have regard to what he considers to be obstruction. I find that yesterday he made the statement that, as he had been informed that some members of this House desired to discuss the West Indian Trade Agreement, upon the third reading of the Bill, that meant obstruction. Therefore, I take it that the view of my hon. friend is that, even although there may be reasonable discussion of the Bill, if that discussion is continued for a length of time which my hon. friend may think too long, that would be obstruction. There is no warrant at all for my hon. friend making the suggestion that, simply because it was intended to discuss the West Indian Trade Agreement on its third reading and to move an amendment, that meant obstruction.

On the point of order, I submit that my hon. friend must obey Your Honour's ruling of yesterday. If he, because he is an important member of the Government, is not bound to obey that ruling, then, Sir, it will be equally free for every member of this House to disobey the ruling of the Speaker and to refuse to be bound by such ruling. This question came up yesterday, any my hon. friend from Red Deer (Mr. Clark) raised the point of order. He said:

> I raise the point of order. I ask your ruling, Mr. Speaker, as to whether it is in order for the hon. minister to charge the whole of the Opposition with being guilty of obstruction.

Mr. Speaker: On the point of order, I think that the term obstruction is not regarded as a permissible, parliamentary expression.

Surely my hon. friend ought to bow to that ruling, to treat it with the respect and not to discuss it. My hon. friend's idea of what is obstruction seems to be very hazy. If my hon. friend had his way, members on this side of the House might just as well go about their business and let hon. gentlemen opposite carry on the parliamentary work of the country.

Mr. WHITE: In view of the delicate susceptibilities of my hon. friend from St. John (Mr. Pugsley) whom I would not for the world offend in any way, and as the word 'obstruction' seems to be objectionable, I shall withdraw it, and say that——

Mr. PUGSLEY: Let us have the point of order.

Mr. WHITE: I have withdrawn the word, because it is objectionable to my hon. friend.

Some hon. MEMBERS: Order, order.

Mr. WHITE: I had every reason to believe, from the course of the debate previous to a week ago Saturday night, that it was not the intention of my hon. friend to facilitate the passage of the Bill validating the West Indian Trade Agreement. I still believe that.

Mr. PUGSLEY: Upon what does my hon. friend base that belief? I can say to my hon. friend that I took an active part in the discussion on the West Indian Trade Agreement, and I never hesitated to say that I would facilitate in every way the passage of the Bill. There was one phase which I wanted to discuss. The same explanation holds good for my hon. friend who represents the city of Halifax (Mr. Maclean). Long ago I urged the Minister of Trade and Commerce (Mr. Foster) to bring on the third reading of the Bill, and I told him that there would be no disposition on my part not to facilitate its passage, subject to making some remarks on the question of increasing the preference and of bringing in certain West Indian products free of duty.

Mr. WHITE: I am still of the opinion that my hon. friend from St. John was not disposed to facilitate the third reading of the West Indian Trade Agreement. My hon. friend stated that was his intention, but I think that both this House and the country are entitled to rely upon what was done and not upon what was said.

Mr. PUGSLEY: May I ask my hon. friend what was done?

Mr. SPEAKER: Order. I am afraid the discussion is getting beyond reasonable bounds.

Mr. A. K. MACLEAN (Halifax): Might I be allowed to say a word or two on this matter?

Mr. SPEAKER: No motion is before the House, and it would be quite irregular to discuss the matter. That could only be done by permission of the House as a matter of privilege, because the hon. gentleman's name was mentioned.

Mr. MACLEAN: As a matter of privilege, Mr. Speaker. It has been called to my attention that the matter of the passage of the West Indian Trade Agreement was under discussion yesterday, and my name was mentioned to the effect that I intimated to the Minister of Finance that the Opposition contemplated such obstruction as to cause the Government to defer consideration of the third reading of the Bill. Such is my information, although I have not had an opportunity of reading 'Hansard' very carefully. I hope, however, I am stating the facts correctly. I notice that on page 6595 of 'Hansard' the Minister of Finance said:

> The second reading of the Bill had taken place after discusssion; it is a simple Act validating the agreement but the junior member for Halifax told me afterwards that as a matter of fact the Opposition were not willing that the Act validating this agreement should be passed into law in this House without further discussion; in other words obstruction was to take place with regard to the discussion of the West Indian Trade Agreement just as it was taking place with regard to the Naval Aid Bill.

I might observe that the deduction or inference which the Minister of Finance made in the latter part of his statement seems an unfair one, namely, that my information to him was that the Opposition were not willing that the Bill should be passed into law without further discussion. There is certainly a distinction between discussion and obstruction. About two weeks ago—speaking from memory; I do not pretend to be accurate as to the date—I suggested to the Government and the Minister of Finance the desirability of immediately validating the West India agreement, and I gave some reasons for so doing. One reason was that some of my own constituents were exporters and importers of the products mentioned in the schedules of the agreement, and therefore were very much interested in securing as quickly as possible the tariff advantages afforded by the agreement. The Minister of Finance, I think, intimated on that occasion that if the Opposition were agreed that the Bill should go through the third reading pro forma, he would bring it up; and I think he said upon the floor of the House that he would confer with me upon that matter. I think we did have a personal interview later, and I assured him there would be no lengthy discussion on the measure. I think I clearly intimated to him that the hon. member for St. John (Mr. Pugsley) and myself, so far as I knew, were the only members who would engage in any lengthy discussion of the matter, and that it would not take any great length of time. I am not sure that I said to the Minister of Finance anything to indicate what, in my judgment, would be the time consumed, but I have an impression that I said half a day or something like that. However, so far as I am concerned and so far as hon. members on this side of the House are concerned, the idea of obstruction in any such sense as suggested by the Minister of Finance was quite remote from our minds. It is in the interest of many of my own constituents, and of many other people in the province of Nova Scotia, that the Bill should be proceeded with and passed quickly, and I think I personally intimated to the House that I would abandon any debate upon the West India steamship service and would take that up when the estimates were reached. I trust I have made it clear that, so far as I was concerned and so far as hon. gentlemen on this side were concerned, there was no intention to obstruct the Bill in the sense that the Minister of Finance intimated.

Mr. WHITE: Just a word of explanation. I have no exception to take to the statement of my hon. friend except in one respect, in which his memory, I think, is at fault. He stated that he intimated to me that there would be no lengthy discussion. He has overlooked the fact that we had a discussion of the matter in the first instance, and then, just before he left as he he says, we had another discussion about it, a very brief one. It was in the discussion which took place the day before he left for the Easter holidays that he intimated to me that the discussion which he had in mind would not be lengthy. Previous to that, he had nothing to say about the length of the discussion; he merely said that the discussion was intended. I am not going into the question of what I gathered as to the purpose of the Opposition or whether it was properly gathered, but he is correct in stating that, so far as his own position was concerned, he certainly gave me the impression that he was in favour of facilitating the passing of the Bill. But unmistakably he also intimated that the discussion would take place, without any intimation as to its limitation, except on the occasion just before he left for the Easter holidays.

Mr. MACLEAN (Halifax): Just a further word. The Minister of Finance stated on the floor of the House some two or three weeks ago that he was quite willing that the Bill should go to its third reading, provided that we would practically guarantee on this side of the House that there should be no discussion, that no time would be consumed. I think that in the personal interview with the Minister of Finance, he further desired that statement from me. I think I stated to him that some little time would be required for discussion, but I think I made myself clear—I certainly intended to do so—that, while some little time would be consumed in the discussion of the Bill, nothing like obstruction was within the mind of any person on this side of the House.

Mr. CARVELL: May I rise to a question of privilege? I was not here yesterday afternoon when the Minister of Finance made the statement referred to. But apparently a new doctrine has been promulgated in this House, the doctrine that the members of the Opposition have no right to discuss a Bill——

Mr. SPEAKER: The hon. member is going beyond the question of privilege.

Mr. CARVELL: All right, I will keep to the question of fact. As a matter of fact, I do not consider myself bound by any arrangement between the hon. member for Halifax and the Minister of Finance. In the second place, I have been carrying around for over a month an amendment which I intend to move when the third reading of this Bill is proposed. This amendment, in my opinion, is vitally important to my constituents. I wholly dissent from the doctrine that I have no right to discuss the Bill.

Mr. BUREAU: Before the Orders of the Day are called, in view of the statements made here—and I can see no other conclusion to be reached than that there is no obstruction intended by the Opposition—may I ask the Minister of Finance when he intends to bring on the third reading of the West India Bill?

Mr. WHITE: I will announce that in due course.

THE NORTH ATLANTIC ROUTE—ICE CONDITIONS.

Hon. RODOLPHE LEMIEUX (Rouville): May I ask the Minister of Marine and Fisheries if he has any statement to make to the House with respect to the ice patrol in the St. Lawrence? I see it stated in the papers that Canada is co-operating with Great Britain in regard to this matter.

Hon. J. D. HAZEN (Minister of Marine and Fisheries): I shall be glad to give the hon. gentleman the information he desires. I presume he has seen the announcement recently made by the Marine Department of the Imperial Board of Trade, that arrangements had been concluded for reporting the location and the movements of ice along the route of trans-Atlantic steamships during the spring months. This announcement is one of very great importance to shipping interests. The Titanic disaster of last spring and the subsequent inquiry respecting it made the desirability of this step abundantly clear. For this purpose the Scotia was despatched on the 8th instant to latitude 44° north, longitude 60° west, with instructions to report on the way any ice met and also to endeavour to note its southern limit. After having done so, the Scotia will proceed to St. John's, Newfoundland, noting and reporting ice conditions met with. While at St. John's the Scotia will get into communication with all wireless stations on the Newfoundland, Labrador and Canadian coasts, and as accurately as possible ascertain existing conditions and the direction in which the ice has commenced to move. From St. John's the patrol boat will proceed to and report the southern limit of the driftng ice. Having located and reported the southern limit, the patrol will be northward to report icebergs or field ice along the coast of Newfoundland, and as far as Hamilton inlet. From this point, a return will be made, locating the eastern and southern limit of the ice and constantly advising in respect to the same.

The patrol is specially charged to be vigilant in the observance of ice nearing the steamship routes. The chief object of the expedition is to give warning to the steamship lines of the probable quantity of ice that will be in the vicinity of the track, and to give them any information that will assist them to form a judgment as to the advisability of giving any instructions for the greater safety of their vessels. On board the Scotia there are three scientists, the senior of whom will direct the movements of the vessel. They will take observations of the directions, velocity and depth of currents, together with the temperature and salinity of the water. In addition, meterological observations of the upper air, including the investigation of the currents and temperature, will also be carefully taken. Acting in conjunction with the board of trade, I have concluded an arrangement whereby all messages from the patrol boat will be forwarded to the signal office at Quebec and from there promptly furnished to all interested parties. In this way the shipping interests at all the river St. Lawrence and Atlantic ports will be kept informed of the prevailing ice conditions.

To supplement the work done by the Scotia under the direction of the board of trade, I have made arrangements whereby the Marine and Fisheries Department will, immediately after the opening of navigation on the river St. Lawrence, despatch the C.G.S. Montcalm to patrol Cabot strait, at the entrance to the gulf, from Sydney harbour to the south coast of Newfoundland. The location and movements of the ice in this region will be reported and full information will be furnished daily, or more frequently if found necessary, to the steamship companies. I have also arranged that Professor H. T. Barnes, of McGill University, who has, during the past several years, conducted experiments on one of the departmental steamers, shall be on board the Montcalm while performing this patrol service in Cabot strait. By means of his invention, the microthermometer, Professor Barnes has demonstrated the possibility of determining the approach to ice by any vessel equipped with his apparatus. Eager to avail myself of any scheme that promises to further safeguard navigation to the river St. Lawrence, I have directed that Professor Barnes, with a staff of assistants, shall join the ship in order to further demonstrate the utility of the invention, and with a view to its general adoption by shipping interests.

Mr. LEMIEUX: I think that is highly satisfactory to all the commercial interests of this country. I would simply suggest to my hon. friend that he should take into consideration the advisability of extending the Marconi system to Bird's Rock, which is the first point sighted by incoming ships. I mention this because of the fact that some members of the shipping federation have expressed such a desire.

Mr. HAZEN: I will be very glad to discuss the matter with the Deputy Minister of the Naval Service and the director of wireless telegraphy, and ascertain whether or not this is desirable.

Mr. LEMIEUX: If my hon. friend will also take into consideration the fact that the cable connecting Bird's Rock with the mainland often becomes broken through the action of the ice, thus working a great disadvantage to navigation, he will render a great service to the marine interests of that locality.

FISHERIES PROTECTION.

Mr. W. M. GERMAN (Welland): I would like to ask the Minister of Marine and Fisheries if any progress has been made with reference to the proposed treaty between Canada and the United States relating to the protection of fish in boundary waters, and if he will be able in the near future to make a report to the House in regard thereto?

Mr. HAZEN: I would rather not make any definite statement in regard to the matter at the moment, but I may say I have reasonable grounds to expect that action will be taken in the matter in the near future. I do not want to make that statement with any positiveness, as the conversation I had with President Wilson in connection with the matter was largely of a personal character, but I would be pleased privately to inform my hon. friend fully in regard to the matter.

PELAGIC SEALING.

Sir WILFRID LAURIER: Can my hon. friend give the House any information with regard to the present condition of the treaty concerning the suspension of pelagic sealing?

Mr. HAZEN: My hon. friend knows that a treaty was entered into with regard to pelagic sealing, and that it provided that the sum of $200,000 as the first instalment in connection therewith should be paid to the Dominion of Canada. This sum was paid, but when the treaty came before the Congress of the United States it was provided that there should be a total prohibition of sealing for a period of five years. The treaty provided that fifteen per cent cent of the seals killed on the United States islands should go to Canada, as well as fifteen per cent of those killed on the Russian islands and ten per cent of those killed on the Japanese islands. The effect of the action taken at Washington would be that for four years there would be no revenue to Canada from that source. This action is based on the idea that it is very much in the interests of seal life that there should be a total prohibition of sealing for a certain period of time, so that the herds, which had become seriously depleted, might largely increase in numbers. That view, I may say, is not the view entertained by a good many writers on the subject, and is not the view entertained by the fishery officers of the Marine and Fisheries Department of Canada, for although the male seal is polygamous and is usually surrounded by a harem of six or seven females nearly as many males are born as females and unless the males are constantly killed off they do a great deal of injury and kill many of the young seals in fighting for the possession of the cows. Another point with regard to the matter is that the skin of the seal is not of much value till after the third year. We have made representations to the authorities at Washington embodying our views in this connection, and the possible effect may be that this prohibition for a period of five years will be dispensed with, or the length of the period considerably shortened.

FENIAN RAID VETERANS.

Mr. J. H. SINCLAIR (Guysborough): I made an inquiry yesterday as to whether the policy of the Government in regard to the distribution of bounties to the Fenian raid veterans had been relaxed in any way. I notice in the papers that not only those parties who actually took part in the conflict at that time, but those who had drilled preparatory to going to the front, were to participate in the bounties. I would ask the hon. Minister of Militia and Defence if any change has taken place in his policy in that regard?

Mr. HUGHES: There has been no change whatever.

THE ST. LAWRENCE WATER LEVELS.

On motion for Committee of Supply:

Mr. F. B. CARVELL (Carleton, N.B.): Before you leave the Chair, Mr. Speaker, I desire to bring to the attention of the House a dispatch which appeared in the morning papers and which is of such vital importance that reference should be made to it at once. I find in the Montreal Gazette:

One of the most important investigations yet held into the water levels on the river St. Lawrence at and below Montreal will be undertaken in the course of the summer by a board just constituted by Hon. J. D. Hazen, Minister of Marine and Fisheries. The announcement is made to your correspondent that Professor Eugene E. Haskell, Dean of the School of Engineering of Cornell University, Ithaca, N.Y., William J. Stewart, chief hydrographer of the Department of the Naval Service, and Victor W. Forneret, superintendent engineer of the St. Lawrence river ship channel, have been constituted a board for the purpose of investigating and reporting to the Minister of Marine and Fisheries the whole questions of the water levels of the river St. Lawrence at and below Montreal.

This action on the part of the Marine Department is brought about by the contention in some quarters that further dredging of the ship channel will result in an easier flow to the sea, which would produce a diminution of the water levels afterwards. As the season for dredging is approaching and as the ambition of the department is to have a thirty-five-foot ship channel, the question is of great importance. The question of providing 'compensatory' works will also be considered. In certain parts of the river, where shallow water prevails, the necessity of erecting barriers to make the channel deeper will be considered. These barriers are called 'compensatory' works. The question of the relation existing between the Chicago drainage scheme and its relation to the depth of the water in Montreal harbour will also be reported upon.

The substance of the balance of the report is that Professor Haskell has been at Ottawa and is interested in this matter and that he is reported to be a person eminently qualified to give an opinion upon it. He has decided to come here and spend his holidays next summer and to act in conjunction with two officers of the department. He does not intend to make any charge except the ordinary expenses of his holiday trip. In my opinion, it is a matter of such grave importance that we require more than a holiday investigation by some professor of an American university.

Mr. HAZEN: Do not take it for granted that these statements are all correct.

Sir WILFRID LAURIER: That is in the Montreal Gazette.

Mr. HAZEN: Even the Montreal Gazette may be mistaken.

Mr. CARVELL: I have also a clipping from the Ottawa Citizen, which is usually pretty well informed. The Citizen says:

Providing for an investigation into the levels of the St. Lawrence river, and the effect thereon of further dredging operations, an Order in Council was passed yesterday appointing a commission consisting of Professor Eugene E. Haskell, of Cornell University, Ithaca, N.Y.; W. J. Stewart, chief hydrographer of the Government service, and V. W. Forneret, superintendent of the ship channel, to make the inquiry.

The memorandum of the order states that the contention has been advanced that the flow to the sea will be facilitated by further dredging with the consequential effect of lowering levels of the water above.

The commission also will report as to the need of compensating works to deepen the channel where the water is shallow. Further investigation likewise will be made into the effect of the Chicago drainage canal on the lake and river levels, for while the application for an increased flow was refused at Washington, it is claimed that even now the canal diverts a greater quantity of water than it is entitled to.

The commission will start work about the 1st of June Professor Haskell, who will be associated with the departmental officers, comes highly recommended as a scientific and hydraulic expert, and peculiarly qualified to direct the inquiry.

The only difference between the two reports is that the Montreal Gazette says that Professor Haskell is doing this during his holidays and makes no charge except his ordinary expenses. I have been given figures during the last three or four days that are of such tremendous importance that I would not care to take the responsibility of placing them in 'Hansard.' The minister will know whether the dredging or other operations or natural causes in the past have reduced the level of the water in the harbour of Montreal, in the last seven or ten years. The figures given me are astounding. It is argued that the great change which has taken place in the level of the water of the harbour of Montreal is due to the dredging operations and not to natural causes. That is a matter for argu-

ment. I sincerely hope that it may be due to natural causes and not to dredging operations. It is a most remarkable thing that this drop in the level at Montreal has been coincident with the making of a thirty-foot channel. The natural conclusion is that the channel has something to do with the change in the level of the water.

I need not urge on the minister the importance of the St. Lawrence channel to the people of Canada as a whole. It is the great artery through which the commerce of Canada must pass during seven or eight months in the year. While the passenger business can be handled from Quebec in the summer, and I even hope that some time it may be handled from the maritime ports, as I believe it might pay the great steamship companies if the passenger business was handled all through the year from a maritime port, the St. Lawrence channel to Montreal is essential to the carrying of the great foreign commerce of Canada. As our commerce develops it becomes more and more necessary that the channel should be deepened to thirty or thirty-five feet at almost any cost. That opens up the question of the deepening of the channel and canals to get to the great lakes. But I am now only discussing the deepening of the river channel from Montreal down to Quebec.

I find by reference to the last report of the Marine Department that the channel has practically been deepened to thirty feet. There have been sixty-five miles of this work done, seventy-two million cubic yards of material have been removed, and there remains only about two million yards to be taken out in order to complete the channel to a thirty-foot depth. Therefore, we may take it for granted that this has been completed. I find that very little has been done towards deepening the channel to thirty-five feet, some five million cubic yards have been taken out and some fifty-six millions remain to be taken out. If it be true that the deepening of the channel has simply created a bed through which the water runs, and the water simply drops down into the bed and we have no greater depth than before, our expenditure has been in vain. That seems to be the suggestion. Twenty years ago we had eighteen to twenty feet of water in the St. Lawrence and I am afraid that we have not very much more than that now although we have spent something like $14,000,000 and cut the channel down to thirty feet. The argument is that if you make a channel one thousand feet wide and thirty-five feet deep you take out the natural obstructions in the bed of the river and simply create a channel one thousand feet wide and thirty-five feet deep through which the waters run to the sea. If that channel were made deep enough and wide enough, the whole river would go into it, and therefore you would have, not an increase in the depth of the water, but a diminution, because you would accelerate the running water to the sea; you would have a greater current and less depth of water. In fact, I am told by people who think they know that even the present operations have increased the current very materially from what it was eight or ten years ago. I only mention these facts to show the enormous importance of this work. If it be a fact that the dredging operations have not increased the depth of the river to any appreciable extent, then there is something wrong with the plan which we have been following, and with the policy of the department. I am not saying this in a fault-finding sense, because it has been going on for a good many years. If the operations have had the effect which I have indicated, we need a more accurate, more scientific, and more authentic report than we will get from this commission.

I do not know the American professor; he may be one of the best men in the world. I do not know anything whatever about the two gentlemen who have been appointed to act with him. I understand that Mr. Stewart is the chief hydrographer of the department, whose duty it has been to keep the Government instructed as to the levels of the great waterways of Canada. Mr. Stewart may have instructed the department as to the water levels of the river St. Lawrence, or he may not. One would almost imagine that he had not kept the department instructed, or something would have been done before this. If the level of the St. Lawrence river has dropped to the extent which I am informed it has, some one has been remiss in his duty. The other gentleman, I understand, is the superintendent of all the dredging works. I believe that he also is a very well qualified man for the position, one of the best men in Canada I am told. Mr. Forneret is probably a very able man; I have nothing to say against him. But this work is of such importance to Canada that I do not think we should have it undertaken by a commission of gentlemen who have been carrying on the work for the last eight or ten years. I think we should go beyond these gentlemen, and beyond American professors, and go to Europe, or all over the world, in order to get the very best men available.

If it be true that our dredging operations are not giving us greater transportation facilities, then they are not only of no service but an actual injury, and we had better get the work done along different lines such as I see suggested in this dispatch, that is, along the lines of compensation in some way. I presume that would mean building obstructions in the bed of the river, and it might even mean

going so far as to build a dam across the river to form a lock. That perhaps would be the most complete way of doing it, but I understand that would be attended with great engineering difficulties, not only in connection with the building of the dam, but in connection with its maintenance in the future, as against the ice and so on. There might be some way of putting obstructions in the form of wing dams. However, I am not an engineer, and I am not trying to suggest what should be done. But if the dredging is not increasing the depth of the water, something ought to be done that will increase it, even if it takes $40,000,000 or $50,000,000 to do it.

Mr. EMMERSON: Why not $35,000,000?

Mr. CARVELL: If I mentioned $35,000,000, I would be charged with obstruction and declared out of order. I will say that if it takes $40,000,000 to create a thirty-five foot channel in the river St. Lawrence, to Montreal, it is the duty of the Government to do it, because it is of more importance than a navy or anything else I know of, not only to keep that channel but to make it so that it will accommodate the largest ship afloat to-day. In view of these facts I think we should have some statement from the Minister of Marine and Fisheries. I trust he will see his way clear to have this matter investigated by men who are entirely independent, who have no interest whatever except to give us the benefit of their scientific and practical knowledge, as to how to make the St. Lawrence river the great waterway of Canada.

Hon. J. D. HAZEN (Minister of Marine and Fisheries): I do not think anybody in this House, or anybody in Canada, would dissent from the statement made by my hon. friend from Carleton, N.B. (Mr. Carvell), with regard to the very great importance of creating and maintaining in the most efficient manner possible, a waterway on the St. Lawrence from the sea up to the city of Montreal. The importance of that I think has been recognized for many years past, with the result that very large expenditures have been made, year in and year out, for the purpose of improving the St. Lawrence channel, and of providing better means of access to the great port of Montreal for the ships which, during the open season of navigation, seek that port in order to bring commerce to the whole of Canada. It is not very many years since that the largest ships that were able to use with safety the channel in the St. Lawrence from below Quebec to Montreal, were vessels drawing only fourteen feet of water. But the country has gone on with the work of dredging that channel, deepening and widening it, until to-day ships drawing thirty feet of water can proceed with safety up to Montreal from the city of Quebec.

Mr. CARVELL: Does the hon. minister say that at low water periods during the last three or four years, ships drawing thirty feet of water have been able to get to the city of Montreal?

Mr. HAZEN: That has practically been the case, I believe, except during one short period of exceptionally low water. It has cost a great deal of money to accomplish that. When I came into the Department of Marine and Fisheries I found that the thirty foot channel was nearly completed, but owing to the fact that larger vessels will very soon be seeking a port at Montreal, it will be necessary, unless we intend to adopt a policy by which they would have to stop at the city of Quebec, to deepen that channel to thirty-five feet. The efforts of the department, and of those responsible for the dredging of the St. Lawrence channel, are now being directed to the undertaking with a view to having that channel deepened, as soon as can be with the equipment that we have, and that is being provided for us, so that vessels of thirty-five feet will, in the near future, be able to reach the port of Montreal during the open season of navigation. In the future it may even be necessary to deepen the channel to a greater extent, but as we go on deepening the channel, the question arises whether we can continue to do so, unless we provide some compensating works for the purpose of holding back the water at different points and without lowering the level of the water in the harbour of Montreal, and at other points along the St. Lawrence, thereby causing damage to shipping and to commercial interests.

I have discussed this matter a great deal with the officials of the department since I have been in office, and I came to the conclusion this year that it was very desirable that we should get information of the very best kind, and the very best opinion possible, so that in going on with the work, we might guard against doing injury as the result of deepening the channel in future. Discussing that matter with the officials of the department, with Mr. Stewart, who is a most capable man in my opinion, a man of highly scientific characteristics and scientific knowledge, who is chief of the hydrographic survey, and who has been in charge of that survey for some years past; and also with Mr. Forneret who, I think, is also a most satisfactory official, and I believe, a very capable man, and who is in charge of the dredging staff of the St. Lawrence river, I asked them if they could not undertake the work of thoroughly investigating the conditions and of taking the readings of the gauges that have been kept on the St. Lawrence for some years past, and if they could not, from a thorough study of the data and information available, make a report that would be of service in this work in the future.

These gentlemen very strongly urged upon me as did other officials of the department that to have this work done as it should be done it would be necessary to go outside of Canada for an engineer who was a specialist in this work. It was represented that while we have in Canada engineers of very great ability and learning we have not engineers whose energies have been directed in a course which would render them best qualified to deal with such a problem. It was pointed out that engineers in the United States had similar problems to deal with in connection with the Hudson, the Mississippi, and other rivers, and they strongly urged upon me the advisability of getting a man of great experience and great learning to act in concert with our own officials. Mr. Stewart had personal knowledge of Professor Haskell, dean of the Engineering School of Cornell University, having sat with him on the Waterways Commission, and I was advised that he was the best man in the United States, if not the best man in the world for such work. I was told that Professor Haskell was deeply interested in such work, that it was in fact a hobby with him, that he had great experience on rivers in the United States, and it was said that though a busy man he would come here and give us the value of his knowledge and experience. I concluded that there was no better man for this work than Professor Haskell, and that the work would be best done if he were associated with Mr. Forneret and Mr. Stewart, both of whom had local and scientific knowledge concerning the St. Lawrence river. I asked Mr. Haskell to come to Ottawa; he came and I discussed the matter with him; and the result was I made this report to council:

To His Royal Highness the Governor in Council:—

The undersigned has the honour to submit that he has had under consideration, a report from the superintending engineer of the river St. Lawrence ship channel, recommending that the services of an expert hydraulic engineer, experienced in the study of rivers and river improvements be engaged by the department to make, in conjunction with two engineers in the Government service, a careful and thorough examination of the water levels in the river St. Lawrence at and below Montreal, and to submit a comprehensive report on the subject to the undersigned.

Immediately following the receipt of the report alluded to, the undersigned caused inquiries to be made, and learned from reliable source that Professor Eugene E. Haskell, dean of the School of Engineering of Cornell University, Ithica, New York, was universally regarded as one of the foremost experts on the continent of America on all questions relating to water levels. On his invitation, Professor Haskell recently visited Ottawa, and fully discussed the project in hand with him and the technical officers of the department. The superintending engineer of the river St. Lawrence ship channel recommends, in view of the eminent qualifications of Professor Haskell, that his service should be retained to act in conjunction with two engineers from the Government service.

The undersigned, concurring in this view, recommends that Professor Haskell, dean of the Engineering School of Cornell University, William J. Stewart, chief hydrographer of the Department of the Naval Service, and Victor W. Forneret, superintending engineer of the river St. Lawrence ship channel, of the Department of Marine and Fisheries, be constituted a board for the purpose of investigating and reporting to the undersigned the whole question of the water levels of the river St. Lawrence at and below Montreal.

The undersigned further recommends that an allowance of $25 per day, inclusive of reasonable travelling and living expenses, be paid to Professor Haskell during the time that he is actuallly engaged in Canada as a member of the said board.

There is nothing in the report about the Chicago sanitary canal. That question is not to be dealt with by this board. This board will confine itself to the water levels from Montreal to the city of Quebec, with the special purpose of discovering the effect upon these levels of the dredging operations in the St. Lawrence, present and past. There is no reason for such an alarmist view as my hon. friend (Mr. Carvell) has gathered from a statement made to him by some gentlemen whom he did not name. If the experts find that the result of the dredging operations is to lower the level in the harbour of Montreal and to affect the river St. Lawrence in other respects, they will suggest what should be done by way of compensating work to prevent danger in the future. There have been different suggestions made for some years, one, that there should be a dam built across the St. Lawrence at a point somewhere below Verchères so that the water would be held back, and the ships pass through locks, which would obviate the necessity for enormously expensive compensating work. That suggestion has never been taken very seriously by those administering the affairs of the department. The work on the St. Lawrence channel has not been done in any haphazard way. When the river was first dredged the channel was found not to be wide enough and the work in later years, not only represents extra depth by dredging the channel, but it also includes the widening and straightening of the channel. In some places sharp curves have been straightened and in other places the channel has been widened so as to enable ships of large size to pass each other in safety. The hon. gentleman will see that the large expenditure to which he has referred has not been incurred for deepening the channel alone, but that a great deal has been expended in widening and straightening it.

Mr. CARVELL: I had no intention to find fault with the manner in which the work has been done. On the contrary, I think the work has been so well done that I fear it may result in giving the water easier flow towards the sea, and in that way lower the depth of water in the river.

Mr. HAZEN: I did not wish to convey the idea that the hon. member was finding fault, but I did get the impression that he considered the expenditure very large for the deepening of the channel. The men in charge of this work have been scientific and able men, and as the material has been removed from the dredged portion of the river it has not been deposited haphazard at the most convenient place, but placed so as to form bars to keep back the water, and in that way establish compensating works to a considerable extent. These gentlemen who have had charge of that work in the St. Lawrence were strongly of the opinion, and it was on their advice largely I acted, that in dredging the river St. Lawrence it was most desirable that we should get a report from the best possible authority. They were unanimous in saying that we had no Canadian engineer who had the kind of experience that was specially wanted, and they recommended Professor Haskell. Mr. Stewart told me he knew him personally; that he had discussed questions of this sort with him; that he sat with him on the Waterways Commission, and that he considered him one of the best men possible for the work. I am informed that there is probably not an engineer even in England who would have the necessary experience, that in the United States the engineers have been dealing with river conditions which are more analagous to the conditions in the St. Lawrence than would be the conditions on any of the rivers in the British Isles. My hon. friend stated that Professor Haskell was going to make this a holiday trip, and that he was making no charge for his services. That is not correct. Professor Haskell purposes to give to the consideration of the question all the time that is necessary. He believes that he will not require more than three months, with the data now available, with the gauge records that have been taken in the past, with the information in the possession of Mr. Forneret, Mr. Stewart, and the different departments here. For that work he makes, for a man of his attainments, the extremely reasonable charge of all his expenses and $25 a day. As the other members of the commission are both government servants, there is no provision for any extra remuneration for them.

Mr. PUGSLEY: What experience has Professor Haskell had in connection with this class of work?

Mr. HAZEN: He has had experience in connection with conservation work on the Hudson, the Mississippi, the Gulf stream, and so on. His experience has been of the most extensive character.

Hon Wm. PUGSLEY: The question of the St. Lawrence river ought to be dealt with as one question—the waters above Montreal as well as the waters below. It is the waters above Montreal that feed the harbour; therefore, if you can hold back the waters of the upper St. Lawrence and the waters of the lakes in the wet season, that is the best way to supply waters to the lower St. Lawrence in the dry season. Is my hon. friend not aware that, when this Government came into office, there was a commisssion appointed for considering a certain section of the St. Lawrence river? On that commission was Professor McLeod of McGill University. He is one of the best qualified engineers that can be found in America, and he has had a great deal of experience. I should be very reluctant to suppose that a professor of Cornell University, even with the experience which my hon. friend says Professor Haskell has had, would be better qualified to act upon a commission of this kind than Professor McLeod.

Mr. BORDEN: As far as I remember, the work which was to engage the attention of the commission to which my hon. friend refers, was not precisely of the same character as that with which the present commission proposes to deal. My impression is that the area to which the work of that commission was restricted was too small, and when the work proceeded it was found necessary to extend the area over a very much greater portion of the St. Lawrence waterway.

Mr. PUGSLEY: Does my right hon. friend not agree with me that all portions of the waters of the St. Lawrence are intimately connected? To get a greater share of water past this city in the dry season could not be accomplished by building conservation works below the Ottawa river, but by the conservation of the headwaters of this great river, two or three hundred miles above this city, with a view of utilizing the forces of nature in the spring of the year when the great floods are on, by holding those floods back by means of dams, and in the dry season by opening the flood-gates and letting out the water gradually for the purpose of increasing the flow of water below. Above the city of Montreal, we have in the vast St. Lawrence system with the great lakes, millions upon millions of cubic feet of water which in the flood season are going to waste. If that water can be conserved by dams on lake Erie or on lake Huron, or

perhaps by a dam at Niagara Falls, and can be let out in the dry season, you will get a good flow of water during that season. This problem cannot be solved by simply appointing a commission to study the situation between Montreal and the sea. You have to study the situation on the upper waters as well. There is a serious objection to the appointment of a foreigner, and more particularly an American citizen to consider this question, no matter how eminent he may be.

In my judgment, one of the greatest evils we have to-day in connection with the water supply of the St. Lawrence system, has been caused by what is called the Livingstone channel, which was dredged by the United States Government, without making proper provision for compensation works. The water of lake Huron is to-day at least eighteen inches lower on an average than it was thirty years ago. The lake St. Clair flats operated like a mill dam, holding back the waters of the two lakes; but, since that channel has been dredged out by the United States Government, the water has lowered. I do not know whether this work was done under the supervision of Professor Haskell or not, but I know that it has been done without a just regard for the rights of the Canadian people who are interested in preserving navigation. It might also interfere with the rights of American citizens, but they seem to have been more interested in getting a good channel for navigation that in preserving the water system.

With regard to the St. Lawrence generally, the commission to which I referred was appointed to consider a part of the St. Lawrence system. Professor McLeod was one of the principal members of that commission, and was appointed by reason of his scientific knowledge. Before recommending him to my colleagues, I made very careful inquiry, and I was informed that there was probably not upon the American continent any gentleman better qualified than Professor McLeod to occupy a position, in which the question of hydraulics was important. As that gentleman has been engaged already on work of a similar nature on the St. Lawrence, I think it is a pity that my hon. friend has found it necessary to overlook his qualifications and to appoint a foreigner. This commission was appointed to investigate the water levels of the St. Lawrence above Montreal and to consider what might be the effect of developing water-power and of constructing dams and other compensation works in order to hold back the water during the flood season and to improve the flow of water during the dry season. As I have said, it does seem to me that the whole question of the St. Lawrence system ought to be considered together. Now, just a word or two with regard to dredging operations——

Mr. SPEAKER: I would remind the hon. member that the House is not in Committee of the Whole. It seems to me that we are drifting into rather bad habits. It is permissible for the hon. member to speak once——

Mr. PUGSLEY: But this is a different subject I am speaking upon.

Mr. SPEAKER: I understood it was the same subject. The hon. member spoke, and the Prime Minister answered him.

Mr. BORDEN: My hon. friend has technically the right to speak only once on the motion to go into supply, no matter how many subjects may be brought up. But no one is raising that question. I think the hon. member for St. John had not concluded his remarks, but proposed what I understood to be a question; but his question has extended to a very remarkable length.

Mr. PUGSLEY: The question is a big one. With regard to the dredging below Montreal, I do not understand that the whole channel has been dredged; some portions have the requisite depth without dredging.

Mr. HAZEN: Yes.

Mr. PUGSLEY: But one of the most important dredging operations to be carried on was that through lake St. Peter, where the depth was only about eleven feet. Above lake St. Peter there was a greater depth, perhaps thirty or thirty-five feet. I suppose that the dredging out of a place like lake St. Peter has the same effect as the dredging across the St. Clair flats east of lake Huron, which some think has had the effect of lowering the water of lake Huron. What I rose for was to express my view that in order to do effective work in connection with the preservation of the navigation of the St. Lawrence, you cannot deal with a part by one scheme and another part by a different scheme. The St. Lawrence should be dealt with as one great system, the various parts of which are intimately connected with one another, and there should be complete investigation of the system with a view to conserving the whole waterway.

Mr. MURPHY: Before the hon. minister replies may I ask, if the commission of which Professor McLeod was a member, has made a report?

Mr. WILCOX: Did I understand the hon. member for St. John to say that the dredging of the Livingstone channel had affected the level of lake St. Clair?

Mr. PUGSLEY: What I said was that, from information I received from engineers, the dredging of the channel through lake St. Clair flats that, I understand, is not the Livingstone channel, but the channel across lake St. Clair had had the effect of lowering the water of lake Huron.

Mr. HAZEN: The hon. member for Russell (Mr. Murphy) asked me about the report of the commission of which Professor McLeod is a member. The hon. member for St. John (Mr. Pugsley) also referred to that. But until the hon. member spoke, I had never heard that Professor McLeod was a member of a commission. I can only say that the commission referred to was not under the Department of Marine and Fisheries. The commission would be one, I suppose, appointed by the advice of the hon. member for St. John when he was Minister of Public Works. I do not agree for a moment with the opinion of my hon. friend from St. John to the effect that it would be more desirable to appoint a commission to investigate the whole question of level of water of the St. Lawrence and the great lakes. The commission under consideration was appointed for a special purpose. The Marine and FisheriesDepartment is engaged under the direction of this Parliament, in the great work of maintaining and improving the channel of the river St. Lawrence. That gives rise to questions as to whether it is safe to go further in deepening the channel than we have already gone. The commission is for the distinct purpose of giving us information to guide us in carrying on that work. We want to know from them whether the work can be gone on with to a greater depth having regard to the safety of the protection of Montreal, and if this cannot be done without compensating works being constructed, what the nature of those compensating works should be. We want that information as soon as possible. The work of dredging the St. Lawrence cannot be allowed to stop even for a single season; it must be continued and gone on with as fast as possible. We cannot keep pace with the increased trade every season coming up the St. Lawrence to Montreal, and we cannot afford to delay the work; and therefore, with as little delay as possible, we should get information on the subject submitted to this commission. If a commission is appointed to consider the whole question of the water levels on the St. Lawrence and the great lakes, that will involve a work of years. The hon. gentleman (Mr. Pugsley) when Minister of Public Works was instrumental in the appointment of an international commission consisting of two from Canada and two from the United States to consider questions relating to the river St. John. That was three years ago and the commission has not reported yet. If a commission cannot report in less than three years on the river St. John, how long will it take a commission to report upon the whole question of the St. Lawrence and the great lakes?

Sir WILFRID LAURIER: There was a change in the personnel.

Mr. HAZEN: With one exception, the personnel of the commission is the same. One commissioner resigned and another was appointed in his place.

Mr. CARVELL: They had to go over all the work in that case.

Mr. HAZEN: The man appointed was a very able lawyer and would be able to work it out very quickly. I am finding no fault with that commission, nor am I saying that they have been too long in making their report. I am only citing it in support of my argument that a commission appointed to consider the whole question of the levels of the St. Lawrence and the great lakes must take a long time to make a report. Such a commission would have all sorts of questions to consider. The level of the water in the lakes varies. Some tell us that on the St. Lawrence and the great lakes for a period of years the water will rise and rise, then after seven years or so the high point is reached and the water begins to go down. The reason for that no one is able to tell with certainty. Then there is the question of the effect on the water levels of the clearing up of the country, the effect of the snow in the spring rushing out quickly as against the snow slowly melting in a country covered with thick woods. Then there is the question of the diversion of the water by the Sanitary Commission of Chicago. There are questions such as that referred to by my hon. friend with regard to the Livingstone channel which is to-day occupying the attention of the International Waterways Commission. All such questions would have to be considered by a commission that had to report upon the question of the water levels on the St. Lawrence and the great lakes; and years would pass before we could get a report. This would have to be considered if we appointed a commission for the purpose of dealing with the whole question of the water level on the St. Lawrence or the great lakes, and it would be a matter of years before we could obtain a report. We do not want to wait for years; we desire to carry on with all possible expedition the work of improving the channel, and that is the reason why I differ from the views of my hon. friend. I think it is better to limit the matter to an inquiry as to the changes brought about by the construction of the St. Lawrence channel.

Mr. PUGSLEY: For how long a period of time each year is there a scarcity of water in the harbour of Montreal?

Mr. HAZEN: It has not yet been satisfactorily demonstrated that there has been any lowering of the level of the water in ordinary years—of course the rainfall varies —as a result of the operations which have been carried on. As I have said, during some years there is an ample supply of water, and in others it is low; this applies to all our harbours and rivers. In the case of a great harbour like that of Montreal, every effort should be made towards ensuring that, no matter how light the rainfall or how dry the season, there will be ample water for the largest vessels that seek that port. Some alarm—perhaps I use too strong a word—some concern, at least, is being felt that if this work goes further serious difficulties may arise, and it is in order that we may have such information as will guide us in going on with the work that I recommend the appointment of this commission. We have had interviews with shipping interests in Montreal, and it is with a view more to guarding against what may occur in the future than to provide means to remedy any injury that has occurred in the past that the commission is appointed.

Mr. M. MARTIN (St. Mary's, Montreal): (Translation.) Mr. Speaker, as a representative of one of the Montreal divisions, allow me to say a word or two on the question now before the House. There is no doubt at all that the fact of having deepened the channel to 30-foot depth has had the effect of considerably lowering the water level. To be satisfied of this, you have only to look at the shallows on each side of the St. Lawrence river. Look, for instance, at the island of the St. Helen's, from the south shore; while, a few years ago, one could reach it in a boat, to-day one can go across on foot, at certain times in the year, between that island and St. Lambert.

The only means, in my opinion, when we have a thirty-five foot channel, will be to deepen a basin to thirty-five or forty feet, in order to enable the ships to reach the wharf.

I think the commission which is about to be appointed will have no trouble in solving this problem.

Although I am not an engineer, I perfectly apprehend that when you have a thirty-five foot channel, the front of the island of Montreal will also have to be thirty-five feet, in order to keep the water all the time. In my opinion, there is no other means of preventing the harbour of Montreal being flooded and facilitating the natural flow of the waters.

Mr. L. A. LAPOINTE (Montreal, St. James): I must congratulate the Government on having named a commission of this kind, in view of the necessity of studying the matter of the level of the river St. Lawrence between Montreal and Quebec. I have no objection to this course, in view of the fact that the Government has found good men for this purpose, and I hope that a report will be made as soon as possible and that the Government will act upon it.

Hon. RODOLPHE LEMIEUX: Personally I know the officials of the Canadian Government who have been appointed to form part of this commission and I can testify as to the great ability of Mr. Stewart and Mr. Forneret to deal with such matters. I regret, however, that the Government has not thought it proper to appoint Mr. McLeod, of McGill University, who is an engineer of the highest experience. Some two years ago, when work was contemplated on lake St. Francis, above Montreal, the Government of the day appointed a commission at the head of which was Mr. McLeod of McGill. He was recommended not only by the engineers of Montreal, but also by the shipping federation. The works contemplated in this instance were in connection with water-powers on the Beauharnois canal, and at Cedar rapids. We appointed Messrs. McLeod and Gear, of Montreal, and Mr Surveyer, also an engineer of great ability. There will certainly be some surprise that my hon. friend has thought it proper to go beyond the boundaries of Canada to obtain an engineer for the work that is now being contemplated. I agree with my hon. friend that the lowering of the level on the river St. Lawrence between Montreal and Quebec, whilst it might be due to the dredging which has been extensively carried on during the last twenty-five years, might also be attributed to the depletion of our forests, and to the drought which takes place at certain periods of the year. Speaking as a Montrealer, however, I wish to say a good word for our port, and to state that notwithstanding the spasmodic lowering of the water levels, Montreal still remains the leader of our Canadian ports. Looking at the statistics, I see that our business men in Montreal are having vessels loaded with the products of other countries, passing Quebec and coming directly to Montreal, even though they have a larger draught than the vessels which stop at Quebec. Coming up to Montreal we have the White Star liners, which are of a much larger draught than the Empresses, which shows that notwithstanding, the spasmodic lowering of the water level, the port of Montreal can still receive vessels of a large displacement. In the Commercial Review of last year, published by the Montreal Gazette, I find the following:

The feature of the navigation season of 1912 has been the increase in the passenger

traffic and the enhanced rates for freight, consequent on the present dearth of tonnage throughout the world. The passenger traffic increased eastward as well as westbound, but the latter increase constitutes a record for the port of Montreal, and is only approached by the returns for the year 1907. Another feature of navigation, and one that is likely to be more and more accentuated as time goes on, is the increasing size of tonnage of steamers. Not only have passenger liners increased, but the tonnage of colliers is also greatly in excess of former years. The Dominion Coal Company having invested in new steamers with a carrying capacity of eleven thousand to twelve thousand tons, the necessity for the deepening and widening of the ship channel,——

Which justifies the remarks of the hon. member for St. Mary's (Mr. Martin)—

—a work upon which dredges have been engaged daily throughout the season, is made manifest by this increase in the size and tonnage of steamers.

Vessels of the largest tonnage come to Montreal; notwithstanding the work in the channel the level of the water will permit them to enter the harbour. However, I quite agree that this commission is needed. It is certainly a national work of the greatest importance and I only regret that my hon. friend, who generally administers his department so well, and who comes from such a stout loyalist stock, has thought fit to go beyond the boundaries of Canada, has disregarded the ability and capacity of our Canadian engineers and has selected an American to preside over the commission.

Mr. W. M. GERMAN (Welland): I do not rise to express an opinion as to the deepening of the St. Lawrence below Montreal, although I apprehend that is a very important and necessary work, nor does it make much difference to me whom my hon. friend appoints as commissioner; but I think that the navigation of the St. Lawrence above Montreal is as important as that below Montreal and that the Government should at once take steps, by a commission, or by appointing engineers, to ascertain the best and most practicable means for securing a deep water channel from the foot of lake Ontario to Montreal. The Welland canal is to be constructed with a depth of thirty feet. That work, I hope, will be begun this summer. The engineer in charge says that it can be completed in five years. To make the money that is to be expended in deepening and enlarging the Welland canal useful and beneficial to the country the navigation of the St. Lawrence from lake Ontario to Montreal must, in some way, be improved, either by the construction of new canals paralleling the present canals which are fourteen feet in depth or by deepening the channel of the river itself, putting in dams across the river above the rapids and building locks in the river. I have heard eminent engineers say that that is the best means of improving the navigation between lake Ontario and Montreal. By building dams and locks in the river you will not only make a thirty-foot waterway available to Montreal but you will develop or give the opportunity for the developing of enormous hydro-electric power. Hundreds of thousands and I daresay millions of electrical power can be developed, sufficient I should think to pay the interest on the cost of the construction of such a work.

The Welland canal will be completed in about five years, and to make that as useful as it can be made, and should be made, you must extend the deep water navigation to Montreal. Then why not begin at once? Select your engineers, have the river thoroughly examined, have a full investigation made and ascertain what is the most practicable way of extending the deep water navigation to Montreal. If you do that I submit that the Government will be doing something which is an imperative necessity in the interests of navigation, of shipping and of transportation in Canada. It will cost a great deal of money, no doubt; but it is imperative that it should be done, and the sooner it is begun the better. The country can afford to begin now, and by commencing now it will be completed within a few years after the completion of the Welland canal. Then you will have a complete line of transportation, from the head of lake Superior to Montreal and to the Atlantic ocean, of at least thirty feet depth. Vessels can then load at Fort William or Port Arthur, 200,000, 250,000 or 300,000 bushels of wheat and discharge it in Liverpool. I would respectfully urge on the Prime Minister and his colleague the Minister of Public Works, who has charge of that river, that steps should be at once taken in this direction.

Hon. ROBERT ROGERS (Minister of Public Works): There seems to be some confusion of ideas in respect to these commissions in the minds of hon. gentlemen opposite. As I understand, the commission appointed by the Minister of Marine and Fisheries is a temporary commission for the purpose of seeing to the matter of the deepening of the St. Lawrence by dredging. This in no way conflicts with the proposed commission, in connection with which Mr. McLeod was named, to carry out a work such as has been so well described by the hon. member for Welland (Mr. German). I recognize the importance of the work that was necessary to be taken in hand by such a commission as that, and to that end I have offered the position to Mr. McLeod and to Mr. Surveyer, and

I am now in correspondence with those gentlemen. The only difference between them and myself is that they want to give only a portion of their time, and I think that the importance of the work is such that we should, if possible, have the full time of both of them for the commission to study the question of power in connection with the waters of the St. Lawrence as well as the storage of waters in the Ottawa river and the great lakes. We are to-day offering the position to those gentlemen and are hoping to secure them. The only question is that Mr. McLeod is tied up with his university work and he is afraid it would be impossible for him to give us all the time that we think we should have. I expect to see him shortly and we hope to arrange some basis to secure his services and go on with the commission for which $40,000 was voted last year and is to be re-voted this year. I quite agree with my hon. friend from Welland that this is a very important undertaking, and that it is necessary for us to avail ourselves of the services of the very best men to look into it.

Sir WILFRID LAURIER: Mr. Speaker, the commission of which my hon. friend has just spoken, was appointed by the late Government, and was composed of Professor McLeod, Mr. Gear and Mr. Surveyer. It had for its object the determination of the effect of certain electrical works which were contemplated at the foot of Cedar rapids, upon the navigation of the river at the Soulanges canal. It did not go beyond that. But there is a great deal in the suggestion made, I think, by my hon. friend the member for St. John (Mr. Pugsley) that the Minister of Marine and Fisheries should not be content with the commission which he has appointed, the object of which is quite laudable, but that he should appreciate the fact that the problem is much larger than the examination of the waters below Montreal. The object which my hon. friend the Minister of Marine and Fisheries has in view now is to determine what is the effect upon the levels of the river by the development of the channel which was commenced some sixty years ago in the St. Lawrence, and by cutting the bar at lake St. Peter. The expansion of the St. Lawrence by lake St. Peter, causes a difference in the level between the main river and the lake of some thirty or forty feet. The depth of the channel thirty years ago was not more than ten or twelve feet, but it was sufficient for the navigation of that day. As the tonnage of ships increased, however, it was determined to deepen the channel from eleven to fourteen feet; and again as the tonnage of ships increased, it was deepened from fourteen to eighteen feet, from eighteen feet to twenty-five feet, and from twenty-five to thirty feet, and now it is proposed to deepen it from thirty feet to thirty-five feet. It is remarkable that all this work was done without any preliminary scientific report. The reason is obvious. The Government of the day, whichever it was, was anxious to provide for the immediate facilities of trade, and without looking at the consequences of the work, the channel was deepened and again deepened, until from being eleven or twelve feet it is now proposed to make it thirty-five feet. Anybody who is not an engineer apprehends that as you deepen the channel you will likely empty the basin which is formed by the harbour of Montreal. The object which my hon. friend has in view is to ascertain the effect of that, and quite properly too. As to the personnel of the commission, I know Mr. Forneret and Mr. Stewart, and both are certainly most competent officers. No better selection could have been made. As for the American representative, perhaps he would be as competent as anyone we could select, because of the character of the waters to be examined, as the Mississippi and the Hudson are very much of the same character as our own St. Lawrence. But there is more than that in the problem. My hon. friend has very properly stated that there is no subject, of which so little is known, as the rise of rivers at certain seasons. What he stated a moment ago struck me very forcibly. During certain years the water level will go down, and down, and then rise without any apparent reason. It is impossible to find the cause of the river levels going down, and then going up during a succession of years. It is very important to study this subject, and I think my hon. friend the Minister of Marine and Fisheries would be well advised, not to be satisfied with the commission he has named, but to embrace the whole of the St. Lawrence system from the upper lakes to the city of Montreal. He will have to come to that sooner or later. Of course the level of the river is not affected by the work which is going on at lake St. Peter, but by other influences of which we know very little, and which will have to be studied again and again, not for one year, but for many years, and by men of the widest experience and knowledge.

Rt. Hon. R. L. BORDEN (Prime Minister): I think there is no doubt whatever that the work to which the right hon. gentleman refers must be undertaken.

Sir WILFRID LAURIER: Hear, hear.

Mr. BORDEN: But the object of my hon. friend the Minister of Marine and Fisheries was to ascertain in the most expeditious manner whether or not the dredging of the St. Lawrence channel between Montreal and Quebec has produced the result which

some persons have claimed. If it is producing that result, then it seems to me it would be the absolute duty of the Government to come to Parliament and present some proposal by which compensating works would be constructed in order that the work which has been carried on in the past, and which must be carried on in the future, will not be thrown away. That is the object which my hon. friend the Minister of Marine and Fisheries had in view. With regard to the personnel of the commission, I can only say that I do not know Mr. Forneret very intimately, but I have heard nothing but good reports of his ability. So far as Mr. Stewart is concerned, I have personal knowledge of his very great ability and of his great devotion to the public service. The other gentleman who has been appointed, Professor Haskell, of Cornell, has been selected for the reason that he seemed to have a unique experience in respect to matters of this kind. I think the Minister of Marine and Fisheries, acting upon information which was given to him by the technical officers of his department, took the only course he could have taken in appointing him.

The hon. member for Welland (Mr. German), has alluded to a very important matter indeed, the construction of certain works on the St. Lawrence river, that would create a substitute for the channels which are created by the canals. That subject has been brought to the attention of the Government on more occasions than one since we have assumed the responsibilities of office. Of course my hon. friend will realize at once that the conditions requiring attention are very comprehensive. Further than that, no such work could be undertaken without the consent and probably the co-operation of the Government of the United States, or, at least of the Government of the State of New York. There is some reason to believe I think, that the Government of the State of New York would be prepared to consider co-operation.

Mr. GERMAN: Have they not offered co-operation?

Mr. BORDEN: I would not like to put it so broadly as that; certainly not in any official way, but informally, I think, it has been stated that they would be prepared at least to consider co-operation, and to consider it favourably. So far as my limited knowledge and study of the subject would lead me to have an opinion at all, I am very much disposed to agree that there is a great deal of force in the observations which my hon. friend from Welland has addressed to the House this afternoon. So far as the water levels upon the river St. Lawrence, from Montreal to the great lakes, and up to the head of navigation, are concerned, there are a great many considerations to which attention must be given. There is the question which has arisen with regard to the diversion by the Chicago sanitary authorities, which was brought to the attention of the Secretary for War in the United States, at the hearing held last summer, when the sanitary authorities of Chicago sought for a permit from the Secretary for War to increase their output from lake Michigan, through the canal, from 4,163 cubic feet per second to, I think, 10,000 cubic feet per second. The permit was not granted by the Secretary of State for War, who afforded to the representatives of the Government of Canada a very courteous hearing indeed. In the result, the permit was not granted, although there is a rumour—I cannot say it is anything more than a rumour—that the application may possibly be renewed. The diversion is said, upon very good authority, to be very much in excess of the number of cubic feet per second which are allowed by the terms of the permit. The whole subject, I believe, was somewhat under consideration by the International Joint Commission at a recent hearing in reference to the compensation works which the Government of the United States desire to have constructed, partly upon Canadian territory, in connection with the Livingstone channel. The view was put forward by counsel representing the Government of Canada at the hearing, that it would be better to have the commission take into consideration the whole subject, and particularly to take into consideration the effect of the diversion through the Chicago canal. It would not be proper for me to make any further observations upon the subject because the determination of the International Joint Commission has not yet been given, but will, as I understand, be given at Washington on the 1st of April. I can only say that the discussion has been very interesting and very instructive and I would like to assure the House that the considerations which have been brought to our attention in connection with this most wonderful and important waterway, will not be lost sight of.

Mr. E. B. DEVLIN (Wright): It is not my intention to criticise any appointment to the commission, but, as the discussion has taken a rather wide range, I may be permitted to say something on a matter which has a direct bearing on our waterways system. The discussion has taken a wide range, and in fact hon. gentlemen opposite have talked of water, its power, its navigability, its depth, and they have wandered from the upper lakes down past the city of Quebec to Cape Race. They have, however, forgotten the Ottawa river which is the real connecting link between the upper lakes and the St. Lawrence. I was greatly interested,

and somewhat amused at some of the remarks of my right hon. friend the Prime Minister. He said that the discussion was certainly very interesting, and, no doubt, it was extremely so; and he proposed to take the improvements of the river St. Lawrence into his very serious consideration. But, he has been doing that for the last two years, and no doubt he will continue to do so, but I was waiting for him to say that there was another very important matter which has been brought to the attention of the House on several occasions, amongst others by his very worthy supporter from North Renfrew (Mr. White) and by other gentlemen interested in the development of the trade of this country, and I was waiting for a promise from the Prime Minister that he would take this also into his serious consideration. My hon. friend from North Renfrew (Mr. White) will notice that the Prime Minister, finding it was spring, thought it not safe to skate on very thin ice, and so he avoided, very ingeniously indeed, referring to the Ottawa river.

Mr. WHITE (North Renfrew): We will get that all right.

Mr. DEVLIN: I am glad you say so.

Mr. WHITE: You were in power sixteen years, and what did you fellows do?

Mr. DEVLIN: I am now addressing myself particularly to the Prime Minister in connection with the Ottawa river improvements. I do not know what my hon. friend says we will get. Will the hon. gentlemen tell me?

Mr. WHITE: I will tell you later.

Mr. DEVLIN: I wish my hon. friend from Renfrew would tell me what we are going to get?

Mr. HENDERSON: You are going to get left.

Mr. DEVLIN: I am afraid the hon. member for Halton (Mr. Henderson) has spoken very truly indeed. However, I would like to tell the Prime Minister that the improvement of the Ottawa river is a matter which should engage the attention of his Government and engage it very seriously. I quite understand that the matter is not in the department of the Minister of Marine and that his commission cannot possibly cover it, but there was a commission appointed by the late Government in 1905 which amongst others made these recommendations in connection with the St. Lawrence:

> There is an improvement that the Government has already decided on and undertaken under the able supervision of Mr. F. W. Cowie, government engineer, concerning matters in the lower St. Lawrence, especially in making the depth of the channel thirty feet at lowest water and the width not less than five hundred feet, with ample additional width at the bends and the removal of the shallows in certain points of the river. The commission do not therefore feel it necessary to make any recommendation as to these matters further than to suggest that the works already decided upon be pushed to completion at as early a date as possible.

I understand it is that recommendation which the commission now appointed is prepared to follow.

Mr. HAZEN: That work is being pushed.

Mr. DEVLIN: There is this further recommendation by this same commission:

> As it is necessary for the safety and efficiency of the route that the above improvement should be made in connection with the St. Lawrence route, your commission would recommend that these matters that have already been decided upon should be undertaken by the Government and carried to completion with the least possible delay; your commission being strongly of opinion that the Government should not lose a minute of time and should not spare any expense whatever in making the aids to navigation from Belle Isle to Cape Race to Montreal as thorough and complete and up-to-date as possible.

I understand that the minister has also carried out that recommendation in the report. But, my object in referring to this section of the report was to call attention to the fact that in this report which was very ably prepared there is a further recommendation to be found at page 24 in connection with the deepening of the Ottawa river. When this report was prepared, it had not been decided whether the work of deepening the Ottawa river was feasible, but since then it has been proven to be feasible and to be of great commercial value. I would like the Minister of Marine to call the attention of his colleague the Minister of Public Works to the fact that while the deepening of the St. Lawrence is a work of very great importance to the Dominion, unless you deepen the Ottawa river from the St. Lawrence up to the lakes you are not going to have the best and cheapest system of transportation in this country, and that is what the aim of the Government should be. As to the deepening of the St. Lawrence in connection with the Welland canal, the Prime Minister seemed to have doubt whether the Government of the United States or the Government of the state of New York might possibly consent. I think I can assure the Prime Minister that he need have no fear as to that. I believe that if the Government of Canada goes to the Government of the state of New York and asks them to stand one-half the expense of deepening the Welland canal, the state of New York will be quite ready to do so. The Government of the United States and especially the Government of the State of New York, view with a great deal of appreciation any movement upon the part of this

Government towards the deepening of the Welland canal. The deepening of that canal is very important indeed; the enlarging of all our canals is of very great importance.

In discussing the question this afternoon, the right hon. the Prime Minister might have given us some information as to what were the intentions of the Government in regard to the Ottawa river. It is not a branch of the St. Lawrence; it is a main waterway and a most important one. I would commend to the attention of the Minister and his colleagues the great importance of spending a good deal of their energies upon the development of the Ottawa river. I do not wish to enter into a discussion of the Georgian Bay canal, as I think that would be rather out of place this afternoon. I hope the right hon. Prime Minister, the next time he speaks upon the question of the deepening of our waterway systm between Cape Race and the upper lakes, will not forget to say a word about the Ottawa river.

Mr. C. A. WILSON (Laval): Mr. Speaker, I think every member should take an interest in this discussion. I do not want to be provincial or parochial in regard to the question. I wish to get more information, if possible, from the hon. Minister of Marine and Fisheries. I should like to know what is the scope of investigation of this commission. Are they to study only the St. Lawrence river or are they to study the tributaries of that river, such as the Rivière des Prairies and the Rivière Jésus.

Some hon. gentlemen referred this afternoon to dredging rivers. I should like to know if it is possible for my hon. friend the Minister of Marine and Fisheries to tell me whether this matter is in the scope of the investigation by Mr. Haskell.

Mr. HAZEN: The scope of this commission is simply to consider the conditions on that part of the St. Lawrence river which is traversed by the ship canal from Montreal down, for the purpose of ascertaining what effect the deepening of that channel has had or what effect its future deepening may have on the level of the water in Montreal harbour or above. If it is found that it has the effect of reducing the levels, then the commission will make a report as to the character of the compensating works that should be introduced for the purpose of preventing damage resulting from that lowering.

Mr. WILSON (Laval): With your permission, Mr. Speaker—

Mr. SPEAKER: Order. It seems to me that members are drifting into a very bad habit. Questions are asked of ministers, and with each question a speech is made. While the motion is to go into Committee of Supply, and while it is permissible for any member to speak on that, it is not permissible for a member to make two or three speeches, even though he changes from one subject to another.

Mr. WILSON: I simply got up to ask a question.

Mr. SPEAKER: Order. I must say that the hon. member has spoken already. When he got on his feet before, it was to ask a question and he made a speech. I think he can scarcely expect to make another speech.

Mr. WILSON: With your permission, Mr. Speaker, I am on my feet now to ask the hon. minister a question. He gave me an answer which, in my opinion, was not complete.

Mr. SPEAKER: Order.

Mr. WILSON: If I am out of order, Mr. Speaker, I accept your ruling.

Mr. SPEAKER: I think the hon. member is not in order.

Hon. GEORGE P. GRAHAM: The difficulties surrounding the question of the proper depth of water in the St. Lawrence and through what process that depth may be obtained, are not new. A few years ago, this matter was under discussion, the question arose as to the St. Lawrence west of the city of Montreal. It was said that work done there might interfere with the depth of water in Montreal harbour. When the new Soulanges canal was built, and the Beauharnois canal was leased to a company, that company proceeded to develop the water-power in that old canal to a marked extent under their lease. The question was raised as to whether that development would interfere with the depth of water in the lake feeding that canal. At a later date, other water-power privileges were granted, and an alarm was sounded by navigation companies as to the effect that all this use of water from the river might have. I remember listening to deputations from Montreal and other places along the St. Lawrence river, urging the Government to make full investigation before it allowed the works that were then contemplated, to be developed, to say nothing of granting any additional powers. A commission was appointed to investigate. The point I wish to make particularly is this: In investigating the water level east of Montreal, my hon. friend will hardly be able to confine his investigations to that locality or to the river east of Montreal. If he will look over the discussions and reports, he will find that several of the engineers contended that, if certain development work were done on the river west of Montreal and if certain water were allowed to be diverted from its natural course in the St. Lawrence, it might have the effect of lowering the levels east of

Montreal. Take the proposal that was at one time discussed, for the construction of a dam at the Long Sault, particularly in the north channel. The State of New York gave certain rights for the development of water-power on the St. Lawrence at the Long Sault. At that point the river is divided into two branches, the north Sault and the south Sault. The south Sault is the smaller stream of the two. Down that channel the smaller craft have always gone. As a matter of fact practically no steamers except the Richelieu and Ontario passenger steamers use the north channel. It was proposed at one time by a company, not only to dam the south Sault and to have a lock placed there for the development of water-power, but also to extend a dam across the north Sault. Hon. gentlemen will remember the discussion which took place, which was very interesting and at times somewhat heated, as to the advisability of allowing any person to undertake that work. The navigation companies were interested, particularly, the Richelieu and Ontario Company, as they thought it would detract from the scenic beauty of the tourist trip if the North Sault were interfered with. But, in addition, very strong representations were made to this Government, and I think Montreal was also represented at Washington, against allowing a dam to be constructed at the Long Sault. The two reasons given, in addition to the one to which I have alluded, were, first, that it would destroy property west of the dam to an extent that people, perhaps, did not realize, and, second, that it would tend to lower the level of the water east of that point and might affect the harbour of Montreal. I am pointing this out to show to my hon. friend that if it is to accomplish anything the investigation will have to extend west of Montreal on the St. Lawrence as well as east. I have seen in the press items relating to this matter to which I would like to refer. I do not wish to violate the rules, Mr. Speaker, but I do want to get the information if I can. One item gave the interesting information that the right to construct a dam at the Sault held, or sought to be held, by certain companies as granted by the state of New York had been cancelled. I think that was some months ago. And the same was revived in an item the other day to the effect that the decision previously given had been maintained. That would indicate that the rights of this company, and on the strength of which they had expended a large amount of money on the south side of the river, had been taken away from them rightly or wrongly, and that point I am not discussing now.

Mr. HUGHES (Minister of Militia): At the Long Sault? They expended no money there.

Mr. GRAHAM.

Mr. GRAHAM: They did at the South Sault.

Mr. HUGHES: That decision does not imply that their rights were taken away.

Mr. GRAHAM: But it would affect their position with regard to the north Sault and the south Sault. The point I am now discussing is not how much they have expended, whether much or little. But in another item, I think it was stated as from Toronto that the Dominion Government had now under consideration the advisability of constructing a dam at the north Sault and developing water-power in connection with the United States authorities either federal or state, for the production of electrical energy for the people on either side of the river. The object was the same as that sought by the company, but, this being an international stream the rights upon which involved many complications, it was thought advisable by many people that if this work were to be undertaken, it should be undertaken by the two countries jointly. There is a good deal of argument in support of the idea that if the work is to be undertaken it should be in this way; but that brings us back to the advisability of undertaking the work under any circumstances. If it be true that a dam on the St. Lawrence would adversely affect the residents not only on the west but on the east, then the fullest investigation of the situation ought to be held before the Government either undertakes such a work or allows anyone else to undertake it. It would afford unlimited energy for this part of the country, and I admit that some parts of Ontario are badly in need of cheaper power. But I would like to ask the Government if this item is true;—is there any foundation of fact for the statement that the Government has under consideration the construction of a dam at the Long Sault, on the north side in connection with authorities in the United States?

Mr. HAZEN: I do not think there is any proposal of that kind contemplated by the Government. I have not heard of it. If such a thing is proposed it would be known by the Minister of Public Works.

Mr. GRAHAM: The Minister of Public Works has just entered, and I would put the question to him. I was discussing the question which has been before the House this afternoon, the question of the water levels on the St. Lawrence, and was pointing out that if it were thought necessary to have an investigation as to the water levels east of Montreal, it would be necessary to extend that investigation west also, because the information that we had in the past was to the effect that obstruc-

tions or dams, or works, carried on west of Montreal would affect the water levels of Montreal harbour.

Mr. HAZEN: What kind of dams? Did the hon gentleman say 'obstruction' dams? That is a dangerous word.

Mr. GRAHAM: I put the 'obstruction' first. I would like to ask the Minister of Public Works if there is any truth in an item that appeared in the press that the Government was considering with the United States authorities, either federal or state, the construction of a dam at the Long Sault.

Mr. ROGERS: I never heard of it.

Mr. GRAHAM: I was saying when the hon. gentleman came in that it was important to have an answer to that question. The item is going the rounds of the press, and even the method of distribution is being described. Neither the former Government nor this Government has been convinced that there should be a dam across the St. Lawrence at the Long Sault. There are also other big questions involved in the subject that has been under discussion. My hon. friend from Wright (Mr. Devlin) discussed the enlargement of the canals. That may be apropos of the present question, but I would prefer to make any remarks I have upon it at another time.

Mr. J. G. TURRIFF (Assiniboia): I hope the Prime Minister will take the opportunity of making a definite statement regarding the question of damming the St. Lawrence at the Long Sault. You will remember, Mr. Speaker, and so will other hon. members who were in the last Parliament, that we had at one time a rather long discussion on the subject. Nearly every member who is now sitting on the other side of the House objected in very strenuous terms to any dam being constructed across the St. Lawrence at the Long Sault or anywhere else to interfere with the navigation of the river. On that occasion I joined with them, and did my best to oppose any action that was contemplated by the late Government at that time tending to make it possible in any way for a company that had certain rights and privileges under an act of this Parliament from going on and carrying out any such work. One would hardly expect, therefore, that the present Government would favourably consider the proposition of damming the St. Lawrence at the Long Sault. I have seen many statements in the newspapers during the past year, having regard to the various power companies in the city of Montreal which have franchises, conveying the impression that the companies had secured or intended to secure authority from the Government to construct a dam across the canal, thus establishing one huge power plant in that locality. There is no question about the fact that that could be done, but the matter for consideration is whether we should allow the navigation of the St. Lawrence to be interfered with in any way. I understand that power can be developed to the extent of some six or eight hundred thousand horse-power, but if that were done, we in Canada could use but a fraction of our portion of that power in Canada at the present time. The result would be that the power, in the meantime at all events, would be sent across to the United States and used to build up and develop the industries of that country. If the time came, possibly in twenty-five, fifty, or one hundred years, when our descendants should claim the right to have the benefit of power—assuming that it would be deemed advisable to dam the St. Lawrence at that point—the power would in the meantime have been transferred to the United States. Our past experience in connection with Niagara, Fort Francis, and the western part of Ontario, leads us to believe it would be a most difficult matter for Canada to get the power back, notwithstanding the fact that it was our own property, and had in the meantime been exported to the United States and used to build up industries in that country. To my mind, this is a question of very great importance, and I have intended for some time past to direct the attention of the Prime Minister to the subject. As I think it is a matter upon which some definite information should be given, in order that the people would feel secure in regard thereto, my present purpose is simply to ask if the Government will give some definite assurance as to what their policy is in this connection.

Mr. ROGERS: So far as the damming of the Long Sault is concerned, I have never heard of it in connection with my department. It has never been considered, and no one has spoken to me in reference to the matter.

Sir WILFRID LAURIER: But would you consider it?

Mr. ROGERS: I do not know that I would, so far as I understand the matter. In answer to the hon. member for South Renfrew (Mr. Graham)—

Mr. SPEAKER: May I be permitted to say that it seems to me that we are getting far away from the natural order of business. Hon. members are asking questions of the ministers which are of such a nature as to bring them to their feet several times, and each time a speech is made. Of course, if that privilege is extended to one member, and not to another, it is entirely unfair, and I would like the House to support me in trying to maintain the rules of debate as regularly as possible.

Mr. ROGERS: With the permission of the House, I will answer the hon. member for South Renfrew in reference to the question he brought up regarding the Waterways Commission, of which Mr. McLeod was named as the head. An examination of the estimates for this year will reveal the fact that we have in mind the same idea as that suggested by my hon. friend. The commission which was named by our predecessors was one constituted simply with reference to the river St. Lawrence; but in the estimates for this year we have designated the commission as being the River St. Lawrence and Great Lakes Waterways Commission, in order that we can extend the scope and usefulness of the commission, in the manner suggested by my hon. friend.

Mr. BELAND: In the event of there being a diversion of 10,000 cubic feet of water from lake Michigan, to what extent would that affect the level of the St. Lawrence river?

Mr. HAZEN: The question as to how the diversion of 10,000 cubic feet of water per second from lake Michigan for the purposes of the sanitary drainage canal would affect the level of the St. Lawrence is a matter with regard to which there has been a tremendous amount of discussion, and opinions in connection therewith differ very widely. On the application before the Secretary of War it was contended, on behalf of the Canadian shipping interests and the Canadian Government, that the effect would be an appreciable lowering of the water—so appreciable that many of the harbours of the great lakes, which are now sufficiently deep for the purposes of ordinary commerce, would have to be dredged to a considerable great depth. It was argued on behalf of those who were asking for this permission that no such result would follow, but my belief is that the diversion of this water would have a very appreciable effect, and would undoubtedly materially affect the conducting of business in the harbours and channels of those lakes during the season of navigation. I could not off-hand say to my hon. friend what the general consensus of opinion is as to the actual number of inches the level would be lowered.

Mr. LEMIEUX: Mr. Speaker, before you leave the Chair—

Mr. SPEAKER: The hon. member has already spoken this evening. He may now desire to speak on a different subject, but the only question before the House is that the Speaker leave the Chair, and upon this subject every member may speak once, and not more than once.

Mr. LEMIEUX: If you will allow me, Mr. Speaker, I wish to refer to a very important statement that I saw in the Evening Journal, and I desire to ask the right hon. leader of the House —

Mr. SPEAKER: I must ask the hon. member to observe order. I am endeavouring as best I can to keep the discussion within the rules. I would like to be able to say that greater latitude is allowable to a minister of the Crown, but it does seem to me that it is a growing abuse of the rules that a minister of the Crown, by reason of the questions asked, should be obliged to be so often on his feet, making several speeches on the question before the Chair.

Mr. LEMIEUX: I accept your decision, Mr. Speaker.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

APPOINTMENT OF ANDREW LANDRY.

Mr. G. W. KYTE (Richmond, N.S.): Mr. Speaker, before you put the motion that you do now leave the Chair for the House to go into Committee of Supply, I desire to move an amendment, a copy of which I placed in the hands of the Prime Minister this afternoon. I desire also to place before the House some facts which will enable the members to pass intelligently on the amendment which I shall move. During the period that hon. gentlemen opposite were in opposition, we were regaled from time to time with statements of principles and ideals as to the conduct of public affairs —principles which it was complained the Government then in power did not carry out. Among other subjects that came up for discussion and criticism was that of appointments to public offices. The right hon. the leader of the Government, then the leader of the Opposition, issued several platforms and manifestos during fifteen years, in which he set forth his policy and the principles which he said would guide him in the administration of public affairs if he were returned to office. One plank in the Halifax platform, so-called, issued previous to the last general election, read:

> Appointments of public officials upon considerations of capacity and personal character and not of party service alone.

When the right hon. gentleman was called upon to head the Government of the country the people of Canada no doubt expected a rigid adherence to that principle by the right hon. gentleman and his Government. The facts which I purpose stating show that he departed very widely from these principles under circumstances that I believe call for criticism not only by the country

but by Parliament itself. I intend to read to the House certain documents which have been brought down by the hon. gentleman who presides over the Department of Marine and Fisheries with respect to certain dismissals and appointments in the county of Richmond.

On December, 1911, two months after the present Government was formed, Mr. J. A. Gillies, the defeated Conservative candidate in the county which I have the honour to represent, addressed this letter to the Minister of Marine:

Arichat, N.S., Dec. 8, 1911.

Hon. J. D. Hazen,
Minister of Marine and Fisheries,
Ottawa.

Dear Sir,—At a full meeting of the executive of the Liberal-Conservative Association held here yesterday, a resolution was unanimously passed asking for the dismissal of Dugald R. Boyle, of West Arichat, fishery inspector on Isle Madame. Mr. Boyle is a noted political partisan and was most active at the last election. He attended meetings of the Liberal party, canvassed openly and actively, and was the sworn agent in the poll at West Arichat on last election day of the Grit candidate. His position is indefensible and deserves and expects instant dismissal. The executive recommends the appointment of Captain Andrew Landry, of Descouse, to this position, and I now endorse that recommendation.

Yours truly,
J. A. Gillies.

It will be observed from this that Mr. Gillies demanded immediate dismissal of a very efficient officer of the Department of Marine on the ground that he was an offensive partisan, among the complaints being that he had represented the Liberal candidate at the poll on election day.

To that letter the Minister of Marine replied on December 13, 1911:

December 13, 1911.

Dear Sir:—

I beg to acknowledge your letter of the 8th instant, stating that at a meeting of the executive of the Liberal-Conservative Association of Richmond county, held at Arichat, a resolution was unanimously passed asking for the dismissal of Mr. Dugald R. Boyle, of West Arichat, fishery overseer, Isle Madame, on the grounds of offensive political partisanship, and that the executive recommend the appointment of Captain Andrew Landry, of Descouse, to this position, which recommendation you endorse.

In reply I may say after an examination of the existing organization of the outside staff of the fisheries branch, I am quite convinced that it is not the best one that could be devised in the public interest ,and I have therefore in view, just as soon as time will permit, going thoroughly into the matter with the object of completely reorganizing that branch of the service. I have in the meantime taken your letter into consideration, and hope to be in a position to advise you further in regard thereto in the course of a few days. Yours faithfully,

J. D. Hazen.

J. A. Gillies, Esq.,
Sydney, N.S.

On December 18, 1911, the following letter was written to the Minister of Marine and Fisheries:

The Honourable
Minister of Marine and Fisheries,
Ottawa, Canada.

Honourable Sir:—

Permit me the following: I have it from a reliable source that a Mr. Andrew Landry has been recommended for the office of fishery inspector for this county. Being pastor of a parish in this county of sixteen hundred souls, I am greatly interested in its progress and in having as public officers men worthy of the confidence of the people and a credit to the Administration that has named them.

Consequently I think it is my duty to the interest of your Administration, to inform you that the above mentioned Mr. Landry is not a man for any public office in this county. Would you think a man who has a case pending against him for a forged notes worthy of a public office and our confidence? Believe me, honourable Sir, your Administration will be lauded by rejecting this demand.

I know you will believe that a good purpose animates me in laying this information before you, and that you will give this matter your attention.

Humbly yours,
Wilfrid A. Boucher, P.P.

Descouse, Richmond Co., C.B.
Dec. 18, 1911.

P.S.—The office above related to is now in hands of a Mr. Boyle, of West Arichat.—W. A. Boucher.

The minister replied as follows:

Reverend and Dear Sir,—I beg to acknowledge your letter of the 18th instant, stating that you have received information from a reliable source to the effect that Mr. Andrew Landry, of Descouse, has been recommended for the office of fishery overseer in the county of Richmond, in lieu of Mr. D. R. Boyle, of West Arichat, and I note you state as you are a pastor of sixteen hundred people you are interested in their progress, and in having as public officers men worthy of the confidence of the people, and a credit to the Administration, and you therefore deem it your duty to inform me that the above mentioned Mr. Landry is not a man for any public office for many reasons (inter alia) that he has a case pending against him for forged notes.

In reply I beg to thank you for your letter, and state that it is the desire to have thoroughly competent and worthy officers, and I have therefore caused your letter to be filed for consideration in the event of a vacancy occurring in the position now held by Mr. Boyle.

Yours faithfully,
J. D. Hazen.

Reverend W. A. Boucher,
Descouse, Richmond Co., C.B.

From this correspondence you will see that the Minister of Marine, as early as December 18, was warned against appoint-

ing this Captain Landry to any public office in Richmond County for the reason that at the time charges were pending against him for forgery.

I have here a certified extract from the minutes of a meeting of the treasury board held on January 15, 1912, approved by His Royal Highness the Governor General in Council on the 20th of January, 1912:

Marine and Fisheries.

The board recommend that the services of Mr. Dugald R. Boyle, of West Arichat, who was, by Order in Council of the 6th of November, 1896, appointed a fishery overseer in and for the county of Richmond, in the province of Nova Scotia, be dispensed with on the ground of offensive political partisanship.

Rodolphe Boudreau,
Clerk of the Privy Council.

The Honourable
The Minister of Marine and Fisheries.

The following letter was written on January 26, 1912, by the superintendent of Fisheries to Mr. D. R. Boyle:

Sir,—I beg to inform you that by Order in Council of the 20th instant your services as fishery overseer have been dispensed with on the ground of offensive political partisanship. You will please continue to act until the end of the present month, up to which time your salary and regular expenses incurred on official business will be paid.

Any documents or other property in your keeping which are official in their nature you will please immediately forward to the inspector of fisheries at Englishtown.

I am, Sir, your obedient servant,
W. A. Found,
Superintendent of Fisheries.

Dugald R. Boyle, Esq.,
Fishery Overseer,
West Arichat, N.S.

It will be observed from this communication that the Minister of Marine lost no time in carrying out the recommendation of the defeated Conservative candidate in the county of Richmond that Mr. Boyle, who was an efficient public officer, should be dismissed in order that Mr. Gillies might receive satisfaction for Mr. Boyle's having voted against him.

On January 26, 1912, the following letter was addressed by Mr. Found to Mr. Morrison, inspector of fisheries at Englishtown, N.S.:

Sir,—I enclose herewith a copy of a letter to-day written to Mr. Dugald R. Doyle, of West Arichat informing him that his services as fishery overseer have been dispensed with from the end of the present month. The department is not at the moment prepared to say who will be employed to succeed him, and you will therefore arrange that the nearest fishery officers or guardians, who may still be engaged in the district, in order to prevent any violations of the law.

I am sir,
Your obedient servant,
W. A. Found,
Superintendent of Fisheries.

J. G. Morrison, Esq.,
Inspector of Fisheries,
Englishtown, N.S.

On the 26th of January, 1912, the Minister of Marine and Fisheries addressed the following letter to Mr. J. A. Gillies:

January 26, 1912.

Dear Sir,—Adverting to your letter of the 8th December last, recommending for reasons contained therein, that fishery overseer R. R. Boyle, of West Arichat, be dismissed, I beg to inform you that an Order in Council was approved by His Royal Highness on the 20th instant dispensing with Mr. Boyle's services, and he has been notified that his engagement with the Department will determine on the 31st instant.

In your letter you recommend that Captain Andrew Landry, of Descouse, should be employed to fill the vacancy. Subsequently I received a letter from Reverend Wilfrid A. Boucher, of Descouse, in which he expressed the opinion that Mr. Landry is not a suitable man to be employed in any public office, and I gathered from his letter that action is pending against him for having forged notes. It may be that this information was not before you when you made your recommendation, and before proceeding with employment of a successor to Mr. Boyle, I shall await a further letter from you.

Yours faithfully,
J. D. Hazen.

J. A. Gillies, Esq.,
Barrister, &c.,
Sydney, N.S.

In reply to that letter, Mr. Gillies despatched the following telegram:

Sydney, N.S., Feb. 16, 1912.

J. D. Hazen,
Ottawa.

Please send Andrew Landry his appointment fishery overseer immediately, no foundation for charges against him.

J. A. Gillies.

On February 21, 1912, the Deputy Minister of Marine and Fisheries addressed the following letter to Mr. Gillies:

21st February, 1912.

My Dear Sir,—In the absence of the honourable the Minister of Marine and Fisheries, who is at present in Washington, I beg to acknowledge the receipt of your telegram of the 19th instant, with reference to Captain Andrew Landry.

As soon after the minister's return as convenient your telegram will receive his attention.

Yours very truly,
A. Johnston.

J. A. Gillies, Esq.,
Barrister,
Sydney, N.S.

On February 21, 1912, Mr. Gillies addressed the following letter to the Minister of Marine and Fisheries:

Sydney, N.S., February 21, 1912.

Hon. J. D. Hazen,
Minister of Marine and Fisheries,
Ottawa, Canada.

Re appointment of Captain Landry.

Dear Sir,—I wired you the other day asking you to be good enough to forward Captain

Landry's appointment as fishery overseer at Isle Madame. I have made very careful inquiry respecting the matter touched upon in your letter and I have no reason whatever to withdraw my recommendation of him. It is simply bad blood between different factions at Descouse, and some of the parties are trying to damage the Landrys. I have known them for over twenty years and during that period of time I have found them absolutely straight and correct in every particular. Please send on his appointment at once as it is important that the distribution of the bounty cheques should be in the proper hands.

Yours very truly,
J. A. Gillies.

From this correspondence it is perfectly manifest that no mistake could have occurred in the mind of the hon. the Minister of Marine and Fisheries as to who this Captain Landry was, and as to the particular complaint that was made against him. He informs Mr. Gillies that the man recommended by him for the position of Fishery Officer, was charged by the Rev. W. A. Boucher with having had a complaint of forgery laid against him and that he was not a fit and proper person to be appointed to a public office. Mr. Gillies discussed the subject with the hon. minister in letters and telegrams, and went so far as to admit that there was some trouble in the community in which Captain Andrew Landry was involved, but he assured the hon minister that there was nothing in it, that it was simply the result of bad blood between different factions in the community where he lives. On March 2, 1912, Mr. Gillies addressed the following letter to the hon. Minister of Marine and Fisheries:

Ottawa, March 2, 1912.

Hon. J. D. Hazen,
Minister of Marine and Fisheries,
Ottawa.

Dear Mr. Hazen,—Will you kindly drop me a line stating whether Captain Andrew Landry's appointment as fishery overseer has been yet sent to him?

I wrote you on the 19th February—before leaving home—your acknowledgment thereof dated 21st of February has been received by me here.

As the bounty will soon be distributed I will be very glad to know that Captain Landry has been duly installed in his position before the distribution begins.

Yours very truly,
J. A. Gillies.

P.S.—Please address to Russell House.

You will observe, Mr. Speaker, that Mr. Gillies was very insistent that this appointment be made without delay. In reply to that letter the hon. Minister of Marine and Fisheries addressed the following letter to Mr. Gillies:

March 6, 1912.

Re Captain Andrew Landry.

Dear Sir,—I have to acknowledge yours of the 2nd instant with further reference to the above.

In reply I beg to say that pressure of sessional work has made it impossible for me to overtake this and a number of other matters of a similar nature.

At the very earliest opportunity I shall give it consideration.

Yours very faithfully,
J. D. Hazen.

J. A. Gillies, Esq.,
Russell House,
Ottawa, Ont.

Now there was another officer in the district of Descouse whom Mr. Gillies desired to have dismissed. He was Captain Leon N. Poirier, a wharfinger. On December 8, 1911, Mr. Gillies addressed the following letter to the hon. Minister of Marine and Fisheries with respect to that officer:

Arichat, N.S., Dec. 8, 1911.

Dear Sir,—I hereby recommend Captain Andrew Landry as wharfinger of the public wharf at Descouse. The present wharfinger, Leon Poirier, acted the offensive political partisan at the last election and at every election for years past. At the last election in September he had his horses out driving voters to the poll and doing all in his power in the loudest way for the Grit candidate.

Yours truly,
J. A. Gillies.

The Hon. J. D. Hazen,
Minister of Marine and Fisheries,
Ottawa.

It will be observed that no suggestion was made that the charges of partisanship against these officials should be investigated. The Minister of Marine and Fisheries was willing to accept the recommendation made by Mr. Gillies for the dismissal of those officers, notwithstanding the fact that there was a great difference of opinion between the Rev. Mr. Boucher of Descouse and Mr. Gillies as to whether or not Captain Andrew Landry was a fit and proper person to be appointed to a public office. It will be observed that the Minister of Marine and Fisheries did hesitate for some little time about appointing Captain Landry to the office of fishery officer on the recommendation of Mr. Gillies. But there was no hesitation on the part of the minister in accepting the recommendation for the dismissal of this man upon the unsupported statement of Mr. Gillies that they were offensive partisans. On December 12, 1911, the Minister of Marine and Fisheries addressed the following letter to Mr. Gillies:

12th December, 1911.

Dear Sir,—I am in receipt of yours of the 8th inst., recommending the dispensing with the services of Leon Poirier as wharfinger of the Government wharf at Descouse, owing to offensive political partisanship, and the appointment of Captain Andrew Landry as his successor. Your request is receiving attention, and I hope to be in a position shortly to advise you further with regard thereto. What is Captain Landry's post office address?

Yours very truly,
J. D. Hazen.

J. A. Gillies,
Commercial House,
Arichat, N.S

I have here the minute of council dismissing the wharfinger at Descouse, a certified copy of the report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on December 19, 1911.

The Committee of the Privy Council on the recommendation of the Minister of Marine and Fisheries advise with reference to the Order in Council of 31st May, 1906, appointing Leon N. Poirier wharfinger of the Government wharf at Descouse, N.S., that the same be cancelled and the services of Mr. Poirier dispensed with owing to offensive partisanship

The committee on a further recommendation of the Minister of Marine and Fisheries advise in accordance with the provisions of chap. 112, Revised Statutes, 'An Act respecting the Government harbours, piers and breakwaters,' that Captain Andrew Landry be appointed wharfinger at the Government wharf at Descouse, N.S., in the room and stead of Leon Poirier, and that he be allowed to retain as remuneration for his services 25 per cent of the wharfage collections.

(Sgd.) Rodolphe Boudreau,
Clerk of the Privy Council.

The hon. the Minister of
Marine and Fisheries.

There is no mistaking the fact that this is the same Captain Andrew Landry against whom the minister was warned by the letter addressed to him by the Rev. Wilfrid A. Boucher a few days before. The Rev. Wilfrid A. Boucher addressed that letter to the hon. Minister of Marine and Fisheries on the 13th day of December. On the 23rd day of December, ten days afterwards, the Deputy Minister of Marine and Fisheries addressed the following letter to the agent of the department at Halifax:

Sir,—I have to inform you that by Order in Council of the 19th December, 1911, the services of Mr. L. N. Poirier as wharfinger of the Government wharf at Descouse, N.S., have been dispensed with, and Captain Andrew Landry has been appointed in his room and stead, and that he is allowed to retain as remuneration for his services twenty-five per cent of the wharfage collections. Mr. Poirier and Captain Landry have been so advised, and Captain Landry has been directed to enter upon his duties.

I am, Sir,
Your obedient servant,
(Sgd). C. Stanton,
Assistant Deputy Minister.

The Agent,
Department of Marine and Fisheries,
Halifax, N.S.

On the 23rd December, 1911, ten days after receiving the letter from Rev. Mr. Boucher, the following letter was addressed to Mr. Gillies:

23rd December, 1911.

Dear Sirs,—Referring to your letter of the 8th instant recommending the dispensing with the services of Mr. Léon N. Poirier, wharfinger of the Government wharf at Descouse, N.S., and appointing Captain Landry thereto, I am to inform you that by Order in Council of the 19th December, 1911. Mr. Poirier has been removed from the office of wharfinger and Captain Landry appointed thereto. Captain Landry is allowed to retain as remuneration for his services 25 per cent of the wharfage collections.

Yours faithfully,
(Sgd.) A. Johnston.

J. A. Gillies, Esq.,
Arichat, N.S.

Mr. HAZEN: The hon. gentleman says: On the 23rd day of December, ten days after the letter was received from Father Boucher. Father Boucher's letter was written on the 18th of December.

Mr. KYTE: I may have made an error in the date of the letter, but if so it was unintentional. On the 23rd of December, five days after Father Boucher's letter was written, the following letter was sent to Captain Poirier, wharfinger, Descouse:

Department of Marine and Fisheries,
Ottawa, 23rd December, 1911.

Sir,—I have to inform you that the Order in Council of the 31st May, 1906, appointing you as wharfinger of the Government wharf at Descouse, N.S., has been cancelled and your services as wharfinger dispensed with owing to offensive political partisanship.

Captain Andrew Landry has been appointed in your room and stead to whom I have to request you to give up possession of the wharf and of all government supplies pertaining thereto when required.

I am, Sir,
Your obedient servant,
(Sgd.) A. Johnson,
Deputy Minister.

Mr. Léon N. Poirier,
Descouse, N.S.

To show how well founded was the charge made by the Rev. Wilfrid Boucher against Captain Landry in his communication to the Minister of Marine, on the 18th day of December, 1912, Captain Landry was on the 1st of February arrested on a complaint charging him with forgery; he was brought before the stipendiary magistrate in Arichat and committed to stand his trial in the Supreme Court for that offence. On the 4th day of June, 1912, the court presided over by Mr. Justice Graham sat at Arichat and investigated the complaint made against Captain Andrew Landry with the result that a true bill of indictment was found against him and that indictment I shall read:

In the Supreme Court—Crown Side.

1. The jurors of our Lord the King present that Andrew Landry at Arichat in the county of Richmond on the fifth day of April in the year of our Lord one thousand nine hundred and ten unlawfully and knowingly did make a false document to wit: a promissory note in the words and figures following:

$50.00. Due April 8, 1911.
Arichat, C.B., April 5, 1910.

One year after date I promise to pay to the order of Andrew Landry,
Fifty..... ....Dollars,

at the Royal Bank of Canada, Arichat, value received.

his
Witness, J. V. Shaw, Paul x LeBlanc,
mark

No..... endorsed Andrew Landry.

Knowing the same to be false, with the intention that it should be used and acted on as genuine to the prejudice of one Paul LeBlanc, contrary to the form of statute in such case made and provided.

2. And the jurors of our Lord the King further present that Andrew Landry at Arichat, in the county of Richmond, on the fifth day of April in the year of our Lord one thousand nine hundred and ten, unlawfully and knowingy did make false document to wit: a promissory note in the words and figures following:

$50.00. Due April 8, 1911.

Arichat, C.B., April 5, 1910.

One year after date I promise to pay to the order of Andrew Landry,

Fifty..... ....Dollars,

at the Royal Bank of Canada, Arichat, value received.

his
Witness, J. V. Shaw, Paul x LeBlanc,
mark

No..... endorsed Andrew Landry.

Knowing the same to be false, with intent that one Paul LeBlanc should be induced by the belief that said false document was genuine, to pay the said Andrew Landry the sum of fifty dollars, contrary to the form of the statute in such case made and provided:

3. And the jurors of our Lord the King present that Andrew Landry at Poulamond, in the county of Richmond, on the thirteenth day of December, in the year of our Lord one thousand nine hundred and ten, well knowing a certain document to wit: a promissory note in the words and figures following:

$50.00. Due April 8, 1911.

Arichat, C.B., April 5, 1910.

One year after date I promise to pay to the order of Andrew Landry,

Fifty..... ....Dollars,

at the Royal Bank of Canada, Arichat, value received.

his
Witness, J. V. Shaw, Paul x LeBlanc,
mark

Endorsed: Andrew Landry,

to be forged, did utter the said forged document as if it were genuine, contrary to the form of the statutes in such case made and provided.

4. And the jurors of our Lord the King present that Andrew Landry at Poulamond, in the county of Richmond, on the thirteenth day of December in the year of our Lord one thousand nine hundred and ten, well knowing a certain document to wit: a promissory note in the words and figures following:

$50.00. Due April 8, 1911.

Arichat, C.B., April 5, 1910.

One year after date I promise to pay to the order of Andrew Landry,

Fifty..... ....Dollars,

at the Royal Bank of Canada, Arichat, value received.

his
Witness, J. V. Shaw, Paul x LeBlanc,
mark

No..... endorsed Andrew Landry.

to be forged, did use the said forged document as if it were genuine, contrary to the form of the statute in such case made and provided.

5. And the jurors of our Lord the King further present that said Andrew Landry at Poulamond, in the county of Richmond, on the thirteenth day of December, in the year of our Lord one thousand nine hundred and ten, well knowing a certain document to wit: a promissory note, in the words and figures following:

$50.00. Due April 8, 1911.

Arichat, C.B., April 5, 1910.

One year after date I promise to pay to the order of Andrew Landry,

Fifty..... ....Dollars,

at the Royal Bank of Canada, Arichat, value received.

his
Witness, J. V. Shaw, Paul x LeBlanc,
mark

No..... endorsed Andrew Landry.

to be forged, did deal with the said forged document as if it were genuine, contrary to the form of the statute in such cases made and provided.

6. And the jurors of our Lord the King further present that the said Andrew Landry at Poulamond, in the county of Richmond, on the thirteenth day of December, in the year of our Lord one thousand nine hundred and ten, well knowing a certain document to wit: a promissory note, in the words and figures following:

$50.00. Due April 8, 1911.

Arichat, C.B., April 5, 1910.

One year after date I promise to pay to the order of Andrew Landry,

Fifty..... ....Dollars,

at the Royal Bank of Canada, Arichat, value received.

his
Witness, J. V. Shaw, Paul x LeBlanc,
mark

No..... endorsed Andrew Landry.

to be forged, did cause one Paul LeBlanc to act upon the said false document as if it were genuine, contrary to the form of the statute in such cases made and provided.

(Signed) Daniel A. Cameron,
Prosecuting Officer,
County of Richmond.

This indictment was tried and on the 5th of June the petty jury convicted Andrew Landry of the said offence and I have here the record of his conviction:

In the Supreme Court.
Arichat, 5th June, 1912.

The King vs. Andrew Landry.

On indictment for forgery and uttering the sentence of the court is that you be imprisoned in the county jail in Arichat for the term of one year.

(Sgd.) D. H. Campbell,
Acting Clerk of the Crown.

You will see, Mr. Speaker, that the charge made against Landry was tried in the Supreme Court at Arichat on the 4th and 5th days of——

Mr. McKENZIE: Was he sentenced the same day he was tried ?

Mr. KYTE: He was tried on the 4th and 5th days of June and convicted on the 5th day of June, and sentenced by Mr. Justice Graham to serve twelve months in the common jail of Arichat for the said offence. One would imagine that was the last we would have heard of Captain Landry as candidate for public office in the county of Richmond, and one would have thought that was the last we would hear of recommendations coming from Mr. J. A. Gillies, the defeated Conservative candidate in the county of Richmond, to appoint Andrew Landry to office. One would also imagine it was the last time an attempt would be made by the Minister of Marine and Fisheries to appoint Landry to public office in view of all the circumstances and in view of the fact that a conviction was recorded against him and he was serving a sentence in jail for the said offence. On the 28th day of May, seven days before Landry was convicted of forgery, the following letter was addressed by Mr. Gillies to the Minister of Marine and Fisheries:

Sydney, Cape Breton, May 28, 1912.
Hon. J. D. Hazen,
Minister of Marine and Fisheries,
Ottawa, Canada.

Dear Mr. Hazen:—

Capt. Frederick Poirier's contract for placing out the Lennox Passage buoys expires on the 15th of June, and I wish this service to be performed from that date by Capt. Andrew Landry, of Descouse, C.B. He will carry on the contract at the same rate as is now paid Poirier.

Will you please give direction in this matter so as to have this suggestion carried into effect?

Yours very truly,
(Signed) J. A. Gillies.

On the 7th day of June, 1912, two days after Landry was convicted of forgery, and when he was serving sentence in the common jail at Arichat, the following letter was addressed to Mr. Gillies by the Deputy Minister of Marine and Fisheries:

Dear Sir,—I have by direction to acknowledge receipt of your favour of the 28th ultimo, addressed to the hon. Minister of Marine and Fisheries, relating to the buoy service at Lennox Passage, and in reply I have to inform you that instructions have ben issued to place this service in charge of Captain Andrew Landry, of Descouse, C.B., when the present agreement terminates, at the same price as we are at present paying, namely, $240 per annum.

Yours truly,
(Sgd.) A. Johnston.

On the same day, the following letter was addressed by the hon. Minister of Marine and Fisheries to his agent at Halifax:

Sir,—I have to inform you that it has been decided to tranfer the buoy service at Descouse and Lennox Passage at present performed by Mr. Frederick Poirier to Captain Andrew Landry, of Descouse, C.B., when the present agreement terminates, namely, on the 15th instant.

Be good enough to notify Captain Landry and the former contractor, and have the names of two good sureties forwarded to the department in order that a new agreement may be prepared.

Yours very respectifully,
J. D. Hazen.

On the 11th day of June, 1912, in accordance with the instructions given in the letter which I have just read, the agent of the Department of Marine and Fisheries at Halifax addressed the following letter to Captain Frederick Poirier, the buoy contractor:

Marine and Fisheries Department.
Office of Superintendent of Lighthouses,
Agency at Halifax, N.S., June 11, 1912.
Mr. Frederick Poirier,
Descouse, Richmond Co., N.S.

Sir,—It has been decided to appoint Captain Andrew Landry, of Descouse, to maintain the buoys which you have a contract for, and which terminates on the 15th inst., you will therefore be good enough to transfer the service to Captain Landry, giving him all the spare buoys that are now in your charge. You are supposed to have all the buoys in good order before transferring them to him.

I am sir,
Yours sincerely,
P. C. Johnson,
Superintendent of Lights.

Upon the same day, Captain Frederick Poirier addressed a letter to the agent of the Department of Marine and Fisheries at Halifax, in which he stated that it was impossible for him to carry out the instructions contained in that letter, namely, to hand the buoys and moorings over to Captain Landry, inasmuch as that gentleman was in jail serving a sentence for forgery.

The facts and conditions being such as I have described, one would imagine that Mr. Gillies, the hon. Minister of Marine and Fisheries and other hon. ministers who are sitting in the present Government would have had nothing to do with Captain Andrew Landry. His friends and Mr. Gillies, however, were not to be outdone. They were not to allow the trifling circumstance of his having been committed to jail for forgery to interfere with his capacity for filling public office in the county of Richmond. It was openly boasted at that time by Landry's friends that he would not be long in jail, that there was now a Government at Ottawa friendly to him and his party, and that they would appeal to the Government to release him from jail, so that his duties as a public officer might be resumed with the least possible delay. The whole difficulty, in which the departments of the Government have been placed, is due to the new precedent which they established in accepting recommendations for dismissals of men from public office and

for appointments to public office from defeated candidates in the province of Nova Scotia. Such a course was not followed, at all events in the county which I have the honour to represent, during the fifteen years that the Liberal party was in power. During all that time, only three or four dismissals were made and then only after full investigation by commissioners appointed for the purpose of holding court and of giving the charged officials ample opportunity of appearing with their witnesses for the purpose of disproving, if possible, the charges made against them. To entrust defeated candidates with the responsibility of recommending the dismissal of men from public office and the appointment of other men is a precedent which must inevitably lead to trouble for the Government which accepts such recommendations. It is not so objectionable to accept recommendations of hon. members, because they must defend their conduct and their recommendations in this House, as they might reasonably expect that these recommendations would be challenged by persons who felt that the dismissals had been improperly made and not based upon sufficient evidence. There is no such check on defeated candidates. They are for the most part political castaways, whose milk of human kindness, if they ever had any, is soured and curdled by defeat. And to these men this Government issue letters of mark by virtue of which they plunder, destroy and prey upon public officers in their constituencies, who are unfortunate enough to be within the scope of their power or within their reach. The only excuse offered by the hon. Minister of Marine and Fisheries for making the appointment of Captain Andrew Landry to public office, after the warning that had been given to him by the Rev. Wilfrid Boucher, is that he did not know it was the same Captain Landry. Throughout all the correspondence that took place between Mr. Gillies and the Department of Marine and Fisheries, and also in the letter from the Rev. W. Boucher to the Minister of Marine and Fisheries, he was referred to as Captain Andrew Landry, of Descouse. The hon. Minister of Marine and Fisheries was good enough in his reply to the Rev. W. Boucher to say that he would take his recommendation into consideration; and that he would see that this man, if unfit to hold public office, would not be appointed. One would imagine that the incident was so far fastened on his mind that it would be impossible for him to forget the protest, which was made to him a few days before, and that he would not by any possibility appoint any person of the name of Captain Andrew Landry to public office in the county of Richmond, until he had investigated whether he was the identical Captain Andrew Landry that he had been warned against by the Rev. W. A. Boucher.

I stated a moment ago that an application for the release of Captain A. Landry from jail was threatened by his friends the day after he was committed to serve sentence in the common jail at Arichat. Upon this subject I have some more letters which throw a flood of light upon the whole iniquity, and which must fasten the responsibility of having Captain Landry released from jail by virtue of his political affiliations in the county of Richmond. Here is a letter addressed by the agent of the Department of Marine and Fisheries to the deputy minister:

Agency at Halifax, N.S., June 19th, 1912.

Sir,—Mr. J. McL. Fraser, accountant of this agency has just returned from a short inspection trip that I requsted him to make to Cape Breton points; and he informs me that Mr. Andrew Landry who is the wharfinger at Descouse, is not attending to his duties owing to his being confined to jail. As there is considerable activity at Descouse during the season of navigation, it is very important that a vigilant wharfinger should be in charge at this place, and I ask that immediate steps be taken to secure a competent man for the position of wharfinger at Descouse, either in a temporary or permanent capacity.

I remain yours faithfully,
Charles H. Harvey,
Agent of Marine and Fisheries.

Deputy Minister of Marine and Fisheries.
Ottawa, Canada.

Upon the receipt of that letter, the deputy minister addressed the following letter to Mr. Gillies:

26th June, 1912.

Dear Sir,—It has been reported to the department that Captain Andrew Landry, wharfinger of the Government wharf at Descouse is not attending to the duties of the position. Would you be good enough to advise me as to the name and post office address of the person you desire appointed to take the place of Captain Landry whose services it is proposed to dispense with. The wharfinger is allowed to retain 25 per cent of the wharfage collections.

Yours faithfully,
A. Johnston.

J. A. Gillies, Esq., K.C.,
Sydney, N.S.

You will observe how careful the Department of Marine and Fisheries was not to wound the susceptibilities of Captain Landry and his friends. While the agent states the reason for Captain Landry not attending to his duties, the deputy minister in writing to Mr. Gillies refrains from making such explanations, but simply states that Captain Landry is not attending to his duties. It would appear that a certain code is established in that department that though men are criminals and are serving sentences in the common jail,

if they are of the proper political stripe the fact that they are in jail must be suppressed to all intents and purposes by the officials. In reply to that letter Mr. Gillies wrote the following:

Sydney, C.B., July 3rd, 1912.
Alexander Johnston, Esq.,
Deputy Minister of Marine and Fisheries,
Ottawa, Canada.

Dear Sir,—Replying to your letter of 26th June respecting the wharfinger at Descouse, I wish to say that the duties of this position are being well attended to by Captain Aime Langlois, of Descouse.

There is no record of Captain Langlois having been appointed up to the 3rd of July, 1912. Mr. Gillies appears to have been running not only the patronage in the county of Richmond but the whole department in that county, because he takes upon himself to appoint a wharfinger in place of Captain Landry while the latter was suffering a trifling restraint upon his liberty by reason of the sentence of the Supreme Court of Nova Scotia.

—as probably you are aware Captain Langlois is a leading and highly respected citizen of that community,——

I am glad to be able to testify to the high standing of Captain Langlois in the district of Descouse; but I venture to say that Mr. Gillies' recommendation of him ought not to carry much weight in view of the recommendation he gave to the same minister of Captain Landry while under a charge of forgery.

—and will give every satisfaction in this temporary position. Captain Andrew Landry will be home in the course of a few days,——

Mr. Gillies, no doubt, had paid a visit to Ottawa and learned that Captain Landry would be home in a few days. As a matter of fact he was home in a few days.

Mr. MURPHY: How much had he served?

Mr. KYTE: Three days less than one month.

Mr. MURPHY: Of a year's sentence?

Mr. KYTE: Yes.

—when he can resume his duties as wharfinger. I presume this will be satisfactory to the department. If however it is absolutely necessary to appoint a wharfinger I reccommend Captain Langlois for that position, but I do not wish this done, as Landry himself will be home in a few days as I have stated. Please let me know if this it satisfactory.

Yours very truly,
J. A. Gillies.

That was dated the 3rd of July, less than one month after the sentence of one year had been imposed.

Captain Landry's friends transferred their activity to the Department of Justice at Ottawa. I said a moment ago that the boast was made by Captain Landry and his friends that he would be out of jail in a very few days. That boast was repeated and stated in writing by Mr. Gillies in the letter addressed to the deputy minister to the effect that Captain Landry would be home in a few days. I am aware that certain recommendations were made by friends of Captain Landry in the town of Arichat, which were forwarded to the Department of Justice, asking for his release. I hold that it speaks well for humanity that people always sympathize with a neighbour who is in trouble. There is scarcely to be found an instance of a man falling upon evil days and misfortunes overtaking him that his neighbours will not sympathize with him and do what they reasonably can to alleviate the blow which has fallen upon him. It is not extraordinary that certain men with tendencies towards humanity, in Arichat should send recommendations to the Minister of Justice asking for Captain Landry's release. That happens in every case. In fact, men who have committed the most revolting crimes have had the sympathy of the people of the community in which they lived, and representations have been made that if the convict were released from jail he would commit no other offences to bring him under the condemnation of the law. It is generally represented in such cases that a man's family needs his support, that his circumstances are such that they will suffer from want if the term of his sentence is carried out. Therefore, having regard to the long experience of the Minister of Justice as a judge in Montreal, it would not have seemed strange to him that recommendations should be made to release Captain Landry. That was to be expected; it happens in nearly every case. But these alone ought not to prevail with the Minister of Justice. They ought not to prevail with any person having the responsibility of carrying out the law and whose responsibility imposes upon him either the sentencing of a criminal for his offence or the releasing of him from custody. It is the prerogative of people having no responsibility to give advice to those who have responsibility, as to what ought to be done under certain circumstances. That is all the good people who signed recommendations to the department did. They set forth that this man Landry has suffered enough; and that he had lost his good name in the community; that his family needed his support, and therefore he ought to be released from jail.

In addition to the very humane appeal which was made by these people in the town of Arichat for the release of Captain Andrew Landry, a second appeal was made for his discharge. It was stated in an in-

formal way to the Department of Justice that this man Landry was suffering from a serious ailment which necessitated a surgical operation, and that unless he was released from jail the operation could not be performed, and his life would be in danger. I quite concede that that was an appeal which should have had some weight, in the mind, I was going to say, of the Minister of Justice; but I will be frank enough to admit that the hon. Minister of Justice was not in Ottawa at the time, and the circumstances connected with the application for the release of this man were not brought to his attention. The acting Minister of Justice at the time was the hon. Minister of Finance, but I think the fact that he was merely the acting minister did not relieve him from the responsibility of having a thorough inquiry and investigation made as to the truth of the representations made on behalf of Captain Andrew Landry, looking to his discharge from jail. Therefore I say it was the duty of the acting Minister of Justice to have instituted an inquiry as to whether or not it was true that Captain Andrew Landry's condition of health was such as necessitated a surgical operation, and that, if that surgical operation was not performed, his life or health would be in danger. But, as I stated a moment ago, no steps were taken by the acting Minister of Justice to ascertain whether or not these statements and representations were true. There is in the town of Arichat a municipal health officer, who is also the jail physician, and one would have imagined that the acting Minister of Justice would immediately have communicated with the municipal health officer and jail physician for the purpose of ascertaining whether or not Landry's condition was such as necessitated a surgical operation. There are other doctors resident in the town of Arichat, one of whom is a nephew of Captain Landry, and there are two other doctors not connected with him in any way, one of whom is the jail physician. Is it not a very significant fact that the only representation made to the Department of Justice by any physician as to the necessity of Landry's undergoing a surgical operation was an informal communication by Dr. B. A. LeBlanc, Landry's own nephew, and that that statement was not supported in any way by the statements of the other two doctors living in the town? Surely the acting Minister of Justice knew, or, if he did not know, he could have ascertained, that there were other doctors living in the town of Arichat; and, if not, that there were doctors living elsewhere in the province of Nova Scotia with whom he could have communicated to ascertain whether or not the representations made by Landry's own nephew were true. But the representations were not true. It was not necessary for Landry to undergo a surgical operation, and he never underwent a surgical operation. He was discharged by the Department of Justice on the 3rd day of August, less than sixty days of his sentence of twelve months having expired, and instead of going into an hospital or receiving medical treatment, he resumed his duties as wharfinger in the town of Descouse, and carried on his avocations as a citizen of that community. I have no particular complaint to make in respect of Landry's discharge, provided that a proper case had been made out for his release, but what I do find fault with is that an active supporter of the present Administration, having been convicted for the crime of forgery, was appointed to a public office, and that, after he had been committed to serve a sentence of twelve months in jail, he was released by one of the ministers of this Government upon information entirely inadequate to justify them in taking such a course. It is true that Landry resumed his duties as wharfinger after he was released on the 3rd day of August, and on August 6 he addressed the following communication to Captain Frederick Porrier, of Descouse:

Descouse, August 6, 1912.

Captain Frederick Poirier,
To Dominion Government wharf,
Descouse, Dr.

To wharfage on buoys and moorings for winter seasons 1909, 1910, 1911 and 1912 at $10 per season, $30 E. & O. E.

Immediate settlement is requested by order of department.

(Sgd.) Andrew Landry,
Government Wharfinger.

If paid at once I will settle for $10, otherwise I am instructed to press the claim for $30.

(Sgd.) Andrew Landry,
Government Wharfinger.

It is known that my good friend the hon. Minister of Finance was making rapid progress in dissipating the comfortable surplus that he discovered in the treasury, the result of fifteen years of Liberal administration, but I had not imagined that he had gone so far in the path of the spendthrift that in the month of August, 1912, he was willing to compromise a bill of thirty dollars by the payment of ten. That is the case as I have given it, which I have made out from the documents of public record. There is one other circumstance which I feel I am justified in pointing out in connection with this matter. It has been stated that the acting Minister of Justice and the hon. Minister of Marine and Fisheres could have had no knowledge of the political proclivities involved in the prosecution of Landry, and in extenuation of the manner in which this case was dealt with, it has been said that there was no means of ascertaining whether Landry was a Con-

servative or a Liberal, and, therefore, that political considerations could not have entered into the matter. I desire to ask the Minister of Finance, who was at that time the acting Minister of Justice, if information did not come to him that Captain Andrew Landry was a strong Conservative, and that the man who laid the information against him was a strong Liberal?

Mr. WHITE (Minister of Finance): When this matter was brought up by my hon. friend on a previous occasion, I said it was not in my mind or memory that the name of Landry had ever been before me; that I had no knowledge whatever as to whether he was a Liberal or a Conservative, nor, at the time my hon. friend brought it up, was I aware that the matter had been in any way dealt with by me, until the next day, when the hon. Minister of Justice directed my attention to the fact that it was a case which had been dealt with by myself during his absence in England.

Mr. KYTE: The fact, then, remains that information did come to the department as I have stated, and that is not denied by the hon. Minister of Finance. But there is another circumstance which I state as a matter of fact, and that is that the officer of the department to whom the matter was referred was of the opinion that Landry was not entitled to his discharge upon the merits of the case, but, if the surgical operation was necessary to save his life, he thought it would be humane to release him. Did the acting Minister of Justice institute that inquiry? I stated a moment ago that he did not, but he accepted an unofficial telegram, from a man who was totally unknown to him, as to the truth of the statement, and no independent inquiry was instituted by him. Therefore, the very point upon which his release was permitted was not investigated by the Department of Justice, but the ex parte statement of a political friend, the nephew of Landry himself, was accepted as the only testimony upon which the action was based. I said that Landry resumed his occupation as wharfinger in Descouse. The remuneration, as was stated on a former occasion by the Prime Minister, was very trifling, so trifling that he could not live upon it, and he left Descousse a few weeks after, and took a position at the steel works in Sydney, where he has been ever since.

I beg to move, seconded by Mr. Martin, of Regina:

That all the words after 'that' be struck out and the following substituted therefor:

Andrew Landry, of Descouse, in the county of Richmond, Nova Scotia, was on the 8th day of December, 1911, recommended to the Hon. J. D. Hazen, Minister of Marine and Fisheries, by J. A. Gillies, defeated Conservative candidate in the county of Richmond, in the last general election, for the position of 'fishery officer' in the place of Dugald R. Boyle, dismissed for alleged political partisanship.

That on the 18th day of December, 1911, the Hon. J. D. Hazen was notified in writing that the said Andrew Landry was not a fit and proper person to appoint to any public office.

That on the 23rd day of December, 1911, the Hon. J. D. Hazen appointed the said Andrew Landry, wharfinger of the Government wharf at Descouse, Nova Scotia, in place of Léon Poirier, dismissed for alleged offensive political partisanship.

That on the 1st day of February, 1912, the said Andrew Landry was brought before a stipendary magistrate on a complaint charging him with forging the signature of one Paul LeBlanc to a promissory note and uttering the same.

That on the 4th day of June, 1912, the said Andrew Landry was tried in the Supreme Court at Arichat before Mr. Justice Graham and a jury on an indictment for forgery as above set forth, and he was on the 5th day of June found guilty and sentenced by the court to serve twelve months in the county jail at Arichat for the said offence.

That on the 7th day of June, 1912, the said Andrew Landry was by the said Hon. J. D. Hazen given the contract for the buoy service in Lennox Passage without tender at $240 per year in the place of Captain Frederick Poirier.

That the said Andrew Landry was on the 3rd day of August, 1912, when but two months of his sentence had expired, released from jail by the Department of Justice and resumed his office as wharfinger.

That in appointing the said Andrew Landry to public office while under committment and sentence for the commission of a serious crime and in releasing him from jail after his conviction for the said crime, the Government under all the circumstances is deserving of the severst censure.

Hon. J. D. HAZEN (Minister of Marine and Fisheries): It is only right that I should place before the House a plain statement of the facts in regard to the matter which forms the subject of the amendment moved by the hon. member for Richmond (Mr. Kyte) to the motion that you leave the Chair for the House to go into Committee of Supply. When I have made that plain statement of fact, it will be for the House to judge whether the Government is deserving of censure because of its action in regard to that matter. This subject does not come before the House now for the first time. The hon. member for Richmond brought it before the House on one previous occasion this session when he laid before the House the statement as he has given it to us to-day. When I heard the hon. gentleman then I was convinced and I am more convinced now that while as a member of the Opposition he would like to bring before the country anything that in his opinion would reflect on the conduct of the Government or any department of it, he is more anxious

to make an attack upon Mr. J. A. Gillies, barrister, of Richmond, who was his opponent in the last campaign and who may be his opponent in the next campaign. On this occasion I hold no brief for Mr. Gillies, I do not wish to shirk one atom of responsibility attached to me as head of the Department of Marine and Fisheries; but while I hold no brief for Mr. Gillies I would say, having sat in the House with him, that he is a gentleman of reputation and position in the part of Nova Scotia from which he comes. He has been twice honoured by being elected a member of parliament in the county now represented by the hon. member for Richmond. He has sat for several terms in the House of Commons and he has been an active man at the bar of Nova Scotia and in the political life of the county from which he comes. It is my firm conviction that in making the representation which he did to the department with reference to Mr. Landry he was acting in good faith, believing that Mr. Landry was a reputable man and believing the facts set out in the very strong letters in Landry's behalf and filed in the department, copies of which have been laid on the table of the House.

I wish to take up this question in a little different manner from my hon. friend and to avoid any confusion in its presentation. The hon. member first referred to the facts in connection with the recommendation of Mr. Landry for the position of fisheries overseer and the letter received from Father Boucher in regard to the appointment. The first knowledge that the department had of the matter was the receipt of a letter from Mr. Gillies dated December 8, in 1911, in which he forwarded a letter advising that at a full meeting of the Liberal Conservative Association held at Arichat on the previous day a unanimous resolution had been passed asking for the dismissal of Dougald R. Boyle, fishery overseer of West Arichat. Mr. Gillies pointed out in the course of his letter that Mr. Boyle was a noted political partisan who had been most active during the recent election. He represented that he attended meetings of the Liberal party, canvassed openly, and was the sworn representative of Mr. Kyte on election day at West Arichat. On these grounds Mr. Gillies asked for the dismissal of Mr. Boyle, and recommended as his successor Captain Andrew Landry, of Descouse. My hon. friend (Mr. Kyte) says we acted on that recommendation of Mr. Gillies' without investigation, and without inquiry. In making that statement, the hon. gentleman is incorrect. No doubt he believed that what he stated was correct, but it was incorrect. We had right here at hand in the city of Ottawa the opportunity of verifying one of the statements contained in Mr. Gillies' letter, and we caused inquiry to be made, and the correctness of the statement contained in Mr. Gillies' letter that Mr. Boyle was the representative of Mr. Kyte on election day was verified by reference to the records in the hands of the Clerk of the Crown in Chancery. It has been laid down in this House by no less an authority than the right hon. gentleman who leads the Opposition, that acting as scrutineer at the polls is sufficient evidence of political partisanship to justify the removal of an official from office, and here we have the records in the office of the Clerk of the Crown in Chancery in the city of Ottawa showing that the statement made by Mr. Gillies to the effect that Boyle had acted as the representative of Mr. Kyte at the election of 1911 was correct. That being the case, I had no hesitation in recommending to council that the gentleman named, who held this office, preferring to be a politician rather an official of the Government, should, in the language of my right hon. friend, be given every opportunity of being a politician. Therefore, I recommended his dismissal, and an Order in Council was passed removing him from the position.

Mr. GUTHRIE: What is the date of the Order in Council?

Mr. HAZEN: The Order in Council issued on 20th January, 1912. Mr. Gillies' letter recommending the appointment of Mr. Landry was on the 8th. On 18th December, I received a letter from the Rev. Wilfrid Boucher, the parish priest at Descouse, to which reference has been made by my hon. friend from Richmond, and which he read to the House, calling attention to the character of Captain Landry. That letter having been read to the House, it would simply be occupying time to read it again, or to give the substance of it. But that letter from Mr. Boucher was written on the 18th December. It was received at and opened in the department on the 22nd of December, and I ask hon. gentlemen to bear these dates in mind. That letter having been received from Father Boucher, its contents were ackonwledged and its contents conveyed in a letter to Mr. Gillies. There was correspondence about the matter, Mr. Gillies asserting very positively in his letter that the reverend gentleman, in complaining of Landry's conduct, must be mistaken and the information he had received was incorrect. But in consequence of that letter, and as a result of the information it contained and of the correspondence that followed, I refused to appoint Landry to the position of fishery overseer. Another gentleman was appointed to that position, not Mr. Andrew Landry. So far as the office of fishery overseer is concerned, which is the important office, and the office about which Father Boucher

wrote to us, the matter stands simply this way: Landry was recommended by Mr. Gillies, exception was taken to his appointment by Father Boucher who wrote to me giving his reasons for so doing; I had correspondence with reference to it, and I did not appoint Landry to the office, but another man, by the name, I think, of Boudreau. These are the facts connected with the position of fishery overseer. My hon. friend from Richmond (Mr. Kyte) would leave the impression on the minds of hon. members, rather by what he did not say, than by what he did say, that Andrew Landry had been appointed to the position of fishery overseer. The resolution which he moved contains this preamble:

Andrew Landry, of Descouse, in the county of Richmond, Nova Scotia, was on the 8th day of December, 1911, recommended to the hon. J. D. Hazen, Minister of Marine and Fisheries, by J. A. Gillies, defeated Conservative candidate in the county of Richmond in the last general election, for the position of fishery officer in the place of Dugald R. Boyle, dismissed for alleged political partisanship.

That on the 18th day of December, 1911 the hon. J. D. Hazen was notified in writing that the said Andrew Landry was not a fit and proper person to appoint to any public office.

The preamble of the hon. gentleman's resolution is silent with regard to the fact that Landry was not appointed to this position, and that representation by Father Boucher was regarded by the department. But the hon. gentleman goes on to say that Andrew Landry was appointed wharfinger, after the date on which Father Boucher had communicated with the department with regard to his fitness for the position of inspector of fisheries. Let us analyse that statement for a few moments and see whether it is correct. Andrew Landry was recommended by Mr. Gillies for the position of 2wharfinger at Descouse on the 8th December. On the 14th day of December, four days before Father Boucher's letter was written, I sent my recommendation to council for the appointment of Andrew Landry to the position of wharfinger as recommended by Mr. Gillies in his letter of December 8th. On the 19th December, three days before Father Boucher's letter was received by and opened in the department the Order in Council passed appointing Landry wharfinger at Descouse. The hon. gentleman will therefore see that he is entirely incorrect in stating that Andrew Landry was appointed wharfinger at Descouse after the information conveyed to me by Father Boucher in his letter had reached me or the officials of the department. On the contrary, my recommendation was made one week, practically, before that letter was received from Father Boucher, and when not a single word had reached me reflecting on the conduct of Landry and the Order in Council was passed on the 20th of December, two days before Boucher's letter was received at and opened in the department. That being the case, I submit that my hon. friend from Richmond (Mr. Kyte) is entirely unjustified in making the assertion that on the 23rd day of December I appointed Andrew Landry wharfinger at the Government wharf at Descouse in place of Leon N. Poirier dismissed for offensive partisanship. The Order in Council having been passed in the ordinary course of events, one of the officials in the department, who looked after the matter, wrote a letter on the 23rd day of December notifying Andrew Landry of his appointment, which as I have said had been made by Order in Council on the 20th day of December. I have to say this to my hon. friend and I say it in all sincerity, that the probability is that, if the matter had occurred to me, or had been brought to my attention by an official of the department that this letter of Father Boucher referred to the man who had been appointed wharfinger by the Order in Council of the 20th December I would have held up the appointment until further inquiry had been made into the matter. Discussing the matter yesterday and to-day with the deputy minister of my department, to whom matters of this sort go, he assured me that he had no recollection of the matter at all and it never occurred to him for one instant that the man about whom Father Boucher had written was the same who had been appointed wharfinger by Order in Council on September 19.

Mr. GUTHRIE: What is the date of the letter written by the minister to the Rev. W. A. Boucher?

Mr. HAZEN: Father Boucher's letter came to the department, it was opened, it was brought to me, and I dictated the reply that went to Father Boucher, dated the 22nd of December. It may seem extraordinary to hon. gentlemen opposite, but nevertheless it is the fact, that when I was dictating that letter to Father Boucher on the 22nd of December it did not occur to me that this was the man whom I had recommended to council on the 14th day of December as wharfinger.

Sir WILFRID LAURIER: I understood, from the correspondence read by my hon. friend (Mr. Kyte), that on receipt of the letter from Father Boucher the minister had communicated with Mr. Gillies in regard to that letter.

Mr. HAZEN: After writing to Father Boucher acknowledging the receipt of his letter—this had reference to the appointment as fishery overseer—I did write to Mr.

Gillies telling him of the letter I had received from Father Boucher, and I referred him to the fact that perhaps he did not have the information contained in Father Boucher's letter at the time he recommended Mr. Andrew Landry to this position, Mr. Gillies wrote me back stating that Mr. Andrew Landry was a most respectable man; referring to the political dissensions which had occurred there, and stating there was nothing whatever in this charge against Andrew Landry which had reached the ears of Father Boucher. But what we were considering, was the appointment of overseer of fisheries, and the result was that in face of that letter from Father Boucher we did not appoint Landry and we asked for another nomination and appointed the other nominee instead. When my right hon. friend asked me the question I was referring to the position of wharfinger for which Landry was recommended on the 8th day of December. to which position I recommended his appointment on the 14th December and to which position he was appointed by Order in Council on the 19th of December, two days before the letter from Father Boucher arrived at the department. The position of wharfinger at Descouse is not very important as may be judged by the remuneration which the wharfinger receives and I can well understand the statement of my hon. friend that the remuneration is not sufficient to permit of a man living on it without other occupation. The remuneration which the wharfinger at Descouse received in 1909-10 was $9.05; in 1910-11 $18.29; in 1911-12 $22; and in 1912-13, $17.08; and the amount received by Landry during the time he occupied the position was $9.60. It may be that being a small matter very serious consideration was not given to it and it certainly did not occur to the department that the same man who had been appointed wharfinger was the man who had been recommended for the position of fishery overseer. On the 8th day of December Landry was recommended as wharfinger by Mr. Gillies and on the 19th he was appointed to the position by Order in Council. Up to this time no statement of any kind had been received at the department with respect to Captain Landry. It will be noted that the letter written by Father Boucher, charging improper conduct on the part of Captain Landry was written on the 18th of December, the day before that on which the order issued appointing Captain Landry wharfinger; it will be noted further that Father Boucher's letter had reference to the appointment of Captain Landry as fishery overseer in succession to Mr. Boyle at West Arichat and not in any way to his appointment as wharfinger.

The correspondence of the Fisheries Branch of the Department—as my hon. friend (Mr. Lemieux), who was minister will know—is kept entirely separate from the correspondence of the Marine Branch and is attended to by an entirely different set of officers. As a matter of fact the officers of one branch have no knowledge whatever of the correspondence received in the other branch, nor did it occur to me or to any of the officers of the department when Father Boucher's letter was received, that the Captain Landry referred to in connection with the position of fishery overseer was the same Captain Landry who was recommended for the position of wharfinger. In connection with the position of wharfinger, the first information received at the department relative to improper conduct on the part of the wharfinger, was a letter from the agent of the department at Halifax written on the 19th June, 1912, and which letter advised the department that Captain Landry had been sentenced to a term in jail. At the date this letter was received at the department I was making preparations to leave for England and the matter never came under my observation at all. On the 26th of June, the Deputy Minister, I being then absent, having sailed for England—I do not wish to cast any responsibility on my Deputy Minister, I take full responsibility for everything that was done, but I mention that at the time I was in England and had no knowledge of it—on the 26th day of June my Deputy Minister, in the discharge of his duty, wrote the letter to which my hon. friend (Mr. Kyte), has referred as evidence of the fact that the Minister of Marine and Fisheries was very desirous of regarding in the easiest possible way the susceptibilities of people with whom the department had to deal and who were accused of crime. The point of that statement of my hon. friend is rather impaired by the fact that I was not in Canada at the time that letter was written. I repeat that I do not wish to throw the slighest responsibility on my Deputy Minister.

Mr. SCHAFFNER: Who is the Deputy Minister?

Mr. HAZEN: The Deputy Minister is the same gentleman who has filled the position for a number of years, and who for a number of years previous to that was a member of this House. On the 26th of June Mr. Gillies was advised in this letter from the Deputy Minister that it was proposed to dispense with the services of Captain Landry, and the Deputy asked that a suitable successor be recommended. On

the 3rd of July Mr. Gillies wrote the department to say that the duties of the position were being attended to by Captain Langlois, whom he represented as a thoroughly respectable member of the community. Mr. Gillies was advised that the duties of wharfinger as discharged by Captain Langlois were satisfactory to the department until such time as it would be found convenient to further deal with the matter, and at the earliest possible opportunity the acting minister, the Hon. Mr. Perley, forwarded a recommendation to council dispensing with the services of Captain Landry as wharfinger. There was some delay in dealing with this owing to the fact that at that season of the year most of the ministers were out of town and for some time a Cabinet Council was not held, but on the 26th of August, three days before I landed in Quebec on my return from England, an Order in Council was passed dismissing Captain Landry from office and appointing Captain Langlois in his place. These are all the facts in connection with the matter and what do they amount to when summed up? They amount to the fact that having taken the recommendation of a gentleman who had been our candidate in Richmond and who previously had been a member of this House, without one word against the reputation of the man whom he recommended at that time in so far as the department knew, we appointed on the 19th of December Captain Landry to the position of wharfinger. Some days afterwards a letter was received protesting against the appointment of Captain Landry to the position of fishery overseer. It escaped the attention of the department that this was the same Captain Landry who had been appointed wharfinger a few days before. Even if that had come to the attention of the department, in view of the insignificance of the office to which he had been appointed and in view of the fact that Mr. Gillies disputed the correctness of the statement made by Father Boucher, it is very doubtful whether the department would have been justified in removing Captain Landry from that office until further evidence of his unfitness had been produced. The very moment it came to the attention of the department that Captain Landry had been sent to jail, my deputy minister acted in my absence, and at the earliest possible moment an Order in Council was passed removing Landry from that position and appointing a thoroughly creditable man in his place. As far as the position of wharfinger is concerned, that is all there is in regard to the matter.

In regard to the position of buoy contractor at Decouse, the history is this: In 1906, a gentleman named Captain Poirier had a contract which he had held for three years. At the expiration of his contract, upon the recommendation of Mr. Finlayson, M.P., without calling for tenders, the department renewed his contract. On the expiration of this contract in 1909, on the recommendation of my hon. friend from Richmond, Captain Poirier's contract was renewed for a further period of three years.

Mr. BORDEN: Without tender.

Mr. HAZEN: Without tender. On the 28th day of May, 1912, the department was advised as to the date when this contract expired; and Mr. Gillies recommended that a contract be entered into with Captain A. Landry, on the same terms as with the previous contractor, provided he gave proper and sufficient sureties for the carrying out of the work. On the 7th day of June—it is true that this is after the date when my hon friend says Landry had been found guilty, but the department had no information from any source of any trial or of Captain Landry having been found guilty of any crime—the department gave instructions that a contract be entered into with Captain Landry provided he gave proper and sufficient sureties for the carrying out of the work. A very few days later, on the 10th or 11th of June, a report reached the department with regard to Landry's trial; we at once wired to the agent of the department at Halifax to defer action, and on the following day we directed the agent to at once countermand the instructions which we had given. On the 15th day of June, a contract was entered into with Charles Fougere. I have given a fair, unvarnished statement of the facts with regard to the case.

To sum up, what do they amount to? In the first place, with regard to the position of fishery overseer, we refused to appoint Captain Landry to that position and we did not appoint him. In the second place, with regard to the position of wharfinger, in which he received the insignficant sum of nine dollars and sixty cents, he was appointed before we had any word of protest from Father Boucher or anybody else; and he was removed from that position, during my absence in England, on the recommendation of the gentleman who was acting as Minister of Marine and Fisheries, as soon as the facts of the case and of the trial became known to him. So far as the position of buoy contractor is concerned, no contract was ever entered into with him. The moment we got information of what occurred at the trial, of which we knew nothing at the time when we gave these instructions, the instructions were countermanded and the contract was never entered into.

It has been spread broadcast throughout the country that the Department of Marine and Fisheries, knowing the character of this

man, appointed him to three different positions in the gift of this country. No statement can be further from the truth. The only position to which he was appointed was the position of wharfinger, and he was removed from that position as soon as the department learned the facts with regard to the case. In view of that statement of fact, it seems to me that there are certain statements in this amendment of my hon. friend from Richmond (Mr. Kyte) that he ought to eliminate before he asks this House to vote upon it. He makes the statement:

That on the 18th day of December, 1911, the hon. J. D. Hazen was notified in writing that the said Andrew Landry was not a fit and proper person to appoint to any public office.

The impression which he would leave upon the public mind is that on the 18th day of December, I received a notification to the effect that Landry was not a fit and proper person to appoint to any public office. The fact is that the 18th day of December was the date when the letter was written by Father Boucher in the county of Richmond in the province of Nova Scotia. That letter was not received and opened in the department until the 22nd of December. If my hon. friend wishes to do what is fair, he ought to amend that statement by saying that I was notified on the 22nd of December, or else he ought to say that on the 18th of December a letter was written from the county of Richmond, Nova Scotia, giving that information. To allow that statement to go out to the public, in the way in which it stands at present, would make it appear as though I had this information on the 18th of December and that on the 19th of December I was party to passing an Order in Council appointing Landry to a public office at Descouse.

In the concluding part of the amendment of my hon. friend, he refers to the appointment of Captain Landry to public office while under the commitment and sentence for the commission of a serious crime. Captain Andrew Landry was not appointed to public office while under commitment or sentence for the commission of a serious crime or any other crime. He was appointed an officer long before he was tried or committed for this crime. The only public office to which he was appointed was the position of wharfinger. In view of that, I think my hon. friend, in order to be just and fair to myself and to the members of this House, ought to omit that statement from his amendment.

There is another inference and a veiled insinuation in the speech made by my hon. friend. An insinuation has been made in the press of this country that, acting in collusion with the Department of Justice, the Department of Marine and Fisheries endeavoured to obtain the discharge from jail of Captain Landry before the expiration of his sentence. Not one title of evidence can be produced to support any such statement. I desire to make the statement here on my responsibility as a minister of the Crown that neither the Minister of Marine and Fisheries, nor any officer in that department was aware that any application was being made to the Minister of Justice for the release of Andrew Landry on ticket-of-leave. They knew nothing about it; they had no part or lot in it; they did nothing to bring about or accomplish that result. As to whether Andrew Landry was discharged from jail before the sentence expired, that is a matter which the Minister of Justice will explain to this House. I understand that the Department of Justice acted in this case just as they have acted in other cases. My hon. friend from Richmond says they were imposed upon, that Andrew Landry was not in the state of health represented. If the Department of Justice was imposed upon—and I have no knowledge in regard to that—it is not the first time that the department has been imposed upon, or has been alleged to have been imposed upon, in a matter of this kind. I look back a few years to the time when I was Attorney General of the province of New Brunswick, and prosecuted in the city of St. John for defamatory libel against many of the best citizens of the province, the publisher of a scurrilous paper in the city of Moncton. The man was found guilty of defamatory libel, and Mr. Justice White sentenced him to the common jail for seven months. If my memory is right, after serving less than two months, the man was discharged by direction of the Department of Justice in Ottawa, though the universal feeling of those responsible for the administration of the law and of the community generally, was that the sentence had been an extremely lenient one considering the gravity of the offence. It was represented on behalf of the Department of Justice that medical certificates had been filed that the condition of this man's health was such that if required to serve his full sentence, his life would be in peril. But the jail doors had hardly closed behind him before he was back in Moncton and publishing another paper called the Vindicator, and of the same nature as the first, for publishing which a jury of his countrymen had found him guilty so that he had been sentenced to jail by a judge of the Supreme Court. That was when Sir Allen Aylesworth was Minister of Justice in the Government led by my right hon. friend who now leads the Opposition in this House. And if I was seeking for another instance I could find it in the case of a man named Sperdakes convicted in St. John of tapping the wires belonging to the street railway company and stealing electric cur-

rent from them. He was sentenced to jail and was released just on the eve of the elections. What the reasons for his release were was never stated by the department, but he was released after only a very short part of his sentence had been served, and the general impression was that that release was not altogether apart from political considerations. However, I do not feel called upon to enter upon a defence of the Department of Justice. The Minister of Justice, and the Minister of Finance, who was acting at the time in the absence of the Minister of Justice, will no doubt explain fully and to the satisfaction of the House what reasons induced them to allow Mr. Andrew Landry to leave the prison before the full term of his sentence had run out. I feel that the consideration of the facts of this case will convince any hon. gentleman who does not view it from a party standpoint that there is no reason why the House should pass the vote of censure which it is asked to pass.

Hon. C. J. DOHERTY (Minister of Justice): I confess that it was with a considerable degree of surprise that I found the hon. member for Richmond coupling in the motion which he placed before the House the action of the Government as he describes it in ordering the release of this man Landry with the action of the Government and of the Department of Marine and Fisheries, and asking this House to declare that the Government is deserving of severe censure in connection with both of these actions. My colleague the Minister of Marine and Fisheries has dealt with the accusation which the hon. member for Richmond has thought proper to bring against that department; and, so far as I am concerned, I am satisfied with his defence. I rose to make answer to the motion and to the speech of the hon. member for Richmond so far as he impugns the action of the Department of Justice in connection with the release of this man Landry.

First—I would like to call attention to the terms of the motion itself, the allegations of fact from which the hon. member deduces the conclusion that the Government is deserving of censure by reason of the release of Mr. Landry. So far as that release is concerned, there are in this motion precisely two allegations bearing upon it,—one, that this man was a convict, and the other that this man was released. All the other allegations go to show that this man was an employee of the Government of Canada and that he was improperly appointed to his position. I ask this House whether it is a reason why the Government should be censured that this man, having been convicted of crime, was released upon a ticket-of-leave under the law providing for the issue of tickets-of-leave. Are we to understand that the proposition of the hon. member for Richmond is that the granting of the ticket-of-leave to a convict is unjustifiable and deserving of censure if and because the man happened to be an employee of this Government; and, if you will, because he should not have been an employee of this Government? Unless that be so from beginning to end of this motion, there is no allegation of fact reflecting on the Government as regards the clemency shown to this man. There are the allegations that he was convicted of forgery; that he was guilty of that offence, and that the Minister of Marine and Fisheries was informed and yet that this man was given an appointment under this Government. Then, there is the allegation of conviction and sentence, the allegation of release; and, therefore, the hon. member for Richmond says that the Government is to be condemned for releasing him. So far as the allegation that he was guilty and conviction is concerned, that is the very basis of a ticket-of-leave; that is the very beginning of the whole operation. You cannot release a man who has not been convicted, and surely it cannot be argued that, because the man in this case was convicted, the Government is to be censured for granting him a ticket of leave. The law provides for the granting of tickets-of-leave to persons who have been convicted, and, indeed, it is impossible to conceive of their being granted to anyone else. There is no statement of fact in this motion impugning the motive or the action of that department of the Government which is responsible for the advice given to His Royal Highness the Governor General to grant this man a ticket-of-leave. If one considers the motion only, and looks upon it as a lawyer would, it is absolutely demurrable so far as that branch of the case is concerned. I am not surprised that the hon. member for Richmond found no statement of fact that he could put down in his motion in black and white as justifying censure upon this Government by reason of the action of the Department of Justice. He could put down in black and white no statement of fact as justifying the conclusion of his motion in that regard because there was no fact justifying censure in that connection which could be truthfully stated. After having listened to the speech in which he has supported this motion, I think I am quite within my rights in saying that this House has heard the statement of no adequate reason to justify it in pronouncing censure upon this Government because a ticket-of-leave was granted. At the very most, what we have heard is that the judgment of the hon. member for Richmond as to the information upon which that ticket of leave was ordered to issue does not coincide with the judgment of the Department of Justice and of the Minister

of Justice as to whether or not that man should have been released. But what I feel justified in saying is that there is an absolute unfairness—I do not charge that the hon. gentleman is intentionally unfair, but I think if he reads his motion carefully, and calmly reflects upon it, he will see there is an absolute unfairness in coupling with this motion, so far as it censures the Government by reason of the action of the Department of Justice, all these statements of fact with regard to this man's appointment to office, when it is not even suggested that the Department of Justice had the remotest knowledge of the existence of those facts, even if the knowledge of those facts should have affected its judgment in the matter. Let us look at what did happen, irrespective of what this motion states; irrespective of what the hon. member has said in his speech, and with respect only to what happened so far as the Department of Justice is concerned. At the outset, I defy anyone to say that there is one tittle of evidence that any of the alleged facts in connection with this man's appointment ever were within the knowledge of the Department of Justice, and I undertake to say absolutely that they never were. Certainly, for myself, I knew nothing of them; certainly, from my communication with the officers of the department, they knew nothing of them, and certainly the hon. gentleman does not mean to impugn the veracity, the truthfulness, the honour and the impartiality of the officials in that department, who, through so many years, have served this country under the one party and under the other, and who have enjoyed the confidence of successive Ministers of Justice belonging to one party or the other? I venture to say that to no one in the department who ever had to deal with this question were any of the alleged facts in connection with this man's relations with the Department of Marine and Fisheries known. Inasmuch as in this motion the facts in connection with the release of this man and with his appointment are placed together as the actions of the Government—which no doubt, they are, in the sense that they are actions for which the Government is responsible—but, inasmuch as they are coupled in that way, I desire to point out that the action of the Department of Justice in dealing with matters of this kind is in no sense the action of the Government in so far as that implies that the Government as a whole takes any part in that action. The release of this man was granted under the Ticket of Leave Act, and that Act confers no power upon the Governor in Council, and, therefore, gives no power to the Government to release this man. The power conferred under that Act is upon the Governor General, and it specifically provides that, with regard to its application, the advisor of the Governor General shall be the Minister of Justice, and nobody else. I desire to point out—not because I think it is necessary that the hon. member who makes this motion should be enlightened as to the distinction which ought to be made, but because he has seen proper to couple both these things as being the action of the Government, and because his motion will go out to the public, who may not understand the distinction, as indicating that it was precisely the same body of men who dealt with the two matters and suggesting that there was some presumption that the man who dealt with the one knew of the other—that this action of the Department of Justice is exclusively the action of that department and of its minister, and for it, he, and he alone, is responsible. I do not mean to question the fact that this Government, endorsing what he did, stands responsible for him. I have no intention of intimating that any of my colleagues are afraid to take the responsibility for it any more than I am myself, although, as it happens, it was not my personal action. I do not refer to that as in the least diminishing my responsibility; I mention it only because it is, perhaps a fact which entitles me to expect that in dealing with this question I will be looked upon not as endeavouring to make a defence of my own personal action, but as dealing with it as one might deal with a question in regard to which he is called upon rather to review the individual action of another than to justify what he himself has done. But, so far as the absolute responsibility for it is concerned, I am as ready and as willing to take it as if it had been my own personal action. I am sure all hon. members sitting in this House want to be fair in this matter, and I ask them to look at this case as it presented itself to the Department of Justice. Have we heard even one word of an assertion that the case as it presented itself to the Department of Justice demonstrated these alleged facts with regard to this man's employment in the Department of Marine and Fisheries—not merely showed that there was anything wrong about it, but that the appointment itself had ever been made? We have not heard a word or a statement to that effect. I stand here to say that there came no communication to the Department of Justice, from the gentleman who is evidently the bête noir of the hon. member for Richmond, in regard to this entire matter. That there is no communication from Mr. Joseph Gillies, that there is no communication from any politician of any stripe or description, that there is absolutely nothing that came before this department that would imply in any way that Mr. Landry

had any connection of any kind with any department of this Government.

I was sorry to hear the hon. member for Richmond make a point of the fact that to his knowledge there was in that record a statement that Mr. Landry was a strong Conservative and that the gentleman who was his adversary in these proceedings was a sturdy Liberal.

Mr. CARVELL: Will the minister state that there is not a document in his department making that very observation about this gentleman?

Mr. DOHERTY: What observation?

Mr. CARVELL: That Mr. Landry was a Conservative and the other a Liberal?

Mr. DOHERTY: I have not stated that and I am not going to—

Mr. CARVELL: I would like the minister to tell whether there is.

Mr. DOHERTY: I am going to tell you, I am not afraid to tell the truth. I said that I was sorry to hear the member for Richmond make a point of that and I am sorry to see that the hon. member who has just taken his seat has the same conception of this matter that he thinks there is a point to be made out of it.

Mr. CARVELL: I would like the answer to the question.

Mr. DOHERTY: You shall have the answer. There is a statement in a letter to the effect that the prosecution of Landry was the result of a political squabble between him and the man to whose place he was appointed. The gentleman who makes that statement describes that quarrel as having taken place, Landry being a strong Conservative and the other man a sturdy Liberal.

Mr. CARVELL: Who was the gentleman?

Mr. DOHERTY: I shall not tell you who the gentleman was, but I shall appeal to the hon. member for Richmond who knows who he was and ask that hon. member if he thinks that that gentleman offered me the insult of making that statement because he thought it would make any difference in the result?

Mr. KYTE: I am not thinking anything about it, I am stating the facts, and that is all I have to say.

Mr. DOHERTY: I have little doubt that the hon. member for Richmond had not thought very much about it when he took the responsibility upon such flimsy grounds of impugning the honour of the Department of Justice of this country. It is a pretty serious thing to do and it behooves men who propose to do it to do some thinking before entering upon such a course. The great misfortune of all this matter is, and I say it in no feeling of unkindliness towards the hon. member for Richmond for whom I have great respect, that he has not done sufficient thinking about the gravity of the accusation that he is throwing out. As I say in the first place no politician said one word to the department on this subject nor was there any reference to anything political beyond the statement that I have read, coming from a gentleman whom the hon member knows would be quite incapable of trying to make an appeal to political feeling on behalf of this man. Apart from that statement there was nothing to show what the political stripe of either gentlemen might be, absolutely nothing to show any connection of this man with any public office whatsoever. But there was what comes very often to the department and what the hon. member for Richmond says is entitled to very little consideration, that is the strong representations, I would say the eloquent pleadings of men of standing and position in the county, of clergymen of one church and of another church, pleading for clemency towards this man. They were not saying that this man was innocent, they had come to a tribunal that did not deal with the meting out of justice to the criminal, but with the question whether, under given circumstances, there was ground for extending clemency to the admitted criminal and they came and put before the Minister of Justice considerations which the hon. member for Richmond says should have been absolutely brushed aside. They did put before that minister the statement that this man was the father of five children, the youngest nine months old and the eldest eleven years old, that he had a wife who suffered with a spinal disease and was in bed most of the time.

Mr. KYTE: Was that verified by any inquiry of the department?

Mr. DOHERTY: It was verified by the statement of the gentleman to whom I have referred, but I was not present and as a matter of fact that was not verified by any further inquiry. The hon. gentleman says that these are things that should not be consdered; he did not say that representations of that kind might not rule but he said that they should not be considered. All I am concerned about is to state the nature of the representations.

Mr. KYTE: I did not say that these considerations ought not to be taken into account; I said that the department should have had some inquiry instituted to verify them. They were false in one notorious particular at all events.

Mr. DOHERTY: Were they false in any other particular?

Mr. KYTE: I say in one particular at least they were false, that is as to the necessity of his undergoing a surgical operation.

Mr. DOHERTY: I shall come to that in a moment; all I am interested in now is to point out what the department had before it on which to exercise its judgment and I venture to say that this department and the Government are not to be censured merely because their judgment of that material may not have been the judgment of the hon. member for Richmond. The man who has to determine whether or not clemency shall be exercised is exercising what, after all, is a judicial office and he has to deal with the information that is before him and must bring to bear upon it the best judgment that Heaven has bestowed upon him. He has to weigh the representations made to him and then to decide, and he does not always have a month to decide. He is entitled to the assumption of action in good faith and honesty until someone is willing to make some statement of fact that would show the contrary. What I am interested in pointing out is the utter and absolute unfairness of coupling with a request for condemnation of the Department of Justice all this alleged material about this man's appointment, none of which was before the department, and the additional unfairness of taking the sayings of people in the street in the county that this man would not be in long and asking the House to censure the Government because men said that and also invoking against this Department of Justice the statement of Mr. Gillies in his letter of July that the man would be home in a few days and then going on to make a perfectly gratuitous assumption that Mr. Gillies had been to Ottawa and had had authority for making that statement. Let me say that no man in this case or in any other case, has ever had from the Department of Justice, since I have been responsible for it, information as to what would be done until the case had been most maturely and carefully considered and disposed of. I thoroughly and firmly believe that this is the tradition of the Department of Justice, and have enough respect for the men who preceded me in my office to believe that that was true of them and the officers under them, as it is true of myself and of the officers under me. If the hon. member has any information upon which he bases what I must otherwise call his reckless statement that Mr. Gillies had been to Ottawa and had got information, I would ask him to give me that information, and I can tell him that if he can bring home such a statement to anyone connected with the department, the connection of that official with the department will be very short-lived. What else was there before the Department of Justice, because the department can only judge of what was before it. Apart from those representations made by men, who even in the opinion of the hon. member for Richmond are men whose representations are entitled to respectful consideration, apart from the petition of the convict himself, and apart from the representations of his counsel, there was before the department, among other things, the report of the judge who presided over the trial. There was the perfectly averred and established fact, for what it is worth from the point of view of clemency, that no man had lost a dollar by the crime. I do not say that as altering the guilt of this man. The department does not determine innocence or guilt, the court does that; the department considers whether there are reasons for clemency being exercised. In addition to that there was the absolute and positive statement of a physician in the village or town, a physician whom I have not heard the hon. member describe as otherwise than a reputable physician, that this man was suffering from a most serious disease, and that unless it was made possible for him to be operated upon, he would be exposed to the most serious consequences. The hon. gentleman says that further inquiries should have been made. He says that the doctor was Landry's nephew. He does not say that the Department of Justice knew that. He says there was no inquiry. He does not tell us that before action was taken on that first certificate, that doctor was communicated with again and asked whether arrangements could and would be made for this man to go to the hospital at once, if necessary. In answer to that communication, the department was assured that arrangements could be so made, and it was conceded that it was among the possibilities that proper treatment, under proper circumstances, might render that operation unnecessary. The hon. member does not tell us that. He goes on to tell us about what he says happened after the man came out. In the first place, I would like to point out that what may have happened after the man came out can be no ground, it seems to me, for condemning the department that ordered him to be released. At the very most, it might show that the department had been deceived. The department is responsible for what it did on the evidence it had, and it must carry that responsibility. But that responsibility is neither greater nor smaller by reason of what followed after the man was discharged. The hon. member contents himself with telling us what happened afterwards, and he says in his motion that this man resumed the performance of his duties as wharfinger. He tells us that for the purpose no doubt of creating the impression that man was in

perfect health. What is the evidence of the perfect health of this man that the hon. member produces to show that he was performing his duties as wharfinger? He says that the man was actually able to sign his name to a sheet of paper, because the one act he is said to have performed, was the signing of a bill for thirty dollars, with an offer to take ten dollars if he got it quickly. I do not think that the document proves anything, unless it be that Mr. Andrew Landry knew how quickly my hon. friend the Minister of Marine was coming after him, and that he had to be in a great hurry to get his collection made. But to invoke that as justifying the assertion and as conveying the idea that he was in perfect health to perform his duties as wharfinger is absolutely absurd. If I were to call witnesses to answer the statement in this motion that Landry resumed the performance of his duties as wharfinger, I might call the hon. gentleman himself to give his testimony. He told us, the last time he spoke on this subject, what the man did after he came out, and what did he do, according to the hon. member for Richmond? In a speech of December 10, 1912, as reported on page 954 of 'Hansard,' the hon. member said:

With respect to the statement made by the right hon. Prime Minister, and repeated by the hon. Minister of Justice, to the effect that Mr. Landry had to undergo a serious surgical operation, I am bound to say that suggestion makes it all the more desirable and necessary that we should see the papers upon which the hon. Minister of Justice acted. Mr. Landry is a man not unknown to me. He lives in the county of Richmond, and I frequently visit the district in which he resides. I know that Landry has not been afflicted with any serious illness during the last twelve months, and I know that as soon as he was released from jail he proceeded to the city of Sydney and obtained employment there in the steel works.

Are we to be condemned because he went to resume his duties as wharfinger—

Mr. SPEAKER: I beg to remind the hon. minister that it is scarcely permissible to refer to a previous debate.

Mr. DOHERTY: I beg pardon Mr. Speaker; I withdraw the reference to the previous debate. I simply invoked the testimony of the hon. member for Richmond to confront it with the statement in his motion. What are the facts in connection with what did happen after this man went out? I have here a letter which I will read, because it forms no part of the record upon which action was taken in this matter, and therefore no part of anything which, as I pointed out before, I deemed it my duty, as the previous Ministers of Justice deemed it their duty, to treat as confidential. When the hon. member for Richmond made those very positive statements, I thought it was proper and the officers of the department thought it was proper, that the doctor who had certified that if we kept this man in jail we would add later on another invalid to a family already in destitution, and one with an invalid mother and young children, should be applied to, and the statements of the hon. member for Richmond should be pointed out to him. He wrote:

Arichat, N.S., January 20, 1913.

To Deputy Minister of Justice,
Ottawa.

Sir,—In reply to your letter of December 27, 1912, I beg to state that as represented by me Andrew Landry while a prisoner here he suffered from a severe attack of stone in the kidney brought on from the insanitary conditions and diet of jail life. Landry previous to his incarceration had on more than one occasion attacks of this kind. On this occasion, Landry could only be relieved from the very severe pain of the attack by the administration of heroic doses of morphine and I may say that in my opinion his condition was so precarious that had he not been incarcerated I should have sent him to the Victoria General Hospital for treatment. Thanks to nature and morphine, Landry passed in his urine the stones, the cause of his intolerable suffering, which speaks as to whether he was sick or not. Landry did not go to work immediately after his release but was under my care for about two months and was in such a condititon that necessitated help from his friends for himself and family. Finally, he had to remove to Sydney to seek a miserable living for his large family and only lately has again consulted me for the same sickness, stone in the kidney, which he finds is making his life intolerable. The hon. Minister of Justice certainly when he granted Landry's release gave liberty to a man who had only escaped death from one of the most painful diseases known to medicine.

Yours truly,
(Sgd.) B. A. LeBlanc, M.D.

So much for that. I put it to the House in all fairness if it is just to couple the Department of Justice with these statements about this man's appointment, as to which the Department of Justice did not and could not have knowledge; and, having done so, to seek to draw the inference that there is some connection between the two things. And further, to try and put condemnation upon the Department of Justice, based on the assumption that somebody came to Ottawa who said he could get this man out in two or three days; and again, to seek to base the assumption of some wrong-doing on the mere incidental statement — purely incidental to the other statement of fact as to the quarrel between them,—that one was a Conservative and the other a Liberal, and then adding the further fact, utterly unknown to the department, that the doctor who certified happened to be a nephew of this man, without

venturing to say that he is not a reputable doctor; invoking that fact quite unknown to the department and coupling with it the statement that there was a municipal health officer in Arichat who we are told was the jail physician, and drawing certain inferences because we did not go to him. These jails are not under the control of this Government, and it is a lamentable confession of ignorance to make, but it must be made, that we do not know the municipal health officer in every municipality throughout this Dominion, and we do not know and did not then know who is the jail physician at Arichat. That is all there is in virtue whereof this House is asked to send out its vote of censure upon the Department of Justice, and to tell the people of this country that in its Department of Justice, when it is a question of exercising the power of clemency, this country has fallen so low——

Mr. CARVELL: The Department of Justice, not the country.

Mr. DOHERTY:——that this country has fallen so low that the majority of its people have elected a majority of members to this House who would entrust the administration of justice to a man capable of using it for political purposes. I say to men sitting on the other side of the House, as I say to men sitting on this side of the House, with absolute confidence: You do not believe that. I say it with the more readiness as I am not speaking at the moment about my own personal action, I say: You do not believe it. You do not believe that either party in this country has fallen so low that it cannot find a Minister of Justice who can be trusted to put aside political considerations when he is dealing with the advice which upon his conscience he is called upon to give to his Sovereign as to the exercise of the sublime prerogative of clemency. You don't believe it, and I shall be disappointed if by your vote you say you do believe it. I do not know, Mr. Speaker, that I have very much more to say. In my experience I do not know that I have ever witnessed a case in which upon such a flimsy pretext a responsible man, or responsible men, have taken upon themselves to throw in the face of any respectable citizen an accusation so grave as is involved in the imputation which in this motion is put upon the Department of Justice of Canada. I have had occasion personally, Sir, to go through in the records of that department, large numbers of cases in which clemency has been asked and I stand here to bear testimony to the fact that these records are living evidence of the fact that the men who preceded me, without distinction of party, so far as I have gone back, have endeavoured to do their duty with perfect impartialty and have spared no pains to arrive at a just conclusion. And yet, may I tell the hon. member for Richmond (Mr. Kyte) that these records are full of petitions and full of letters in which a despairing father or a heart-broken mother has put up the appeal to the preceding ministers of justice: my son who is a good Liberal, or my husband voted for you in the last election, or my boys, if you let them out before the 21st of September, will vote good Liberals. Those things are all on file there, and could I conceive myself being so small as for one moment to suppose that they produced any effect upon the decisions of the Minister of Justice for the time being?

Mr. GUTHRIE: What does the Minister of Justice think of the reflection cast a moment ago by the Minister of Marine and Fisheries on Sir Allen Aylesworth in connection with the St. John case?

Mr. DOHERTY: I do not understand that the Minister of Marine mentioned that case as casting a reflection upon Sir Allen Aylesworth. What I did understand was that the Minister of Marine mentioned it as the sort of case that people, small enough to impute that kind of motive to our public men, might have invoked as indicating such a motive.

Mr. HAZEN: What I said was, that if the Department of Justice had been imposed upon in this case it was not the first time the Department of Justice had been imposed upon and I instanced the case of MacDougall, when Sir Allen Aylesworth was Minister of Justice.

Mr. CARVELL: You said Sir Allen Aylesworth was imposed upon.

Mr. HAZEN: I said that if the Department of Justice was imposed on it was not the first time, and certainly the department was imposed on in that case, because MacDougall was let out on the ground of illness and he went to work in the most active way possible.

Mr. EMMERSON: And died shortly afterwards.

Mr. CARVELL: Was he not dead in six months after being released?

Mr. HAZEN: He was dead as the result of an accident.

Mr. EMMERSON: He continued very ill in the interval.

Mr. DOHERTY: For my part, I have said what I have said just to point out what my appreciation is of the broadness of mind of people who draw the conclusion that, because an odd letter in a record said that a man was a Conservative and that another was a Liberal, that had anything to

do with the decision of the case. I am glad to be able to think better of my fellow members than to believe that any one of them, occupying the position which they occupy, would stoop so low as to be influenced by a statement of that kind. I am sorry that the conception of the hon. member for Richmond, and I judge also of the hon. member for Carleton, N.B., is as regards the present Minister and the acting Minister in this matter of that character. I venture to hope that, however strong the party feelings of hon. members will be, they will hesitate before, upon what is before them, they undertake to say, as they virtually will say, if they vote for this motion, that the Department of Justice in this matter acted with any political consideration whatever, and not upon what appeared on that record on its face as making for the exercise of clemency. I leave the case in the hands of this House, and I leave it with perfect confidence that the good judgment and the sense of fairness of the members of this House will do justice to this motion in so far as it concerns the administration of the Department of Justice.

Mr. F. B. CARVELL (Carleton, N.B.): Mr. Speaker, I wish to deal very briefly with the statements made by the Minister of Marine and Fisheries, although in my judgment the appointment of this man to these different positions is in itself not one-half as serious as the letting him out of jail when he was properly incarcerated. I can quite understand that, in the orgies of political decapitations that were going on in the months of November, December and January after the Conservative party came into power, it is quite possible that my hon. friend the Minister of Marine and Fisheries —and I think he was the greatest sinner of them all—could not keep in his mind the name of every man that had been recommended for decapitation or for appointment to office. He ought to have had the names, and there is no use of the Minister of Marine and Fisheries or the Minister of Justice, or the Minister of Finance coming here and saying: Oh, well, I was not here and I do not remember, thus putting it on somebody else. They are the responsible ministers of the Government. It is their duty to know these things. If they do not know them, they are not doing their duty to the country. If their officers are not giving them the proper information, it is their duty to get the men who will give them information. The Minister of Marine and Fisheries made the best of a bad case in defending a shady transaction, for this is unquestionably a shady transaction.

On the same day, the 8th day of December, 1911, two letters were written by the defeated candidate for the county of Richmond, one recommending this Captain Andrew Landry for the position of fishery officer. This man is always referred to by Mr. Gillies as Captain Andrew Landry. It seems to be a distinctive name and one which would attract the attention of my hon. friend the Minister of Marine and Fisheries in all the orgies that were going on at that time. The other letter recommended him for the position of wharfinger. Later on my hon. friend received a letter from Father Boucher informing him that this Captain Andrew Landry was not a fit and proper person to appoint to any public office. My hon. friend was so taken with this letter that he wrote to Mr. Gillies stating that the charge made against this man was sufficient to debar him from appointment as fishery officer, but it entirely escaped his attention so far as the position of wharfinger was concerned. He tries to get out of it by saying that Captain Landry received only $9.60 as remuneration. That is not the point. The point is that he was appointed to the position. My hon. friend endeavours to justify himself by saying that he did not get the letter from the reverend gentleman until the 22nd day of December, whereas the Order in Council appointing this man was issued on the 19th day of December. That is true, but he did not tell this House that the agent at Halifax, that Mr. J. A. Gillies, the gentleman who recommended him, and that Leon N. Poirier, the previous officer, the man who was displaced, all received their notification of the change on the 23rd day of December, the day after the hon. gentleman received the letter from Father Boucher and the day after he acknowledged it. My hon. friend did not tell the House all these facts.

Mr. HAZEN: I certainly did.

Mr. CARVELL: I did not catch it, and I thought I took down a chronological statement of the Minister of Marine and Fisheries remarks. Of course I am bound to take his word that he did mention it. It only shows that the immutable law of nature holds good that you cannot commit a sin but you will receive punishment for it in some way or other. If this Government will go into a condition of affairs with their eyes wide open as they did in the first five or six months of their administration it need not be surprised if it gets into trouble of this kind.

My hon. friend made another statement which I thought was rather a case of special pleading namely, that this man was never appointed to the position of buoy contractor. They claim that this man was never appointed to the position of taking care of the buoys. They say he was buoy contractor. Well, that is not true; there never was a contract signed with him. But that

is not because the Marine and Fisheries Department did not want him to sign it, but because the man was in jail and could not sign it. As a matter of fact, after the man was put in jail, and three months after he was sent up for trial, he was appointed by Order in Council to this position.

Mr. HAZEN: What position?

Mr. CARVELL: The position of buoy contractor.

Mr. HAZEN: Not by Order in Council. He was not appointed to the position, but a contract was entered into.

Mr. CARVELL: If that is not special pleading, I do not know what it is. I did not think the Minister of Marine and Fisheries would come down to that; I gave him credit for being a bigger man. The minister says the man was not appointed to the position but was given a contract, and then because the man was in jail and could not sign the contract he says the Government is not responsible. That is a distinction without a difference. This man was sent up for trial on the 1st of February, 1912. On the 28th of May, Mr. Gillies recommended him for the position of buoy contractor. My hon. friend need not tell me that Mr. Gillies did not know the man had been sent up for trial. I know that Mr. Gillies was hanging around Ottawa looking for a senatorship at that time, but I have no doubt he was kept well informed of what was going on in his county. But, though he knew the man had been sent up for trial, he did not hesitate to recommend him for this position. On the 7th of June, this letter was sent to Mr. Gillies by the deputy minister:

Dear Sir,—I have by direction to acknowledge receipt of your favour of the 28th ultimo, addressed to the hon. Minister of Marine and Fisheries, relating to the buoy service at Lennox Passage, and in reply I have to inform you that instructions have been issued to place this service in charge of Captain Andrew Landry, of Descouse, C.B., when the present agreement terminates at the same price as we are at present paying, namely, $250 per annum.

Yours truly,
(Sgd.) A. Johnston.

J. A. Gillies, Esq., K.C.,
Sydney, C.B.

On the same day, the agent was instructed to enter into this contract with Landry—and the man was actually in jail at that time. I do not know that the department was aware of that fact, but I can tell the minister that the man from whom they were taking their instructions, knew it,—and from whom they are still taking instructions.

Mr. KYTE: And making dismissals on his recommendations.

Mr. CARVELL: Yes. And the minister must be in pretty close quarters when he is trying to justify his taking recommendations from a man when he knew that the person recommended by that man for a position had been sent to jail. Whatever comfort the minister can take out of the fact that he was on the ocean at the time he is welcome to. If I were going to tender advice to my hon. friend the minister—and I would do it as a friend—that advice should be to dispense with the recommendations of Mr. Gillies in relation to patronage. The sooner he gets rid of men of that kind, the sooner he will get out of trouble. But if the minister wants to continue transactions of this kind, I suppose men of the Gilies stamp are the kind he wants to deal with. Now, I come to the statement that as soon as they could find time or could get together in council meeting they removed this man from the position. The man was put in jail on the 4th of June, and the department was officially notified of the fact on the 19th. The hon. minister was anxious that we should remember dates; I want him to remember them. His department was officially notified by letter dated Halifax, 19th of June, which must have come here on the 21st of June, that this man was in jail and could not perform the duties of his office. Yet he was allowed to retain the office until the 26th of August, or for two months from the time of the notification. If hon. gentlemen opposite had been as anxious to do what was right in this matter as they are now to rid themselves of the stigma of what they have done, I do not think they would have waited two months to get the man out of office. But this case only goes to show that in the Department of Marine and Fisheries the policy which they adopt is that the end justifies the means. When the thing was getting so hot they could not decently keep the man any longer, they screwed their courage up to the sticking place and passed an Order in Council removing him from office. I leave the Minister of Marine and Fisheries to settle this with himself and the country as best he may. I want to come now to what I consider the gravamen of the charge. The other is bad enough, but I think every person who looks at this thing fairly will agree that when we come to the action of the Department of Justice we have something that really challenges the attention of the people of this country, a condition of affairs which I am very sorry to see. The Minister of Marine and Fisheries adduced his characteristic argument by saying that if they are guilty we are guilty. He said: You let Bruce Macdougall out of jail after he had served two months out of a six

months' sentence—I think it was six months.

Mr. HAZEN: Seven months.

Mr. CARVELL: Well, it does not make much difference. But suppose that Bruce Macdougall were let out of jail by gross corruption, is that any reason for letting Andrew Landry out of jail by gross corruption? We have listened to this argument so often that I am amazed that the Minister of Marine and Fisheries brings it forward again.

Mr. RHODES: He did not.

Mr. CARVELL: Who says he did not?

Mr. RHODES: I do.

Mr. CARVELL: I say you do not know what you are talking about. I say it is a gross piece of impertinence for any one to say——

Some hon. MEMBERS: Order.

Other hon. MEMBERS: Take it back.

Mr. CARVELL: I will not take it back; he has no right——

Mr. SPEAKER: The word 'impertinent' as applied to another member is laid down as strictly improper. I would ask the hon. member to withdraw it.

Mr. CARVELL: I withdraw the word under your ruling, Mr. Speaker——

Mr. RHODES: I rise to a point of order.

Mr. CARVELL: There is no point of order. I am addressing the Chair. I have withdrawn the statement.

Mr. RHODES: What statement?

Mr. CARVELL: I have withdrawn the statement which the Chair asked me to withdraw.

Mr. RHODES: My point of order is—

Mr. CARVELL: I object; I want to know what my rights are

Mr. SPEAKER: Order. The hon. member for Cumberland has risen to a point of order, and has a right to state his point of order.

Mr. RHODES: My point of order is that the hon. member for Carleton made an assertion of fact with respect to a statement made by the Minister of Marine and Fisheries. He said that the hon. minister had justified the Government's action by a similar action in the case of Macdougall. That is not an accurate statement of the case. The minister made no such assertion.

Mr. CARVELL: That is not a point of order.

Mr. RHODES: It is; because the hon. member has stated as a fact that which is not a fact. That is why I took exception to it.

Mr. CARVELL: I wish to discuss that point of order—

Mr. SPEAKER: I do not think the point of order is well taken.

Mr. CARVELL: Now, perhaps my hon. friend from Cumberland will be a little more courteous in debate in the future and not interrupt a member in the manner he did a few minutes ago. If I trespassed upon the strict rules of debate, I think that the justification was so great that it is remarkable that I did not say anything more severe to him than I did. The hon. member ought to be highly gratified that he was let off so easily, and I hope that he will not repeat the offence. I repeat, that, as I understood the minister he did justify the letting of this man out of jail by the fact that Bruce Macdougall was let out of jail. And he quoted the case of another man in St. John who had been guilty of robbing the electric company of power. But that is no justification for the conduct of the Government with regard to this man Landry, and it is this man of whom I am talking at the present time. I might give my hon. friend many illustrations of the manner in which men are released from jail; he knows that his Tory friends in my constituency do not apply to the judicial machinery when they want to get a man out of jail for the purpose of voting. They take him out, have him vote, and put him back again. My hon. friend will readily understand that I am now referring to the case of Angel Armstrong—he knows all about it; but that does not justify the Federal Tory Government in taking a man out of jail because that course more particularly suits their political convenience. We all listened to—I was going to say the pious hypocrisy, but I think it would be unparliamentary—to the pious pleadings of the hon. Minister of Justice this evening as to why we should exonerate him and his department from any imputation of wrongdoing in connection with this transaction. It would seem to be working on the nerves of the hon. Minister of Justice that every time he is compelled to speak in this House he does so under the impression that an imputation has been made as against his honour, and that we should be above imputing dishonourable motives to him and his department. Perhaps we would be, if the facts were not such as to compel us to draw certain conclusions; but if our statements lead the hon. gentleman to believe that we are imputing dishonest motives, I am sorry that the facts make this course necessary. Even if it has not been stated that any particular action of the Minister

of Justice is a dishonest one, the matter seems to appeal to him so strongly that every time he gets on his feet he thinks it is an outrage that hon. gentlemen should impute to him any dishonest motives. We are merely stating facts; let him draw his own inferences. The Minister of Justice treated us this evening to a speech which was representative of the utterances of that hon. gentleman. He is surprised that any hon. gentleman on this side of the House should stoop so low as to intimate that any members of his department would be guilty of letting a man out of jail through political motives, or that they would allow political reasons or considerations of any kind to sway their actions. And this from the hon. gentleman who has been guilty of cutting off the heads of hundreds of the employees of the Justice Department during the past year! There is no penitentiary in Canada that has not felt the sweep of his powerful political axe. In the St. Vincent de Paul Penitentiary, men have been swept from office who have dependent upon them families of eight or ten children; and yet the hon. gentleman comes here and pleads with members on this side of the House because of the fact that Landry had an invalid wife and a family of five little children! I think the hon. minister should defend his department in a straightforward manner, not appealing to the sympathies of hon. gentlemen, but rather dealing with the subject as a matter of logic and from a business standpoint. Men have been hanged in the British dominions during the last two or three hundred years, and are being hanged at the present time on circumstantial evidence, and convictions have been made on a chain of circumstantial evidence not half as strong as that which has been established against the Justice Department to the effect that this man was released for political reasons. I cannot prove it, because the hon. minister will not bring down the documents. The Minister of Justice has done to-night—I have no hesitation in condemning his action in strong language, as strong as I am permitted to use—what no Minister of Justice ever did before in this House; he has refused to bring down the documents in connection with a particular matter, and he has been unfair enough to give to the House the substance of those portions of the documents which suit his convenience, withholding those which he thinks might injure his case. If it is under these circumstances that the hon. minister is appealing to the House not to impute dishonest motives to his department, I think it would be advisable for him to change his methods. The hon. minister intimated—I do not know with what truth—that the member for Richmond had some additional knowledge in regard to this matter. I can only say that if the hon. member for Richmond knows anything about these documents, he has taken very good care to treat his information as absolutely confidential, because I do not know anything about them, and I do not believe there is an hon. gentleman on this side of the House who knows anything about them.

The facts in connection with this case are very simple. The man was sent to jail on the 3rd or 4th day of June, 1911, for a very serious offence. I think every lawyer in the House will agree with me when I say that the crime of forgery is considered to be one of the most serious known under the law, and I think no crime mentioned in the criminal code is punishable with so severe a penalty. No crime is more easily committed than that of forgery, and, as a deterrent against this sort of crime, the penalty is unusually severe. I think that the man was let off with a very light sentence when he was committed to the common jail for one year, and yet I have no doubt that the presiding justice took into consideration all those circumstances, so eloquently portrayed by the hon. Minister of Justice, in regard to Landry's having an invalid wife and a family of five small children. The Minister of Justice waxes very indignant when hon. members on this side of the House intimate that political influences were brought to bear in connection with this matter by the Department of Justice. How does my hon. friend the Minister of Justice meet the statement made by Mr. Gillies in his letter of July 3? The Minister of Justice stated that the hon. member for Richmond comes here and asks us to believe that there is something wrong in the Department of Justice because somebody on the street said: This man will be out of jail in a few days. I would call the attention of the hon. minister to the fact that it was not a man on the street who said that; it was the man who put Landry in his position; the man who controls the Minister of Marine and Fisheries, and who handles the patronage of the Government in one of the constituencies of this country. He is the man, I say, who, less than one month after the man had been incarcerated, made the statement that he would be out in a few days. When we consider all the circumstances surrounding the appointment of the man to these various positions, and his release from jail, I am inclined to think, in the absence of any evidence to the contrary, that Mr. Gillies knew what he was talking about. I am afraid if the minister would bring down all the papers we might get some confirmation of that suspicion. I admit that I have not the evidence because they will not bring it down but there is enough in the

papers that have been brought down to make any member suspicious, and we on this side are suspicious. We cannot understand how Mr. Gillies cold make the positive statement, not to the public but to the Deputy Minister of the Department of Marine, within a month after the man was put in jail, that he would be home in a few days and able to attend to his business.

This was on the 3rd of July or less than a month after he was incarcerated. The man who appoints the officers, whose recommendation the department takes or who can appoint them without the recommendation of the department, in one short letter to the Deputy Minister of Marine and Fisheries which has been read stated three times that Landry will be out of jail in a few days, asks them to hold his position and not to make any trouble. Then the Minister of Justice gets indignant because members on this side have a suspicion that all is not right in a man getting out of jail under those peculiar circumstances. If there is any question of indignation surely we on this side of the House should be indignant that the Minister of Justice will make statements such as he has made to-night, giving part of the evidence and witholding the rest. That is where the indignation should come and I hope it will be the last time that we shall receive such treatment from the Minister of Justice. We have heard from the Minister of Justice this evening the fact that a petition was sent in signed by a number of prominent citizens, I think clergymen of two denominations. I do not suppose that there is a man incarcerated in any place in Canada who could not find somebody to sign a petition for his release. I never knew a man to be hanged for murder for whom there were not petitions sent in, or to whom ladies did not send bouquets, &c. That is human sympathy coming out and I do not think we should find fault with it, it is a tribute to humanity that they are capable of these things. But sympathy should not play much part in the administration of justice. We lawyers know that sympathy plays a strong part in the case of juries and that far more guilty men are set free than innocent men convicted. When a man gets a trial in Canada and is convicted and sentenced, the time for sympathy has gone by. When it comes to the Department of Justice giving that man his liberty, they should do it on a stronger ground than sympathy. There ought to be, and I know that there are, some well-settled rules of procedure in the Department of Justice regarding the letting out of people on ticket-of-leave. I have not had much experience; in my practice as a lawyer I have applied two or three times to have men released on ticket-of-leave. Sometimes my application has been granted and sometimes not, and I know that the last time I applied I was told on two or three occasions that the rule of the department was that a man could not be released or would not be released on ticket-of-leave until he had served at least one-half of his sentence. I think I am voicing a statement of fact well known to many lawyers in this House that the department will not release men until they have served one-half their sentence. Then they release them under conditions laid down by chapter 150 of the Revised Statutes, known as the Ticket-of-leave Act. It is true that this is done without an Order in Council on the initiative of the Minister of Justice, advising His Excellency to exercise the power of clemency conferred upon him by this Act, but it seems to me a very small distinction which the Minister of Justice tries to make when he says that because it did not go to Council therefore the rest of the Government should not be held responsible for it. I have never seen a case in my parliamentary experience where two ministers of the Crown have tried to shirk responsibility for what seems to be a pretty shady transaction such as we have seen here this afternoon. Before admitting a man to his liberty on ticket-of-leave they must have a report from the presiding justice. I do not think this man was let out of prison without a report from the presiding justice, but we have no evidence of it. As the case stands to-night we might argue, and very reasonably argue, that he was let out of prison without even a report of the presiding justice. I cannot believe that, it is only another reason why the evidence should be brought down. I do not think you can find another instance, and I make the statement advisedly, in the record of the Justice Department, where a man has been let out of prison on ticket-of-leave that the department have not instituted some proceedings to get information for themselves. That is where I consider the Department of Justice has been guilty of gross negligence, if it should not be characterized by a stronger term. What have we got? According to the evidence furnished we have a petition filed by certain gentlemen, two of whom were clergymen. We have a telegram signed by a man who styles himself medical doctor, and we have no evidence that he possesses those qualifications. That is a man who is represented to be a nephew of the prisoner, stating that this man was suffering and should be released from jail in order to undergo an operation. The minister took no pains whatever to find out in the first place whether this man was really a medical doctor. In the second place he took no pains to find out whether

the man was suffering from a disease. He took no pains to justify the statements made by the petitioners. The acting Minister of Justice does not even remember the transactions at all. He stands up here to-night and confesses that he knows nothing whatever about it. The thing went through in such a perfunctory manner that the acting Minister of Justice did not know what was going on. Gillies knew a month before that the man was going to be released. How did Gillies know, I would like to know? Did Gillies know they were going to take the advice of a man who in a telegram styles himself a medical doctor? Did he know that Landry was going to be released without the department adopting the elementary principle of investigating the statements in those petitions? Evdently Gillies must have known because the man was released without the department making the faintest effort to find out the truth or falsity of those statements. It turns out now that they are absolutely false, and my hon. friend the Minister of Justice is driven to the undignified course this evening of trying to bolster up the case by producing a letter written by this man in the month of December. He produces a letter purporting to be that of a medical doctor who says that the man was on the verge of collapse and would have died from stones in the kidneys, but that fortunately they had been removed by the use of morphine, and that these stones had been brought on by the food given to the man in the jail. The hon. the Minister of Justice has the nerve to read a letter of this character as justification for his conduct. It is no wonder that the hon. minister saw fit to hie himself away to some other part of the building. I do not wonder that he did not want to stay here to listen to what hon. gentlemen on this side of the House might say as to the character of his justification for his conduct. If we had no other evidence than that letter we would be justified in saying that the case is bristling with suggestions of improper methods on the part of the Minister of Justice or his department. I repeat that the letter alone is all we want to show that something was wrong. It does not take a medical doctor or even a lawyer to know that that letter is the merest nonsense. It is all that any man wants to justify the belief that this matter requires not only an airing but an investigation. I think the duty of the hon. member for Richmond is not to censure the Government, but to move for an investigation of the Department of Justice as to the conditions under which this man was released from prison. That letter convinced me beyond a shadow of doubt that there was something crooked in the release of this man from jail, I do not say crooked in the Department of Justice, but crooked in the county of Richmond. I say that the Government released that man on crooked evidence, and some investigation should take place to find out who is guilty, and all the facts of the case. As a rule, when people are wrong, the more their conduct is investigated, the more information is obtained. This man got out of jail exactly as Gillies said he would. After all these crooked transactions being aired and brought to light in this House we still have the Government taking their instructions from a man like Gillies, dismissing them from positions on the ipse-dixit of a defeated candidate of the character of Mr. J. A. Gillies. I think that if any further evidence were required that this Government have gone beyond the bounds of reason in their mad career of dismissing officials, it would be found in the evidence produced here to-night. Instead of being satisfied with an ordinary vote of censure on the Government, I think that something should be done by way of a motion to investigate this matter, or we should have the promise of the Prime Minister himself that steps will be taken to investigate and report to the public all the true conditions under which this man was released from jail, after he had served less than two months of a sentence of one year.

Hon. W. T. WHITE (Minister of Finance): Mr. Speaker, on account of being the minister principally concerned in this matter, and having made the recommendation upon which His Royal Highness the Governor General exercised the prerogative of clemency, and issued the ticket of leave to this man, Captain Andrew Landry, it is my purpose to make a statement of the facts. As I have stated, I was the acting Minister of Justice and was responsible, and I now assume full responsibility for my action in making the recommendation. I affirm that the recommendation was properly made upon the absolute merits of the case. Now what is a ticket of leave? Chapter 150 of the Revised Statutes of Canada provides for the conditional liberation of convicts:

> The Governor General by an order in writing under the hand and seal of the Secretary of State may grant to any convict, under sentence of imprisonment in a penitentiary, jail or other public or reformatory prison, a license to be at large in Canada, or in such part thereof, as in such license shall be mentioned, during such portion of his term of imprisonment, and upon such conditions in all respects as to the Governor General may seem fit.

There are other provisions as to revocation and the forfeiture of licenses, and clause 13 provides:

> It shall be the duty of the Minister of Justice to advise the Governor General upon all matters connected with or affecting the administration of this Act.

Now what is the administration of this Act? As I pointed out on the last occasion

when this matter was brought to the attention of the House, there are continually in the office of the Minister of Justice applications by convicts and their friends for licenses or tickets-of-leave. Those applications and the documents connected therewith, which are usually incorporated in files, are examined first by the responsible officers of the department. The officer who is particularly charged with the duty of looking into those applications for tickets-of-leave is Mr. Coté. Mr. Coté is a man of whose judgment and impartiality I have formed a very high opinion. He has enjoyed the confidence of Ministers of Justice, I believe, for a period of twenty years.

Mr. CARVELL: I too have a very high opinion of Mr. Côté and if my hon. friend would bring down Mr. Coté's report, it might clear the atmosphere to quite an extent. It is the absence of these reports which makes members on this side of the House look upon the matter with suspicion.

Mr. WHITE: I will clear the atmosphere myself to the entire satisfaction of the House. The responsible officer who is in charge of this duty is Mr. Côté, who not only examines applications for tickets-of-leave but reads through all the evidence in connection with capital cases, which of course are the most important criminal cases that are dealt with in the Department of Justice. The Minister of Justice takes Mr. Côté's report and recommendations, looks over the evidence, and if he agrees with Mr. Côté he writes the words 'I concur' and the recommendation of Mr. Côté with the words 'I concur' written by the Minister of Justice upon it is passed on to His Royal Highness the Governor General in Council who may then exercise the discretion of clemency. That is the procedure. My hon. friend (Mr. Carvell) has called attention to the fact that it had escaped my mind that I had dealt with this particular case, but let me tell him that there are hundreds of applications made to the Department of Justice for tickets-of-leave and out of these hundreds of cases which are dealt with in a routine way only a very small percentage are favourably regarded by Mr. Côté and by the minister. There may have been cases in which Mr. Côté's recommendation has not been concurred in by the Minister of Justice, but I know of none such. What I did during the period I occupied the position of acting Minister of Justice, the responsibility of which I fully realized, was to discuss each case fully with Mr. Côté, to read over the files, and endeavour to form an impartial judgment upon the application. I say that was done in this case, and I think the statement will clear the air at the outset, because my hon. friend (Mr. Carvell) has made some statements which rather surprise me, amongst others, that Landry had been let out of jail because of gross corruption; I do not know whether the hon. member intended to impute gross corruption to myself or not.

Mr. CARVELL: I was very cautious to say that it was in Richmond county.

Mr. WHITE: I accept my hon. friend's explanation.

Mr. CARVELL: I said, I think, that it was through gross negligence of the Department of Justice.

Mr. WHITE: I took down the words of the hon. member and they were that Landry was let out of jail by gross corruption.

Mr. CARVELL: And I added, negligence of the Department of Justice.

Mr. WHITE: I take it that the hon. gentleman did not intend to impute corruption, because, personally, I should take it very much to heart if without any more evidence than is presented here any hon. gentleman in this House should entertain the view that I had been guilty of corruption in connection with a judicial matter of this kind. I do not think any gentleman in this House on either side would hold such a view, and I accept the statement of my hon. friend (Mr. Carvell) that he had no intention of imputing any corrupt action to me. The hon. member has said: why not bring down the papers, and I assure him that nothing would give me greater satisfaction in the world, in view of the discussion that has taken place here, than to be able to bring down the papers. Why are not the papers brought down? It is because the Minister of Justice, of this Administration, and the Minister of Justice of the last Administration concurred in the view, which is also shared by the right hon. the leader of the Opposition, that the papers in these matters should not be brought down. Let me say to my hon. friend (Mr. Kyte) that I saw the right hon. the leader of the Opposition on this matter when there was a motion upon the Order Paper for the production of these papers, and said to the right hon. gentleman: unless I can bring down these papers I am going to be put in the position of having to argue this question before the House without being able to show the material upon which I acted; and I further said to the right hon. gentleman: I shall have Mr. Côté of the Department of Justice wait upon you and present the file of papers to you in order that you may see all material upon which action was taken—and the hon. member for Richmond (Mr. Kyte) was put in the same position. My hon. friend (Mr. Carvell) has said that these papers might show some confirmation of Mr. Gillies' statement that this man would soon obtain his liberty. I ask my hon.

friend to ask the right hon. the leader of the Opposition and to turn around now and ask the hon. member for Richmond (Mr. Kyte) if there is anything in the papers that mentions Mr. Gillies by name or suggests in any way confirmation of the statement he is alleged to have made.

Mr. CARVELL: That is nice gallery play; that is no good.

Some hon. MEMBERS: Oh.

Mr. WHITE: Let me be fair with my hon. friend. My hon. friend has stated that the papers might contain some confirmation of the statement made by Mr. Gillies that he had information in advance that this man would be released, and is it not fair for me to ask under these circumstances the right hon. the leader of the Opposition and the hon. member for Richmond, who have seen these papers which I am precluded from bringing down, whether these papers do contain such confirmation.

Mr. CARVELL: Do not discuss it then.

Mr. WHITE: My hon. friend has raised the question; I did not. After having indicated how these applications for tickets-of-leave are dealt with, let me tell the House what happened in this particular case. On July 12, 1912, Mr. P. M. Côté of the Department of Justice, the officer who has dealt with applications of this kind ever since the Act was in force, who has dealt with capital cases under both Governments, and who is one of the most trusted and responsible officers of the Department of Justice, laid before me a recommendation in writing in the usual course recommending that a license should be granted to Andrew Landry, sentenced for the crime of forgery and of uttering, on June 5, 1912. Outside of Mr. Côté, nobody before or since, until the hon. member for Richmond brought this matter up in the House, ever spoke to me with regard to Andrew Landry or his release from prison on ticket-of-leave, or wrote to me, nor did I receive directly or indirectly any communication either from a colleague or a member of Parliament, or one of the public, with respect to Andrew Landry, except the recommendation of Mr. P. M. Côté in pursuance of his duty and in the ordinary course. I make that statement without any qualification or reservation whatever. I venture to say that if the matter referred to by my hon. friend from Richmond relating to the dismissal of the predecessor of this man as wharfinger, and the appointment of this man in his place, had not been coupled with this granting of a ticket-of-leave, and if the granting of the ticket-of-leave stood alone and on its merits, nobody would dare get up in this House and question the justice of it. On July 12 Mr. Côté recommended in the usual course in writing that a license should be granted to Andrew Landry. As acting Minister of Justice I examined all the papers on file and July 19, seven days after Mr. Côté made the recommendation, I concurred in the recommendation and in due course the prerogative of the Crown was exercised. Landry was unknown to me. My hon. friend (Mr. Carvell) thinks I should know every wharfinger in the Dominion of Canada; he says I should know Landry because he was a government employee, and I suppose because he drew $9.60 for the time he was wharfinger. I have a fairly good memory both for things and names; but I confess that I have not been able to hold in my mind the names of all the employees of this Government from the Atlantic to the Pacific including those who draw as much as $9.60 from the Government.

Mr. KYTE: You might remember all those who are in jail.

Mr. WHITE: That might be rather difficult. What is the history of this case? The Department of Justice, in considering applications for ticket-of-leave, takes many things into consideration. In the first place they ask, as my hon. friend has stated, for a report from the judge. Before the Minister of Justice left for England, he obtained a report from the judge upon this case. In the second place, petitions had been filed and representations made on behalf of this man from different gentlemen, in the place he lived, that his family was in most destitute circumstances. The Minister of Justice stated that he would look into the matter. The report of the judge is important. The condition of health of the man is important. The condition of his family as to poverty is also important. What is the purpose of a ticket-of-leave? A criminal is granted a ticket-of-leave in order that he may be reformed, that he may be set in the right path, that he may assist his family. The ticket-of-leave is conditional. If he falls again into the way of crime, he may be reincarcerated and be compelled to serve out the sentence for which the ticket-of-leave was granted. The crime was for the forging of a fifty-dollar promissory note. As the Minister of Justice has said, no money was lost. Even although that is the case, I do not for one moment desire to minimise the crime. The crime and the circumstances of the crime are all taken into consideration. The previous character of the man is also taken into consideration. The report of the judge and the evidence of parties in the community, who are known to be reputable, are taken into consideration in exercising the prerogative. Before the Minister of Justice left for England, he received letters from clergymen of different faiths,

unquestionably reliable men. My hon. friend from Richmond (Mr. Kyte), who has seen the file, will not deny that the clergymen of different faiths, who sent these letters to the Department of Justice, are men of high standing, who would not misrepresent the situation. My hon. friend has spoken of their sympathy. Apart from that, they stated the unquestioned fact that this man had a family of five small children, that he had a sick wife and that they were in destitute circumstances, when this man only received $9.60 for the position of wharfinger, and anything else that he could pick up? Here are the circumstances: five small children, the youngest an infant in arms, a sick wife and a husband in jail. What does the judge say? My hon. friend would no doubt be pleased; but I do not think it very fair to say, on the one hand, you cannot bring down the papers, and on the other, you cannot quote from the papers.

Mr. CARVELL: I did not say that you cannot bring down the papers. I want to see the papers.

Mr. WHITE: It has been stated by the Minister of Justice, and the right hon. leader of the Opposition concurred in that statement, that these papers should not be brought down, for the reason that a number of these communications are confidential and that it would be against public policy that the files of the Department of Justice should be brought down.

Mr. MACDONALD: Why do you quote from them then?

Mr. WHITE: My hon. friend has made suggestions against my honour.

Mr. MACDONALD: If my hon. friend resents them, he ought to give the report to the House.

Mr. CARVELL: I have made no imputation against the hon. the Minister of Finance. It is the Minister of Justice with whom I find fault.

Mr. WHITE: My hon. friend is certainly putting the responsibility on me. I assume responsibility. I say that that recommendation was properly made on the merits of the case, and I stand by that. Notwithstanding all the debate here tonight, on the same set of facts any minister of justice would be justified in making the recommendation that I made. I defy anyone to contradict that after all the facts are set before the House. My hon. friend from Richmond, a big upstanding man, pleasant faced, broad breasted with a big heart inside, is yet so biased by political partisanship that in a case like this that should appeal to his sympathy, he wants his pound of flesh with regard to this unfortunate man, incarcerated in jail, with five children and a sick wife at home.

Mr. MACDONALD: Does my hon. friend know that the wife of this man is the owner of valuable property and that this story of destitution is hardly correct, or did he make any inquiries?

Mr. WHITE: I do not know, and I do not think my hon. friend knows.

Mr. MACDONALD: I do know.

Mr. WHITE: The information in the office of the Department of Justice from these two clergymen, in my opinion, cannot be impeached. The destitution of his family may be taken into consideration. Not only that, but one of the clergymen said that, owing to their destitute circumstances, it is impossible for these people to subsist if the prisoner remains in confinement. In addition to that, we have the report of the judge, another factor always taken into consideration. At the conclusion of his report, the judge says this——

Mr. CARVELL: Read the whole of it.

Mr. WHITE: I am precluded from bringing down the papers, but I shall quote this. Judge Gray says:

To his appeal for a suspended sentence, I said he could apply to the Department of Justice for clemency.

Mr. MACDONALD: Did the judge recommend to the department that clemency should be granted?

Mr. WHITE: The judge made the statement of facts, stating the sentence which he had imposed and said:

To his appeal for a suspended sentence, I said he could apply to the Department of Justice for clemency.

If that is not suggesting that the Department of Justice might properly exercise clemency, I do not know why it was written.

Mr. MACDONALD: Simply for the purpose of intimating to the prisoner what his rights were.

Mr. WHITE: His counsel knew his rights. My hon. friend is a counsel. Why should the judge suggest that he should apply to the Department of Justice for clemency?

Mr. MACDONALD: Does my hon. friend not know that, when a judge wants to recommend clemency, he says so in his report?

Mr. WHITE: My hon. friend suggests that there is uniformity. As a matter of fact there is no uniformity at all in the reports of judges even on capital cases. One judge will make a statement of fact; another will suggest doubt, and another will make a positive recommendation. In this case the judge says that he could apply to the Department of Justice for clemency. In this case you have these elements: In the

first place you have a case in which there is no money lost, although as I have said I am not minimizing the crime in any way. In the second place, you have a sick wife and five children in destitute circumstances. What else have you? You have a very sick man. My hon. friend has stated that the man was not sick, and he made that statement with all the assurance of certainty. How does he know he was not sick?

Mr. KYTE: I know he was able to go to work after he was released from jail.

Mr. WHITE: That is what the hon. gentleman says, but that is absolutely contradicted. The statement read by the Minister of Justice was that two months afterwards he had gone to work. The hon.member for Richmond said that this man made out some accounts as wharfinger after he had been released on ticket-of-leave and had offered to take $10 for an account of $30. That, no doubt, was because he was in destitute circumstances. It never came to my knowledge that he was attempting to compromise a debt of $30 for $10. And that is evidence of the man's condition, and confirms the statement concerning the condition of the family.

Mr. EMMERSON: That was a debt due to the Government.

Mr. WHITE: May be so. But at all events that was not brought to my attention until the hon. member for Richmond spoke about it. On the 10th of July, B. A. LeBlanc, who I understand is a reputable physician in the county of my hon. friend, and who, as a matter of fact was not known by any member of the department or by myself to be in any way related to this man Landry, wired to the department stating that this man was suffering from stone in the kidney. Mr. Côté of the department believed, and had reason to believe from the report signed by the warden of the jail, that the man who signed himself as physician was the jail physician. My hon. friend says he was not the jail physician; I accept that, but Mr. Côté believed that he was. The whole matter was one that went through in the ordinary course. Application was made; the papers were looked into; the recommendations made by proper officers who looked into all these matters; it was brought before the minister in due course, and approved. That is the state of affairs. The destitute circumstances of the man, his previous good character, his sickness with a very serious disorder, led to a request, for what? A pardon? No, but release on a ticket-of-leave. Tickets-of-leave are issued to criminals almost daily;—that is the intention of the Act. Under these circumstances, I say that no blame attaches to the Department of Justice in the absence of something showing collusion, or corruption. And I do not believe that Mr. Côté or any one else in the Department of Justice colluded or conspired with anybody, or was corrupted by anybody. My hon. friend has said that he has confidence in Mr. Côté. I certainly have. If he desires an explanation of the case it is competent for him to see Mr. Côté, and no doubt he will show him the papers, as he showed them to the leader of the Opposition.

Mr. CARVELL: It is no use my seeing them; it is the public that is interested in this matter.

Mr. WHITE: Then, the hon. gentleman is of a different opinion from the former Minister of Justice and his own leader. I would not like to impute such unfairness to the hon. gentleman as to suggest that he says that the minister is precluded from bringing down the papers, yet must not make a statement without them. The minister must be in a position to defend himself. That is one reason why, unless there is positive evidence of corruption, no case of this kind should be brought up in the House. I do not think the hon. gentleman thinks there is corruption in this case so far as the Department of Justice is concerned, yet he does not hesitate to send it out to this country that the prerogative of clemency has been exercised corruptly. And that is necessarily his position unless he withdraws this motion. I do not think he will say that there has been corruption, and I defy him to produce a tittle of evidence to show that there is collusion or corruption on the part of the Department of Justice or the minister in charge. I put that strongly. This application was taken up and put through in the usual way; yet hon. gentlemen do not hesitate to try to make political capital out of it. That is not fair; it is not fair to the Minister of Justice to attack him in this way unless on the basis of some positive act, or to put him on his defence when he is debarred from bringing down the papers.

Mr. CARVELL: You have the right to bring them down.

Mr. WHITE: But the papers, as I say, are mainly confidential.

Mr. CARVELL: That is all right in honest cases, but this is an exceptional case.

Mr. WHITE: But these papers are confidential, and that is the reason the former Minister of Justice declined to bring down such papers and the reason why the present Minister of Justice takes the same position. It is in the public interest that men should be able to communicate their views with respect to criminal cases to the department without incurring the risk of the publication of their views later. The case of a criminal may be worthy of considera-

tion, and yet a citizen may hesitate to have it made known to the public that he had interested himself in bringing to the attention of the Minister of Justice the facts upon which the Minister of Justice would be justified in making a recommendation in favour of that criminal. I look upon this motion as merely political; I do not think any hon. gentleman opposite believes there is anything in the way of corruption. It is merely a political plea to discredit the minister and injure the Government; there is no sincerity back of it.

Mr. MACDONALD: I rise to a point of order. The minister has no right to say that the hon. gentleman who makes this motion does so without sincerity.

Mr. SPEAKER: I think the point is well taken. It is contrary to the rules to insinuate that a member is not sincere in what he does.

Mr. WHITE: It gives me great pleasure to withdraw the word, Mr. Speaker, though I might point out that the smiling countenance of my hon. friend from Richmond (Mr. Kyte) shows that he does not take it very seriously.

Mr. KYTE: I am not taking the minister seriously.

Mr. WHITE: I have no desire to use language that is not parliamentary, and if I have spoken strongly upon the subject, it is because I am convinced that the Department of Justice acted not only in the usual course but with entire sincerity and good faith in this matter. As I have shown, the application was received in the usual course, the papers were subject to the usual scrutiny, and the recommendation followed in the usual manner. There was another matter—and I desire to discuss the subject in absolute sincerity and fairness—referred to by the hon. member for Carleton, and that was the letter of Gillies of July 3, in which Mr. Gillies indicated that, in his opinion this man would be released. My hon. friend says how did Gillies know the man would be released; my answer to his is that he did not know.

Mr. CARVELL: He did know.

Mr. WHITE: He did not know. Mr. Gillies may be interested, with others, in making such representations to the department as, in his opinion, would obtain the release of a prisoner, but Mr. Gillies did not know, nor did anybody else, whether or not he would be released. I never saw Mr. Gillies in my life, or anybody else in connection with this case, except Mr. Côté, the responsible officer who made the recommendation to me. I make the statement without any reservation of any kind that, as I have said, no communication came to me from any source except from Mr. Côté, and these documents to which I have referred. The papers I have submitted to the scrutiny of the hon. member for Richmond, and also to my right hon. friend the leader of the House. I leave this case with some confidence to the House, because I do not believe that, on the statements of fact as made, supported as they are by the material upon which the recommendation was founded, any hon. gentleman in this House will say there is a tittle of evidence to support the statement that any responsible officer of the Department of Justice to such an extent as to make any recommendations or representation that would not otherwise have been made. All my dealings were with Mr. Côté, and he was of the opinion that LeBlanc, who I understand, is a reputable physician, followed the usual course in making his recommendation. The Minister of Justice presented to-night a statement signed by the physician to the effect that this man was sick for two months after he was released; that he did not go to work during that period; that after two months had elapsed he went to Sydney to obtain employment; that he had previously suffered and has suffered since with stone in the kidneys; and there is not one tittle of evidence before this House to support any contrary view. Under all these circumstances, I am quite content, as I have said, to leave this matter to the judgment of the House and of the country.

Hon. H. R. EMMERSON (Westmorland): It is not my in intention to discuss the merits or demerits of this case, nor to take into consideration the facts in connection with it. I would not feel called upon to make any observations were it not for the remarks of my hon. friend the Minister of Marine and Fisheries in connection with the C. Bruce Macdougall case. Mr. Macdougall, who has since gone to, I hope, a better world, where he may have less trouble than he had while in this, was a constituent, and I go further and say a friend, of mine. There was one thing about him that was worthy of commendation: he was a faithful friend and true, and I think my hon. friend in bringing his case before the House to-night could have had but one purpose, and that was to indicate that something improper was done by Sir Allen Aylesworth, as Minister of Justice, in advising that his sentence be commuted.

Mr. HAZEN: If my hon. friend had listened to my remarks he would know that I said that if the Department of Justice has been imposed upon in the present case, it was not the first Government in respect of which the Department of Justice had

been imposed upon, and I cited the Macdougall case as an instance.

Mr. EMMERSON: I observed closely the remarks of my hon. friend, and I propose to show wherein Sir Allen Aylesworth was not imposed upon. That case was one of defamatory libel. Mr. Macdougall was tried in the city of St. John, and I think my hon. friend had much to do with that trial. I was in no way connected with it, either on behalf of the defence or of the prosecution, but the facts of the case came under my observation, and it was recognized that the man was prosecuted with considerable heat by the officers of the Crown in New Brunswick at that time. Mr. Macdougall had his weaknesses, as we all have, and he paid the penalty, with the result that he was committed to jail in the city of St. John. My hon. friend has said that because of his illness, or the representations made in regard thereto, his sentence was commuted and he was set at liberty. In that particular case, however, evidence was taken with regard to his condition. It was found that he was seriously ill, and the Justice Department referred the matter to the jail physician. My hon. friend is familiar with the character and reputation of the jail physician of the city of St. John—Dr. James Christie—than whom no more eminent physician, I think, lives in St. John, and, so far as I am aware, he certainly never was of the political faith which I hold. When I was attorney general of the province of New Brunswick, I knew him as being associated with the Conservative party, and I am sure that any representation which he would make to Sir Allen Aylesworth would be wholly desinterested and be worthy of credence, and would be accepted as the downright truth. At any rate, representations were made in respect of the prisoner's illness, a certificate was issued and attested by Dr. Christie to the effect that the life of Macdougall would be imperilled by his continued incarceration, and that, from the standpoint of humanity, he should be released. He was, accordingly, released from custody. My hon. friend says he came back to the city of Moncton and resumed his newspaper work. He did go back, but broken in health, and remained so until his death. It is true that he died as the result of an accident, but I am satisfied that that accident was due to the condition of his health. I think it is very unfair for my hon. friend to refer to the case and, in justice to the memory of Mr. Macdougall, and to the action of Sir Allen Aylesworth—and I know something of the moving causes that led to Macdougall's release—I have felt it necessary to set forth some of the facts connected with the matter. I had occasion to make inquiry after the event had transpired, although I was not in any way a party to soliciting the favourable consideration of the minister. Whatever the facts of that case were, they are no justification of the present case. The Minister of Finance has spoken of this motion as being out of the ordinary and has unfairly and unfortunately imported into the discussion the suggestion that we on this side of the House in supporting the amendment are acting simply from political motives, and not from any higher motives, my hon friend is more free in that regard than others. Such motions are not exceptional in this Parliament. I remember but a few years ago when the hon. member for West Algoma (Mr. Boyce), then in opposition, took similar action against the Department of Justice in connection with the release of some prisoners who had been convicted and sentenced for the circulation of some improper literature. The papers were not produced on that occasion, and I remember that the hon. member for West Algoma, supported by his party friends, on that occasion imputed improper action on the part of the Department of Justice. I do not know that it has been laid down that the papers cannot be produced, and I am speaking only from memory when I say that there have been cases where papers have been brought down. There may be certain papers that may be deemed confidential that it may be proper to withold, but official papers which are not confidential, reports from officials, &c., might very properly be brought down. The minister has quoted an excerpt from the report of one official. Then why should he not produce the whole report? It was stated by the Minister of Justice that it could not be done, and yet the acting Minister of Justice took occasion to shield himself behind an extract from that report. If it is improper to bring down the whole report it is more improper that an extract should be read to the House, and my hon. friend would have stood in a better position in his defence of the subject had he avoided shielding himself in that way by using part of the papers and refusing to produce the others. I can understand why on grounds of public policy it would not be advisable to bring all the papers before Parliament, but certain papers should be produced.

As to what transpired in connection with the appointment of officers, I shall say nothing, because I have not made myself familiar with the situation. I take my hon. friend's word and his statement. He has said that he has not communicated with anybody or allowed anybody else to communicate with him with regard to this case, but this is another case of synch-

ronism. Mr. Gillies is not unknown to us, he was formerly a member of this House, and during the last year he has been around Ottawa seeking a high and honourable position in connection with the Parliament of Canada. His statement that the man would be home in a few days, knowing that he was then in jail, and had been sentenced for a year, and that only about a month of his sentence had expired, synchronizes with the fact that the man was set free and did go home. How or why, is left to conjecture to a large extent, and perhaps it would not be left to conjecture wholly if the Government had placed all the papers which are not confidential, before the House.

Mr. J. W. EDWARDS (Frontenac): I shall not occupy much time. The debate has made clear to every one in this House that this resolution offers one of the flimsiest excuses for wasting the time of the House, ever presented.

Mr. LALOR: Obstruction, all right.

Mr. EDWARDS: The hon. member for Carleton, N.B., flew into a rage because of an interruption from the hon. member for Cumberland and applied to him the word, 'impudent,' which you properly asked him to retract. Immediately after his retraction of that word he proceeded to read a lesson to the hon. member for Cumberland on courtesy in debate. I appeal to members on both sides, and I believe that members on both sides will agree, that there is no member in this House who, judging by his conduct, is less qualified to speak in regard to courtesy in debate than the hon. member for Carleton, N.B. The hon. member for Carleton, N.B., blamed the Minister of Justice for making some dismissals of officers. Without going into the matter, I would say that if I had any fault to find with the Minister of Justice it would be that he has not gone far enough in that direction.

Mr. CARVELL: I believe that.

Mr. EDWARDS: The hon. member for Carleton says that sympathy should not play a very large part in the Department of Justice. I think the people of this country may be glad that the hon. member for Carleton does not occupy a position on the bench, and he is never likely to occupy such a position. God help any person who would come under his sway, and depend on him for justice or sympathy. Why has this matter been brought before the House at the present time? I dare not say it is to waste the time of the House. I dare not say it is for obstructive purposes, because if I did I would be called to order. One reason I think may be found in the fact that the hon. member for Richmond (Mr. Kyte), is not only making accusations against a certain department of this Government, but is calling in question the conduct of the man who was his opponent at the last election, and who is likely to be his opponent at the next election.

Mr. KYTE: I hope he will be.

Mr. EDWARDS: I think I am justified in regarding that as one reason why the question has been brought before the House. But I think there is another reason. The Liberal party of the Dominion of Canada have a good many misdeeds to their credit or discredit, which they cannot cover up. They would like if possible to get a 'you're another' argument to put up against those misdeeds. It seems to me that it comes with very bad grace from hon. members opposite, especially from the hon. member for Carleton (Mr. Carvell), to pose as political purists. Hon. gentlemen on the other side of the House have a very unenviable record in that regard. Might I call their attention to the fact that there was a man of the name of J. B. Jackson who tried to deprive a man of his seat in a legislature in this country by perjured evidence. The conduct of the Liberal party in regard to that man's action was to reward his infamous conduct by giving him a good fat position in the Old Country. Might I call their attention to a certain man of the name of Wagner who, having served a term in prison in the west for robbing immigrants was, on his release, given by the then Minister of the Interior, the present member for Edmonton (Mr. Oliver), two better positions than he had before as a reward for his conduct. Might I call their attention to a man named W. T. R. Preston, who was organizer for the Liberal party in the province of Ontario, who figured in a certain constituency known as West Elgin and in other constituencies in the province of Ontario and was known to fame as 'Hug the machine Preston' and who was rewarded for his conduct by an appointment to a responsible position in the Old Country. Might I call their attention to their connection with the bogus ballot box manipulators? This should be a matter of special interest to the hon. member for South Renfrew (Mr. Graham). He might give some very interesting information to this House about that. He might tell of the little friendly calls that were made by the ballot box manipulators on their trips from Watertown to Kingston by way of Brockville, when they stopped off at his residence, and were entertained by him. These are things which hon. gentlemen opposite would like the country to forget, and against which they would like to have something to put up, so that when they are called to the attention of the electors, they

could refer to something such as they have tried to place on record here to-night, and have miserably failed. I do not intend to follow the bogus ballot box affair. I repeat that the hon. member for South Renfrew could give very interesting talks to this House with regard to that. He might tell us for instance where the bogus ballots were printed, and I think it would not be far from the printing office in which he has a very great interest.

It has been stated by the hon. member for Richmond, and by the hon. member for Carleton that the Government should have known all about this man Landry, and they blame the Department of Justice in that regard. They blame the Department of Justice and this Government for having accepted the recommendation of the defeated candidate in the county of Richmond. Let me tell you, Mr. Speaker, that when the Laurier Government was in power, and Sir Allen Aylesworth was Minister of Justice, that minister, on the recommendation, not of defeated candidates but of an hon. member of this House, who sat behind the right hon. present leader of the Opposition then Prime Minister of this country, the then hon. member for Kingston, Mr. Wm. Harty, appointed to a position in Kingston penitentiary a man who had served a sentence in Belleville jail, who had served a sentence at the Central Prison at Toronto, who had twenty-three convictions in the police court in Kingston, and who was out on suspended sentence, when he was appointed. Hon. gentlemen opposite say that the Minister of Justice should have known all about this man who was recommended by the defeated candidate in Richmond county. If the present Minister of Justice should have known about him a short time after taking office, surely Sir Allen Aylesworth should have known about the man who was recommended by the then member for Kingston and who had twenty-three convictions in the police court in Kingston and was out on suspended sentence at the time of his appointment. These hon. gentlemen, like the hon. member for Carleton, dare get up in this House and talk political purity. The hon. member for Richmond says that it is a new policy for the Government to take the recommendation of a defeated candidate in appointing a person to office. It is no new policy.

Mr. KYTE: I said it was a new policy so far as my county is concerned.

Mr. EDWARDS: I can assure my hon. friend that it is not a new policy so far as the county of Frontenac is concerned. Of course in the county of Frontenac, during all the years that the right hon. the present leader of the Opposition led the government of this country, we were in the habit of sending Conservative members to this House, and we knew perfectly well that the defeated candidates in that county during all those fifteen or sixteen years, were in the habit of handling the patronage of that county. When the hon. member for Richmond takes exception to the Government accepting the nomination of a defeated candidate, let me call his attention to what his own party have done. What have they been doing all these weeks and months? It is common knowledge that the defeated candidates of the Liberal party in the last election, men who were discredited by the electors of this country, men like the Hon. Sydney Fisher, Hon. Mackenzie King and other ex-ministers, who are political cast-offs, have been sitting in caucus with hon. gentlemen opposite, giving them advice and dictating to them, I think I must say, the policy which they have followed during the past few weeks.

So far as this matter is concerned, we have the recommendation to an insignificant position worth nine or ten dollars a year, made by the defeated Conservative candidate in the county of Richmond, a gentleman who formerly occupied a seat in this House and it seems to me that it was a very natural thing for the Government to recognize the recommendation of Mr. Gillies. It has been clearly shown that so far as the appointment of that man was concerned the Government acted in good faith and that as soon as they obtained information in regard to his wrong-doing he was removed from office. I say, Sir, that the facts, as have been clearly set forth by the Minister of Marine and Fisheries, by the Minister of Justice, and by the Minister of Finance, go to show that this resolution should not be supported, not only by members on this side of the House but by members on the other side, not even by the hon. member for Richmond himself, who has brought it forward. It has been clearly shown that so far as the hon. member's statement of the case goes as contained in the resolution, it is not a statement of fact. The Minister of Marine has clearly demonstrated that, and the hon. member for Carleton did not and could not controvert the facts as stated by that hon. gentleman. That of itself is sufficient reason why this resolution should not receive the support of this House. I said in rising, Mr. Speaker, that I did not propose taking up more than a few minutes speaking on this subject, and I shall be as good as my word.

Mr. W. M. GERMAN (Welland): I wish to speak on a matter which though perhaps not directly concerned with the question before the House may be treated as within the jurisdiction of the Department of Justice. About twenty years ago I defended a man in the county of Welland for an offence for which together with two other men he was convicted and sentenced to penitentiary for life. That man is now serving a life sentence in the penitentiary

at Kingston. Before he committed the crime with which he was charged, this man whose name is Dullman was a bank manager of one of the national banks in the United States. He was an intelligent man and why he committed the offence charged against him I never was able to discover from anything he said to me or from anything the two men convicted with him said to me. This man has now served twenty years in the penitentiary at Kingston and it appears to me he has served long enough. I have discussed this matter with the previous Government and I am willing to go on record as saying that in my opinion Mr. Dullman has served as long in the penitentiary for the crime for which he was convicted as he should serve. I ask that the Minister of Justice, with the concurrence of his colleagues in the Government should now pardon this man. I mention this matter now because I wish to go on record as stating that I am in favour of having Mr. Dullman pardoned. My connection with Mr. Dullman as counsel was severed at the end of his trial and I have only seen him once since he went to the penitentiary. I have spoken with gentlemen who knew Mr. Dullman, not only on this continent but in England, men who knew of his capacity, and perhaps the particular reason why he was induced to get into this difficulty, and they say that his previous record is that of an able and respectable man. He has now served twenty years' imprisonment and in all sincerity I suggest to the Government that he has served long enough and should be pardoned. At another time I shall avail myself of any opportunity offered me to present my reasons to the ministers as to why clemency should be extended to this man.

Mr. D. D. McKENZIE (North Cape Breton): Mr. Speaker, it is a pity that this discussion on your right hand side has taken such a wide field and such a departure from the very important motion that is before the Chair. I cannot understand why the hon. member for Frontenac (Mr. Edwards) should take such a wide circle and pay such attention to decorum in debate and germaneness of subjects that should be brought up before the Speaker on particular occasions of this kind. I have followed the career of the Conservative party for the last thirty years. If my hon. friend from Frontenac will burnish up his political history for the last thirty years, he will find a lot of skeletons in his own closet, a lot of things to prune over and to furbish up in that political house without going beyond the immediate range of his own party. It ill becomes him or any other gentleman of his party to try to throw stones across the floor at hon. gentlemen in respect to their political limitations, either as individuals or as a political party. As an individual member of this party, I am quite prepared to compare the conduct of hon. gentlemen on this side of the House with that of hon. gentlemen opposite, individually or collectively.

Mr. CARVELL: Do not take it seriously.

Mr. McKENZIE: Possibly I should not take it seriously. I am sure that the country will not take it seriously. I remember well, when the hon. member from Frontenac had a seat on this side of the House, what his attitude was on such occasions. I have no fault to find with it. He was then strong on the question of charges against individuals and against the Government, which he was then opposing. He was telling the country and this House, give us the machinery; give us the opportunity of unmasking the hypocrisy and the corruption on the other side and we will unfold a tale that will shock the modesty and nerve of the people of this country. The opportunity has come to my hon. friend. He is sitting behind a Government with a large majority. They have all the machinery for any investigation which they may choose to instigate in this House or out of it. The records of the country are before them. Everything that was done during the last fifteen years is and always has been open to them . I ask my hon. friend from Frontenac and the Government, what have they discovered? What have they investigated? Where have they put their finger on one single instance of wrong-doing by the party which I have the honour to support, and which has been in power for the last fifteen years? They have not been able to find a single instance. Yet this is the treatment to which we are subjected. I ask the hon. member if he has any charges to make against any person on this side of the House or against this party. He has the opportunity and the machinery with which to make them. Let us have none of this side-show insinuation with nothing to back it up.

Mr. EDWARDS: I rise to a question of privilege.

Some hon. MEMBERS: Order.

Mr. McKENZIE: Mr. Speaker, I wish to point out more particularly—

Mr. EDWARDS: I rise to a question of privilege.

Mr. SPEAKER: Order. I do not think it is an opportune time to raise a question of privilege. If the hon. member were rising to a point of order, he would be within his rights.

Mr. EDWARDS: The hon. gentleman asked me a direct question.

Mr. SPEAKER: Order.

Mr. McKENZIE: Mr. Speaker, I wish to deal particularly with the question which is before the Chair. It has been said by the Minister of Justice that the hon. member for Richmond should be rather ashamed of himself, to put it mildly, to bring this matter before the House. I come from another part of the same province. I know the hon. member for Richmond; I know Mr. Gillies; I know the circumstances quite well. I am quite prepared to put myself in the same category as the hon. member for Richmond; I stand by the course which he has taken. I would be sorry indeed to be placed on any lower scale in the judgment of the hon. Minister of Justice; but I submit to him, with my experience as a lawyer, as he is a lawyer himself, that enough has been disclosed to justify any hon. gentleman, who is interested in this matter, in bringing it to the notice of the House and of the country. As has been pointed out by the hon. member for Carleton, N.B. (Mr. Carvell), enough circumstantial evidence has been brought forward to cause us to suspect that things are not as they ought to have been, and we are entitled to know the whole facts of the case. I submit to you, Mr. Speaker, and to an experienced jurist like the Minister of Justice, that people cannot blow hot and blow cold in a matter of evidence. You cannot appropriate and reprobate, according to an old saying in the courts. The gentleman who was acting Minister of Justice at that time cannot come here with snacks of evidence that make out a case for him, from which he tries to justify the exercise of a judicial function on his part, and then refuse to give us the rest of it. Whoever heard of jurors or arbitrators or any other court being asked to pronounce judgment upon a case after only one side or part of one side of the evidence had been presented to them. That is what we are asked to do in this case. When the hon. gentleman, who was acting Minister of Justice at that time, says that his honour is impugned, he thinks that it is permissible for him, in order to escape that situation, to bring down parts of the report of the judge and snacks of evidence here and there from people who are called reputable. We know nothing about them. It is for us as the jurors; it is for you, Mr. Speaker, as the presiding genius in this House, to judge of the weight of such evidence as has been brought down. Members of the Government say that we must take their word on this, and that we must condemn not only the whole case but the hon. member for Richmond, who brought it on without a scintilla of evidence being brought before us. We have been told by the Minister of Justice that the function discharged by the Minister of the Crown, who advises His Royal Highness, or His Excellency the Governor General to exercise clemency, is a judicial function. Now, probably the legal fraternity will understand better than laymen can what is meant by a judicial act. It is an act of justicial functionary upon hearing legal evidence. The Minister of Justice knew what he was saying when he spoke of a judicial Act, for he is an old judge——

Some hon. MEMBERS: Oh, oh.

Mr. McKENZIE: I mean old in experience; I would not say old in sin. If this expression 'A judicial act' were used by some hon. members of this House, I would not have taken it very seriously. But when the Minister of Justice says that his friend the Minister of Finance when acting as Minister of Justice was discharging a judicial act, that means something. Judicial acts should be based upon judicial evidence. Let us consider the character of the court from which this man came before the Minister of Finance. I have practiced before the Hon. Mr. Justice Graham. He is one of a long line of distinguished men who have adorned the Supreme Court bench of Nova Scotia. He is known on the bench and off the bench as a most humane gentleman, and before him criminals want to be tried if they must be tried. Now, the criminal law is the same all over the Dominion. What steps must have been taken before the case reached the acting Minister of Justice? These steps the acting minister should have considered. The evidence was gone over in the first place before this man was deprived of his liberty. Then, it was reviewed before he was sent up for trial. A third time it was before the judge and he read it and gave his address to the grand jury. As the judge found there was a prima facie case, the witnesses went to the grand jury and for the fourth time this evidence was reviewed. Then the fifth time, when they found the bill, it was gone over and sworn again before the petit jury. That is, five times this evidence had received careful investigation before a competent tribunal, and at the fifth time, the judge and jury found this man guilty of the offence cahrged. Nor was that all. There was a right of appeal on any point of law or evidence, an absolute right that could not be denied. Or if the judge had refused, the Supreme Court could have given it. But he did not ask for it and that is the evidence that he was properly convicted. If the Supreme Court of Nova Scotia had not given him what he thought was justice, then, in case of a division of the court, he could have appealed to the Supreme Court of Canada, and got a new trial. But nothing of that kind was done. And the minister should have remembered when a case of this kind came before him that it had been within the power of the trial judge to suspend sentence upon this man.

Mr. WHITE: Does the hon. gentleman understand that this is a case of granting a

ticket-of-leave under the statute, not a question of conviction?

Mr. McKENZIE: That does not make any difference. How does that change my position?

Mr. WHITE: The hon. gentleman is dealing with the conditions under which the man was convicted. But does he realize that the statute which gives the right to issue a ticket-of-leave presumes that that right would be exercised on proper occasion? The question is not whether the man was properly convicted but whether it was proper to issue the ticket-of-leave.

Mr. McKENZIE: I do not say it boastingly, but I know the criminal law of Canada very well. I know what a ticket-of-leave means, and have had to deal with tickets-of-leave. The point I make is that when the hon. gentleman knew the opportunities which this criminal had had and the latitude allowed to the judge in dealing with him, he should have hesitated before he interfered with the conclusion reached by proper machinery established by this country to deal with cases of this kind. We had it laid down here the other day by the Minister of Justice that when there was a court to deal with a subject, that subject should be left to that court and the court should deal with it finally, fully and absolutely. That was the law, the practise, the gospel, laid down in the Coderre case a few days ago. There was certainly power here to deal with the Coderre case, but it was thought by hon. gentlemen opposite that it should be submitted to the court. I submit to the hon. gentleman particularly responsible for the action complained of in this Landry case that he must excuse us if we are suspicious of the position taken by the gentlemen who had been pushing this man Landry upon the Prime Minister for an office of emolument. This case is political in its conception and political throughout. The gentleman who was recommending Landry was told that there was something the matter with his character, but he insisted upon Landry's appointment to office. The gentleman who was supporting his claims comes to Ottawa. He was around here some days, and did not see the acting Minister of Justice; I take his word for that. He may have seen many other gentlemen in the Department of Justice; we do not know. Mr. Gillies is not ignorant as to conditions in Ottawa; he was in this House for many years, and he knows Ottawa just as well as any of us——

Mr. DOHERTY: Do I understand my hon. friend to affirm that Gillies was in Ottawa at that time?

Mr. McKENZIE: That is the report.

Mr. DOHERTY: The report of whom, might I ask?

Mr. WHITE (eeds).

Mr. McKENZIE: The report of one whom I have reason to believe, but whose name I cannot give. I am informed it was after Mr. Gillies went back from Ottawa that he gave his friends to understand that this man would soon get out, and it was then that he wrote the letter. There is no question about the position taken by Mr. Gillies. It is a most extraordinary matter of record that he undertook to say: 'Do not dismiss this man; do not nominate another in his place.' At that time the man was in jail serving a year's sentence, yet Gillies said: 'Do not dismiss him; he will be home in a few days.' I am told that that information was affirmed by Mr. Gillies after he returned from Ottawa. He is a gentleman of mature years, bright and intelligent; I studied law in his office, and know him very well.

Mr. DOHERTY: If he came to Ottawa, why did he carry the information back with him instead of communicating it here?

Mr. McKENZIE: There may be much ingenuity and logic in the remarks of my hon. friend, but there is no want of logic in Mr. Gillies' writing to the Marine and Fisheries Department about the business that he had with the Department of Justice, if he had it all. It is quite possible that Mr. Gillies might have obtained information from the Department of Justice, somehow or somewhere, through the many officers who could give him information in the absence of the minister, that would enable him to say to the Department of Marine and Fisheries: 'This officer will be out of jail in a few days.' Mr. Gillies was interested in the fortunes of this man, and was so anxious to get him out that it is said he made a trip to Ottawa for that purpose. I do not assert this as a fact, but simply give the statement according to the information I have received. I am quite willing to give Mr. Gillies due credit for doing everything in his power to get his friend out of jail if he could properly do so; I would do the same thing myself if I could do it with any degree of safety but the Minister of Justice will excuse me and the hon. member for Richmond if we try to find some ground for the statement of Mr. Gillies, particularly when it turned out to be true. Gillies does not claim to be a prophet, but he makes an extraordinary statement about the release of a man who is serving a year's sentence, saying that he would be out in a few days, and, sure enough, out he comes! How did he know? We have a right to assume that he found out, from some authoritative source, that the prisoner was going to get out. I would like to point out to the Minister of Finance that the crime of which this man was convicted is one which, according to

the code, is deserving of life imprisonment, which is the maximum sentence. This man was unquestionably found guilty of the crime of forgery, and this would entitle the judge to send him to jail for the balance of his natural life. That is the law, but the judge who tried the case cut the sentence down to one year. Surely there could not be a more glaring case for the consideration of the minister than that of a man who, although unreservedly found guilty of a crime for which he could be imprisoned for life, is sentenced by this humane judge to the common jail for a period of one year. I was astonished that hon. gentlemen should dwell on the fact that this crime was connected with a note amounting to only $50. Is that a proper argument to be used by those responsible for the administration of justice in this country? Is the fact that a man has committed forgery in connection with a note for $50 any reason why he should not receive punishment? I suppose if it were a matter of $5 or $10, he would not be punished at all! I always understood, judging from the class of literature the Prime Minister has been wont to distribute broadcast throughout the country, that the men he would appoint to office would be above reproach in every particular. It has been mentioned also that this man got only $9 for one particular service rendered, and $240 for another, and the matter of the amount of money he was receiving was allowed to over-shadow the principle under which he was employed. I suppose we can have in the employment of the Government men who are forgers or perjurers or anything else—it is entirely a matter of how much money they get. If it is a small amount, he cannot be punished for stealing it; if the position pays a small salary, anybody will do. I would call the attention of the hon. member for Frontenac to a remark made by the hon. Minister of Justice the other day. Speaking of a man who is a cousin of the Secretary of State, he referred to him as a personator, perjurer, blackmailer, and something else, and when the Minister of Justice was so characterizing him he was, I am told, carrying in his pocket a letter from the Department of Marine and Fisheries promising him an office; he was carrying in his pocket letters from the Secretary of State to 'My dear Cousin,' saying: 'I could not put you in the Department of Public Works, but I am going to get you a nice comfortable nest in my own department, or somewhere else.' Is that the kind of man that comports with the manifesto of my right hon. friend? Is that the type of official he and his government would appoint? I would not have said anything about this matter were it not for the unjustifiable tirade on the part of the hon. member for Frontenac, which although it had nothing to do with this case, we cannot allow to be sent broadcast throughout the country without answering in a most emphatic way. I submit that if the acting Minister of Justice had followed the character of this crime and the consideration which it had received in Nova Scotia from the different tribunals to which it had gone, he would have been more careful in acting upon a mere telegram from some doctor who turned out to be a relative of the prisoner. If any danger to life had been proven to the Minister of Justice, no person would more readily come to his aid in acting on that than myself. We are told that this was a ticket-of-leave. If I understand the Act it is in the power of the Minister of Justice to bring this man back to jail. If he got out of jail by misrepresentation or fraud it is within the power of the minister to take him back and make him serve the balance of his term. If he had been pardoned he would be beyond the power of the minister. Why was he not brought back to jail?

Mr. WHITE: What authority has the hon. member for the statement that the department was, as a matter of fact, imposed upon? I say that this was a sick man, that he suffered before and since from stone of the kidney.

Mr. McKENZIE: The only way in which I, as an individual, can let him out is on the supposition that the minister was imposed upon and that he believed statements to be facts which were lies. I say there was nothing the matter with that man and the minister never took the trouble to verify the stories submitted to him. He should teach gentlemen of that kind a lesson and show them that they cannot impose on his department as they did. I am told that Mr. Côté simply said: Upon the facts this man is not entitled to be released but if it is true that he is suffering as they say he is and his life is in danger, that is another matter. Mr. Cote did not pass judgment on that.

Mr. WHITE: Mr. Coté recommended distinctly that the ticket-of-leave should be granted in view of the communications and the position as to the condition of this man.

Mr. McKENZIE: That if it turned out there was no truth in the statements as to his condition, when it was brought to the knowledge of the minister that this was questioned, if I had had any responsibility as a minister I would have taken the earliest possible opportunity to ascertain whether the statement was correct or not. The one question was whether or not the statement in the telegram from that doctor

was justified by the physical condition of the prisoner. If the minister can satisfy me that the physical condition of the prisoner was such as it was represented to him to be there would be no cause for criticism but we are told that the physical condition of the prisoner was what it was when he went to jail. The letter read by the Minister of Justice was just such a letter as a doctor who had sent that telegram would have to write in order to support his position; had it been desired to have the letter of this doctor substantiated it would have been an easy matter to have called in one or both of the two doctors residing at Arichat.

I submit that the whole case bears a tinge tint and current of suspicious circumstances which justify the position taken by hon. gentlemen on this side in regard to it.

House divided on the proposed motion of Mr. Kyte:

YEAS:

Messieurs:

Boivin,	Laurier (Sir Wilfrid),
Bourassa,	Law,
Boyer,	Lemieux,
Brouillard,	Macdonald,
Brown,	McCoig,
Bureau,	McKenzie,
Cardin,	Marcile (Bagot),
Carroll,	Martin (Montreal,
Carvell,	St. Mary's),
Clark (Red Deer),	Michaud,
Delisle,	Nesbitt,
Demers,	Pacaud,
Emmerson,	Papineau,
Fortier,	Pardee,
Gauthier	Proulx,
(St. Hyacinthe),	Pugsley,
German,	Richards,
Kay,	Robb,
Kyte,	Ross,
Lachance,	Seguin,
Lanctot,	Sinclair,
Lapointe	Verville,
(Kamouraska),	Warnock, and
Lapointe (Montreal,	Wilson (Laval).—45.
St. James),	

NAYS:

Messieurs:

Alguire,	McKay,
Ames,	McLean
Armstrong (Lambton),	(Queen's, P.E.I.),
Arthurs,	Meighen,
Baker,	Merner,
Ball,	Middlebro,
Barker,	Mondou,
Beattie,	Morphy,
Bennett (Simcoe),	Nantel,
Best,	Nickle,
Blain,	Osler (Sir Edmund),
Blondin,	Paquet,
Borden,	Paul,
Boulay,	Pelletier,
Bowman,	Rainville,
Boys,	Reid (Grenville),
Brabazon,	Rhodes,
Bradbury,	Rogers,
Broder,	Schaffner,
Burnham,	Sevigny,
Clark (Bruce),	Sexsmith,
Clarke (Wellington),	Sharpe (Lisgar),
Clements,	Sharpe (Ontario),
Coderre,	Shepherd,
Crocket,	Smith,
Cromwell,	Stanfield,
Crothers,	Steele,
Currie,	Stevens,
Doherty,	Stewart (Hamilton),
Edwards,	Stewart (Lunenburg),
Elliot,	Sutherland,
Fisher,	Thoburn,
Fripp,	Thompson (Yukon),
Girard,	Thornton,
Guilbault,	Walker,
Hazen,	Wallace,
Hepburn,	Webster,
Hughes (Victoria, O.),	Weichel,
Kemp,	White (Leeds),
Lalor,	White (Renfrew),
Lancaster,	Wilcox, and
Macdonell,	Wright.—83.

PAIRS:

Messieurs:

Ministerial.	Opposition.
Lesperance,	Power,
Foster (King's),	Knowles,
Chabot,	Beland,
Bennett (Calgary),	Buchanan,
Foster (Toronto),	Gordon,
Roche,	Clarke (Essex),
Monk,	Gauvreau,
Elson,	Tobin,
Boyce,	McCraney,
Lewis,	Molloy,
Northrup,	Oliver,
Forget,	Ethier,
Marshall,	McMillan,
Smyth,	Lafortune,
Carrick,	Lovell,
Jameson,	McCrea,
Green,	Champagne,
Aikins,	Turiff,
Clare,	Cash,
Cockshutt,	Charlton,
Taylor,	White,
Morrison,	McNutt,
Hartt,	Thomson (Qu'Appelle)
Cochrane,	Graham,
Fowler,	McLean (Queens-Sunbury),
Barnard,	Martin (Regina),
Bristol,	Bickerdike,
Robidoux,	Turgeon,
Gauthier (Gaspé),	Loggie,
Donnelly,	Devlin,
Porter,	Cruise,
Burrell,	Guthrie,
Armstrong (N. York),	Neely,
Henderson,	Douglas,
Nicholson,	Hughes (Kings, P.E.I.),
Davidson,	Chisholm (Antigonish),
Tremaine,	Chisholm (Inverness),

Lavallee, Marcil (Bonaventure),
Perley, Murphy.

Amendment negatived.

SUPPLY.

House in Committee of Supply.

Government of Northwest Territories—schools, $3,000.

Mr. BORDEN: My right hon. friend the leader of the Opposition asked for information about the schools. I have a statement here from the department which is as follows:—

LIST OF SCHOOLS IN THE NEW NORTHWEST TERRITORIES.

Place.	School.	Number of Pupils.	Yearly Grant.
Roman Catholic— Fort Providence	Sacred Heart	15	$ 400 00
Roman Catholic— Fort Resolution	St. Joseph's School	20	400 00
Episcopal— Great Slave Lake	Hay River School	29	400 00
Episcopal— Fort McPherson	St. Matthew's Mission	20	200 00
Episcopal— Herschel Island	Herschel Island School	26	200 00
Episcopal— Mackenzie River	Fort Simpson School	10	200 00
			$1,800 00

Sir WILFRID LAURIER: Are these white children or Indians or Halfbreeds?

Mr. BORDEN: There are some of all these classes attending the schools, I think, but I have not absolute information on the matter.

Sir WILFRID LAURIER: Perhaps my right hon. friend could give me the information later.

Mr. PUGSLEY: I noticed an item in the estimates for the Royal Northwest Mounted Police for compensation for injuries to a member of the force received in discharge of duty. How is it in the case of a policeman who is killed? Is any compensation given to his family? I have in mind the case of a policeman who happened to belong to my own province, and who lost his life in the Northwest.

Mr. BORDEN: There have been a number of grants to families of members of the force who have been killed in the discharge of their duty, or who have died in the discharge of their duty through accident. For example, in the case of Inspector Fitzgerald, who my hon. friend will remember died in the discharge of his duty, Parliament made provision last year. I think it is usually done by special vote.

Mr. PUGSLEY: I had rather in mind the case of an ordinary policeman who loses his life in the service, and I desire to know whether it is understood that some provision is made for his family, say for six months or for three months.

Mr. BORDEN: I think there is a provision of that kind, but I am not able to state the exact amount.

Progress reported.

On motion of Mr. Borden, House adjourned at 1.40 o'clock a.m., Friday.

HOUSE OF COMMONS.

FRIDAY, March 28, 1913.

The SPEAKER took the Chair at three o'clock.

THE COST OF LIVING—REPORT OF DEPARTMENT OF LABOUR.

Hon. T. W. CROTHERS (Minister of Labour): Mr. Speaker, before the Orders of the Day are called, I would like to table a special report just issued by my department, which seems to be particularly opportune at the present time. Its subject is the important one of the rise in the cost of living, in which everyone is interested and naturally so in view of recent developments. This is not the first report on the subject to be published by the department.

A report issued in 1910 gave a review of the course of prices in Canada from 1890 up to the preceding year. Since then annual reports have been issued bringing the statistics up to date, the first covering the year 1910, and the second the year 1911. The present report covers the year 1912. I think I may say that it is a much better document than any of its predecessors. During the past year I have very materially strengthened the statistical branch of my department, which is in charge of Mr. Coates; and the result has been a marked increase in the efficiency of its work, as will be seen by comparing the report with its predecessors in the same field. I may add that it is only the precursor of a considerable programme in statistics which the department has mapped out.

The report gives a detailed review of the movement of prices, wholesale and retail, in Canada during the past year. Altogether, nearly three hundred articles, selected on account of their representative character, have been covered. The movement as a whole has been analyzed from various points of view. For each article a considerable mass of information has been assembled, covering such points as production, demand, trade conditions, &c., &c., facts bearing not only on prices but on the causes of the recent advance. Grains, live stock, meats, dairy products, fish, groceries, textiles, leather, lumber, fuel, housefurnishings and chemicals are only a few of the classes of articles thus covered. The retail prices given in the report are collected from every locality in Canada having over 10,000 inhabitants. There is an appendix to the report which treats of the similar movement in Great Britain, the United States and Australasia, and another appendix in which statistics and other matter illustrative of the effects of gold production on prices have been brought together. I might say that the general result of the inquiry shows that prices went up by probably over six per cent, in 1912.

For the first six months the advance was due chiefly to short world supply of foodstuffs on the back of which came a severe winter. There was a recession from this in the summer due to good crop prospects the world over, but in the autumn the rise set in again, being due this time to increases in materials rather than foods, and being indicative of the widespread prosperity of industry which prevailed not only in this country but in Great Britain and the United States.

Hon. members may have noticed in the press yesterday that the question of the high cost of living has been actively debated in the Ontario legislature, and that the opinion was expressed that the subject was one that could be more effectively handled by the Dominion Government. My own personal view is that the problem is one that is world-wide in its extent, and that what is really required is an investigation on an international scale. As hon. members know, Mr. Taft, when President of the United States, sent a special message to Congress, now about a year ago, recommending that the United States take a lead in such an inquiry, and that the sum of $20,000 should be voted by Congress to defray the expense of calling a preliminary conference. The project was overwhelmed in the rush of business that accompanies the closing of one presidential regime and the beginning of another, and it has not yet reappeared under the Wilson administration. Until some such inquiry is made the application of the remedies will be difficult. Most of the great staple commodities have their prices fixed in the world markets and the effect of such a phenomenon as the recent remarkable increase in the gold output can only be observed on a world-wide scale. The present report will supply some very valuable information for the discussion of this question in Canada. It will be ready for general distribution early next week.

PILOTAGE COMMISSION.

Mr HAZEN. My right hon. friend the leader of the Opposition yesterday asked me if I would bring down the report of the Pilotage Commission upon which I ordered a test of the eyesight of the pilots of Quebec. Other hon. members have asked questions on the same subject. I have the report here, and as it is very brief, I might read it.

Mr. SPEAKER: It seems to me a very irregular practice to read and analyze reports in presenting them to the House. As I understand the rule, it provides that the name of the report shall be given, and that is all that is permissible. It would become very inconvenient if any other course were followed.

Mr. HAZEN: Mr. Speaker, I bow at once to your ruling, and lay this report upon the table of the House.

DISASTROUS FLOODS IN THE UNITED STATES.

On the Orders of the Day being called:

Mr. J. H. BURNHAM (West Peterborough): Mr. Speaker, I desire to ask the Prime Minister if it would be suitable to express sympathy with our neighbours to the south in the disaster that has recently overtaken them. I refer to the matter because the President of the United States has characterized the catastrophe as a national calamity. It seems to me that we should express some kindliness towards them at this time.

Right Hon. R. L. BORDEN (Prime Minister): I am sure that not only every hon. member of this House but all the people of Canada have heard with the deepest regret the tidings of the disaster to which my hon. friend alludes, and that we all sympathize with those who have suffered in that disaster. My hon. friend speaks of some formal expression of sympathy by this House. I will take that into consideration. In the meantime I do not think it is necessary at the moment to say more than I have already said,—that in a disaster of such apalling character as that which has come upon the people of the neighbouring nation, people of our own kith and kin, the sympathy of the people of Canada goes out in very large measure to all who have suffered.

Sir WILFRID LAURIER: I may say to my hon. friend from West Peterborough that I have a very vivid recollection that when Chicago was destroyed by fire in 1871, the business men of Chicago met in the ruins of their city and issued a statement to the people of the United States telling them that the best way to afford assistance would be by at once extending business to the people of Chicago. Extending business is a very good way of helping. But I do not know that it would be agreeable to my hon. friend.

ST. PETER'S CANAL.

Mr. G. W. KYTE (Richmond): Once again, I would ask the hon. Minister of Railways and Canals when we may expect to resume the adjourned debate on the motion for papers on the subject of the acquisition of lands owned by J. A. Gillies, at St. Peters, N. S., for canal purposes.

Hon. FRANK COCHRANE (Minister of Railways and Canals): I will be glad to go on with that discussion whenever we can reach it, and will be glad to give some of the hon. gentleman's own affidavits at the same time.

Mr. KYTE: I am anxious to have some particular day fixed for the debate, because I wish to have the papers brought down before the estimates are discussed.

SUPERIOR COURTS OF ONTARIO.

Bill No. 155, respecting the Superior Courts of the province of Ontario—(Mr. Doherty), read the second time, and House went into Committee thereon.

On section 1—changed name of Ontario Court of Appeal not to affect references under existing law:

Sir WILFRID LAURIER: I understand that this Bill is simply to accommodate our legislation to the new condition of things established in the province of Ontario. The second section, I understand fairly well; that has reference to reserved cases. Reserved cases in the criminal courts were referred to the High Court of Justice for Ontario. I understand that now all reserve cases will go to the High Court Division of the Supreme Court of Ontario, or to a judge thereof. But I would like an explanation of the first section. The first section provides that:

> Where by any Act of the Parliament of Canada heretofore passed provision is made by which any jurisdiction, power or authority is conferred upon, or provision is made for an appeal to, or the stating a case for the opinion of, or for any proceeding, matter or thing being had, taken or done by or before the Court of Appeal for Ontario, such jurisdiction, power and authority shall be deemed to be conferred upon, such appeal shall lie to, such case may be stated for the opinion of, and such proceeding, matter or thing may be had, taken or done by or before a Divisional Court of the appellate division of the Supreme Court of Ontario.

I would like to ask the hon. Minister of Justice if he has in mind any such statute as that which is referred to in this section, and which confers jurisdiction upon the Court of Appeal of Ontario.

Mr. DOHERTY: I cannot point out at this moment any provision conferring jurisdiction on the Court of Appeal for Ontario, but as a matter of fact, there is such a case now actually pending and it has been argued before one of the divisional courts of appeal of the Supreme Court of Ontario as designated in the New Ontario Act. I am quite clear that there are provisions providing either for the stating of a case or an appeal to the Court of Appeal as it stood before this change. I cannot at this moment point out the particular statute conferring the jurisdiction, but from the fact that I have it from the Attorney General of Ontario and from the fact that the judges of Ontario have considered that it was necessary that this provision should be made, I have no doubt that, if one looked up the statute, one would find that there are cases to which it would apply. In any event, if there be no provision of our statutes conferring any jurisdiction upon the Court of Appeal of Ontario, the worst that could be said of this section would be that it was unnecessary.

Sir WILFRID LAURIER: I do not know of any statute of our own which gives to the Court of Appeal of Ontario such a jurisdiction as would be supposed from the wording of this section. I understand that my hon. friend has no such statute in his mind at the present moment. May I ask him what is the nature of the case which

would, in his opinion, necessitate this jurisdiction being given to the divisional court of Ontario ?

Mr. DOHERTY: I have to confess that I assumed from the action of the Attorney General and the judges of Ontario that there were cases which made such legislation necessary, and I may say that a case has been brought and has actually been heard by one of the divisions of the appellate division of the Supreme Court of Ontario. That case would only be brought under the law conferring jurisdiction on the Court of Appeal of Ontario.

Sir WILFRID LAURIER: The explanation is not very satisfactory. I shall not press the point, because, if we err we cannot do any wrong, but I think my hon. friend will agree that it is not satisfactory to go it blind without information, as we appear to be doing in this case.

Mr. DOHERTY: I do not know that any doubt arises in view of the position of the Attorney General and the judges of Ontario, but I admit that it would have been more satisfactory to have verified the facts.

On section 3—commencement of Act:

Sir WILFRID LAURIER: I see you are making the Act effective. Is that necessary?

Mr. DOHERTY: That is necessitated by the fact that one case has been actually taken and argued before the Appellate Division.

Mr. GUTHRIE: I have not followed this Bill very closely, but I understand that quite recently the point was raised at Osgoode Hall in the argument of a case under the Winding Up Act, that the new division of the Appelate Court hearing that action has no jurisdiction. Is it the intention of the present Bill to remedy that defect, if there is a defect? Will not that affect the rights of litigants in litigation now pending? If that defect exists, if the court has not the proper authority I think that litigants should have the benefit of the exception they have already taken. Would it be right of this Parliament to pass a clause that is retroactive in its effect to cure defects in the law affecting a particular case now pending?

Mr. DOHERTY: Unless it would be considered desirable to attach to the mere change of the name of the court a deprivation of the right to appeal, I do not see that anybody would have ground to complain. Because of the fact, that any doubt whether the giving of a new name to the Court of Appeal of Ontario altered the jurisdiction of that court, should be removed, I do not see that anyone would have any just ground of complaint. If it should be considered that this legislation modified the position of any litigant, I have no doubt that the court, as far as the question of costs is concerned, would feel perfectly free to deal with that matter equitably. But, if it should be considered that the change of designation of the court deprived the court, under its new name, of jurisdiction, the result would be that unless we do this, the right of appeal to which parties were entitled under the law enacted by this Parliament would be destroyed and the right would be destroyed merely by the change in the designation of the court. As I have said, the judges of the courts of Ontario have thought it desirable that any doubt upon this question should be removed by legislation.

Mr. GUTHRIE: Under the legislation of this House tribunals have been prescribed in which certain proceedings may be had, as in the case I mentioned as coming under the Dominion Winding Up Act. It is prescribed under that Act that there shall be an appeal to the Court of Appeal for Ontario. In Ontario, the Court of Appeal, as formerly constituted has gone out of existence, and a new tribunal has been established under the authority of the legislature of the province of Ontario. By the Act constituting this authority it is provided that all matters which heretofore went to the Ontario Court of Appeal shall now be determined by the new appellate division of the Superior Court as reconstituted by the recent legislation in Ontario. I do not know that there is any great objection to that course, but it changes the whole of the original intention of this House when it fixed the jurisdiction and powers of the appellate division of the Superior Court in the province of Ontario. Having regard to the point that has recently been raised in the province of Ontario regarding the jurisdiction of the new courts to hear appeals in cases provided for by Dominion legislation, I do not think it would be wise on the part of this House to pronounce on that question by the introduction in this Bill of a retroactive clause. I think this Act should be allowed to take effect in the ordinary course, from and after the date of its passage. It looks to me as if that clause had been inserted simply to overcome some difficulty which has been brought to the attention of the Government by the Attorney General of the province, or perhaps, some of the judges in the city of Toronto. There has been a good deal of criticism in Ontario by the bench and by the Bar as to the advisability of reconstructing the Ontario courts, as has been done during the past year. If difficulties followed that reconstruction, I do not think, in the absence of more information than we now have before us, that we should pass a retroactive clause and validate something which is wrong, if there be anything wrong.

If the Minister of Justice would be good enough to tell us the precise reason for inserting such an unusual clause in a public Act, we would be in a better position to deal with the matter, but, to use a commonplace expression, there must be a nigger on the fence somewhere, and as such unusual clauses are considered to constitute very questionable legislation, I think we ought to have a plain statement, before the clause passes in committee, as to why it was inserted in the Bill.

Mr. DOHERTY: As I understand it, the reason why that clause has been inserted is to make it quite clear that during the period since the change in the designation of the Court of Appeal in Ontario became effective, all parties who were entitled to an appeal to the Court of Appeal of Ontario have not been left with no tribunal to which that appeal could be taken, and, therefore, have not been deprived of their right to appeal. Our legislation as it stands clearly expresses the intention that in all matters to which it refers, the Court of Appeal of Ontario shall be given jurisdiction to hear appeals. The name of the Court of Appeal of Ontario has been changed, it is true, and the court has been differently organized, but the fact remains that that court is the Court of Appeal of Ontario, and, therefore, is the court contemplated and intended by our legislation. It would seem to me to be a greater evil to concede that a consequence certainly never contemplated by the Ontario legislature—namely the deprivation of parties of the right of appeal which our laws gave them—has resulted from its legislation than the possibility that somebody may be deprived of the benefits of an exclusively and absolutely technical objection. As I said a moment ago if the court should come to the conclusion that the objection was well founded, no doubt they would feel at liberty to deal with the matter so far as costs are concerned, but it does seem to me to be a substantial injustice to allow this mere change of name to deprive people of a right which our laws intended to give them, and, unless this clause is inserted, if it should be held that the designation in name makes any difference, the situation created would be that from the 1st of January until to-day—though undoubtedly our legislation intended that there should be an appeal, and though undoubtedly the Ontario legislature did not intend to deprive the Court of Appeal, though it gave it a new name and organized it differently, of any of its jurisdiction—during that interval the right to appeal would have ceased to exist. I think it would be a substantial injustice that such an effect should be attached to the legislation in Ontario which most certainly was never contemplated, and that consideration is a quite sufficient justification for our making the Act applicable from the time the new legislation in Ontario came into force. The purpose is precisely to prevent that legislation having the effect of depriving persons of the right of appeal during that period of time

Mr. GUTHRIE: I understand that the intention of the minister is to cure any defects that may arise between the 1st of January and the time this Bill ordinarily goes into force. But why not let the present appellate division of the court, before which an action is pending, decide whether it has proper jurisdiction at the present time, without inserting this clause in the Bill. As I have said, the question has been brought up, and I understand that some of the judges have refused to decide it. There is no doubt about the fact that the reconstruction of the appellate division of the Superior Court in Ontario is not meeting with universal approval, either by the judges, the barristers, or the public. Much has been said in the newspapers concerning the matter, and, while I do not desire to enter into any lengthy discussion, I think that the provincial authorities have probably fallen into an error, and they are now urging this Government to let them out of the error into which they have fallen. Pending litigation may be seriously prejudiced by the insertion of this clause, and while I have no great objection to the Bill in itself, I do think that objection can be taken to this particular section.

Mr. DOHERTY: I think the greater prejudice and the more serious injustice would be to allow the legislation of Ontario—which certainly is not intended to produce that effect—to deprive people of the substantial rights which our laws gave them during that period of time. The result of the application of this Bill will be that the courts of appeal which Ontario furnishes are now given a certain designation. Our legislation provided for an appeal to the Court of Appeal of Ontario, and the purpose of this Bill is to see that people shall not be deprived of their right in this regard.

Mr. CARVELL: I presume that this legislation has been the result of representations made to the minister by somebody. The hon. member for South Wellington (Mr. Guthrie) states that his recollection is that the matter was raised in court by some litigant. I can understand quite well that the object of the Minister of Justice is to make perfectly clear the rights of parties but my friend will remember that naturally, when retroactive legislation is proposed, men ask why it is necessary. There must be some personal or private interest involved or the machinery

of Parliament would not be in motion to pass a law of this kind and the only question we have to decide is: Is it fair and proper to all parties concerned that this legislation should be passed. The Minister of Justice argues that it is necessary, and if we are to accept his argument, probably every member of the House would agree that had this matter come up in December, we would all have agreed to it; because, as I understand the Ontario legislation did not become effective until the 1st of January. Evidently since the 1st of January this objection has been taken in the court and my friend the minister, who was a practising barrister at one time, knows that a barrister does not like to have an important point taken away from him. I have never had that experience; but I think if I felt that I could win a case and if I saw the legislature legislating away my right, I would consider it an unwarrantable interference with my affairs. That point should be looked into carefully before the legislation is passed. Personally I doubt if it would make much difference. I believe that the Ontario courts would hold that parties had the right to apply to whatever might be the proper appellate court. I do not think the mere fact of changing the name of a court would take away the right of appeal. When the Judicature Act was introduced in my own province two or three years ago a great many of these technical appeals and objections were raised but our court had not any difficulty whatever in brushing them all aside. One of the first cases I had to contend with after the Appeal Court came in was an application made by a very prominent barrister to set aside a matter in which I was interested on the ground that I had improperly designated the court, but the court did not listen to him and did not even call on me to answer the argument; they simply brushed it aside and said they would not stand on such trivialities as that. I am of opinion that that would be the case here and it seems to me it is rather dangerous legislation to pass a retroactive clause to a Bill which evidently must be inspired by some person or private interest. You may say that it works out to the public good in the end; but there is no doubt that we are helping some barriester or solicitor out of a difficulty in which he finds himself, and if we are doing that we are taking away from another barrister or solicitor a right to which he thinks he is entitled. Therefore the Minister of Justice should consider carefully before asking Parliament to pass retroactive legislation such as this.

Mr. DOHERTY: I was thinking of the clients rather than the barristers.

Mr. PARDEE: It appears to me that the whole trouble might be overcome by putting in at the end of the last clause of the Bill the usual saving clause providing that nothing herein shall affect pending litigation. That would amply preserve the whole ground. This is ex post facto legislation and consequently something that neither the House or anyone else cares particularly about and it appears to me that there could be no harm in the Minister of Justice putting in such a clause.

Mr. DOHERTY: The only purpose is to prevent there being an interrregnum during which no right of appeal would exist and if we introduce the clause I am now asked to insert it would produce the result that there would be such an interregnum as regards all pending cases.

Mr. PARDEE: I suppose such a technical question has been raised. Is it right by this to take away from whoever has raised that question his right to raise it or to stand on it by passing such legislation as this?

Mr. DOHERTY: I think it is right to prevent the party who had a right of appeal being deprived of it by an interpretation attached to a law which law was never intended to deprive him of his right and I think that the substantial right of appeal is vastly more important than the alleged right of a person to invoke that unintended consequence to relieve him of his action being susceptible of appeal when the law intended it should be susceptible of appeal.

Mr. PARDEE: There has hardly ever been a statute passed on which different interpretations have not been placed. Surely you would not then pass in a statute such legislation as is in this Bill but would enact such a clause as I suggested. If you put in the saving clause it is a mere matter of construction and it should be left to the court.

Mr. DOHERTY: We want to give them their rights as they were prior to the 1st of January.

Mr. CARVELL: I have always felt that too many appeals are provided for in Canada. I do not think we will do any harm to litigants and perhaps not much harm to solicitors themselves if we take away a lot of the rights of appeal which are given not to litigants but to solicitors and counsel. I do not think we will be doing much harm if we curtail to some extent the possible right of appeal by refusing to pass this retroactive legislation.

Mr. GUTHRIE: Let us understand the effect of this thing. I have no objection to clauses 1 and 2 of the Bill; I think they are proper enough. We have so many Acts in the Revised Statutes of Canada which

provide that an appeal may be had to the Court of Appeal for Ontario that it becomes of some consequence to consider what that court is. Up to the 31st of January last it was a judicial entity which we all recognized. It was abolished, as a matter of fact on the 31st of December. There is to-day no court of appeal for Ontario; consequently in all Dominion Acts where that expression is to be found the tribunal before which appeals ought to be taken has gone out of existence. Now, a new arrangement has been made under legislation of the province of Ontario whereby two appellate courts have been constituted. The names have been changed from the 'Court of Appeal of Ontario' to the 'Appellate Division of the Supreme Court of Ontario.' I do not think there is much objection to clauses 1 and 2, giving to the new Appellate Division the jurisdiction formerly possessed by the Court of Appeal of Ontario, which has gone out of existence. But I know that within the past three weeks a case was before one of the Appellate divisions, and during the argument of the appeal, a very able counsel in the province of Ontario took the objection that the court, as now constituted, had no jurisdiction to entertain the appeal. The judges themselves, who constitute that Appellate Division, should have decided that point I think. It may be that their decision would have been that they had jurisdiction, or it may be that they would have decided they had no jurisdiction. They should have come to some decision upon the point, and they did not come to a decision on the point. It is common rumour, it is more than that, it is well defined knowledge on the part of the Bar in the province of Ontario and on the part of most people that the present rearrangement of judges in the appellate divisions is not uniformly acceptable. It is supposed that it is not a very great improvement on the former system, and questions have arisen as to how such a scheme was evolved in the first instance and as to its objects. A good many opinions were offered as to that; certain it is, that some correspondence has been published within the last five or six weeks, which leads one to believe that we have more judges in the High Court in the province of Ontario than we require for performing the work. Why it was that in the face of the opinion of the judges themselves that no more were necessary, more were demanded by the Ontario legislature and appointed by this Government, I cannot say. The point pending for decision is that the new Appellate Court has not the necessary jurisdiction, and I submit that we should not confer that jurisdiction upon it now when litigation is pending. I think that the clause suggested by the hon. member for Lambton would meet the situation, certainly so far as I am concerned. It is the usual saving clause that the previous Act should not affect the rights of pending litigants. I do not think the Government should go the length they are going now, because it is retroactive legislation. It is a principle that has always been condemned here and everywhere, that unless in cases of the gravest danger retroactive legislation should not pass.

Mr. McKENZIE: It is well understood by the minister that the establishment of the jurisdiction of appellate courts is not a provincial matter except as we might refer it, and except in criminal cases. That is our position. We simply say they shall have jurisdiction to deal with certain matters. That jurisdiction was created long ago, and I presume that appeals have been dealt with under that jurisdiction and direction. Was it not a matter for the new legislation of the province of Ontario that created the new court, to state that the jurisdicion heretofore exercised by the old Court of Appeal would be exercised by the new court?

Mr. DOHERTY: I am surprised that the hon. gentleman thinks that the legislature of the province of Ontario should have transferred the jurisdiction from one court to another. We are now saying that these are different courts upon one of which this Parliament had conferred jurisdiction. The suggestion of the hon. member is that the legislature of Ontario should have transferred that to some other court. I cannot agree with him at all.

Mr. McKENZIE: I am sorry the Minister of Justice does not understand me. It is perhaps a little regrettable that he should be so willing to transfer his regrets in the way he has been transferring them to-day. There is no question but that when jurisdiction was conferred upon the old court by this Parliament, all matters were referred to that jurisdiction, and when there was nothing but merely a change of name, if the act creating that court had shown that it continued to have the old jurisdiction over every matter with which up to that time it had had to deal, no judge in Ontario would say that that jurisdiction did not exist. So, I am not subject to any sympathy from the hon. Minister of Justice when I make that statement.

Mr. DOHERTY: I did not understand that I had expressed any sympathy for my hon. friend.

Sir WILFRID LAURIER: The contention of my hon. friend from Cape Breton (Mr. McKenzie) is certainly, in my humble judgment at all events, a proper one. We

have no federal courts except the Supreme Court; the other courts are under provincial jurisdiction. I think that if a provincial court is charged by us to interpret our laws, and that court afterwards changes the interpretation of those laws, they set up a new court. We are remedying a deficiency in the Ontario Act. But the one practical point in this matter is the point raised by my hon. friend from South Wellington (Mr. Guthrie). The Act is made retroactive. I understand from his statement that cases are pending at the present time in which the very question is raised whether or not the court, as constituted, has the power to try certain cases. Under such circumstances, is my hon. friend the Minister of Justice prepared to override this, and to say there will be jurisdiction from the first of January, when the point is at issse in the courts now?

Mr. DOHERTY: There may be two opinions as to whether the legislation is desirable, but its purpose is to make it clear that from the first of January last this court had jurisdiction. I understand that one of the reasons why this legislation was asked for was that there is now pending a reserved capital case, and argument has been heard before the appellate division of the High Court of Ontario. I understand that the hon. member for Wellington (Mr. Guthrie) said that there is pending a case under the Winding-up Act in which the question has been raised as to whether jurisdiction existed or not. That may be a doubtful question; I am very much inclined personally—I am speaking offhand, without examination of the question—to agree with the view that probably the change of name did not modify the jurisdiction. But the question which this House has to deal with is: is it more important to make sure that a man who had a substantial right of appeal given to him by this Parliament is not deprived of that right by an unintended effect of the Ontario legislation, than to secure that the man against whom such an appeal may be taken shall if that first effect is attached to the legislation be by accident, if I may so express it, placed in such a position that he is not liable to be brought before the Court of Appeal? In my humble judgment the first evil is the greater, and the one we ought to remedy, and while no doubt it is not desirable to enact retroactive legislation, except where a substantial evil is to be remedied, I submit to this House that this is a case where there is a substantial evil to be remedied. If it should be held that the change in designation and the division of work in the Appeal Court of Ontario has constituted an entirely new court

the legislation is necessary. If that should not be decided, then our legislation is unnecessary. But should we wait to have this decided, the judgment that will be rendered will be final and the man who had given to him by this Parliament that substantial right of appeal will have suffered the injustice of having had it finally determined as regards himself that the uncomtemplated effect of the legislation of the province of Ontario has been to deprive him of his right of appeal. There is actually pending a reserved case a capital case. Do hon. gentlemen contend that it is desirable that we should so enact this legislation that a man who has been sentenced, or is liable to be sentenced to death, shall have no right to appeal at all? If it should be held that this appellate division of the Supreme Court of Ontario had no jurisdiction, there would be an end to his appeal and there would be no court which had jurisdiction. That is a pretty serious matter from that point of view. I instance that as it happens to be an existing case, but on general principles, if there is any doubt as to whether a man has lost the substantial right of appeal, I think that is precisely a case where retroactive legislation is justified. As regards the power of the province of Ontario, by its statute, to enact that all jurisdiction which the court of appeal previously had, including the jurisdiction which this Parliament conferred upon it, passed to the new court, I had no intention, in expressing a difference of opinion with my hon. friend from Cape Breton North (Mr. McKenzie), to do it in any disrespectful way, but notwithstanding what the right hon. the leader of the Opposition has said, and notwithstanding the great respect which I have for his opinion, I still adhere to my view that the jurisdiction which could only be conferred by this Parliament only could be transferred by this Parliament. If the present court has jurisdiction it would not be because the legislation of Ontario gave it in the creation of the new court. It would only be because the fact that the legislature of Ontario chose to designate, under a new name, the court to which appeals in Ontario go, the legislation enacted for that purpose would not deprive that court of the jurisdiction which this Parliament conferred upon it. But to my mind, if legislation is necessary to confer any jurisdiction which originated in this Parliament upon the newly designated court, then this Parliament alone should pass it. But even conceding that there should be some doubt upon the question, I confess it seems to me clear that the interests of justice require that these doubts should be removed and the purpose of this legislation is to remove them. It may ultimately transpire that this legislation was not necessary, that the law would not in

any way affect the jurisdiction of this newly designated court. But after all, if it is true that the result of this legislation will come about without our saying anything, I think it is pretty safe to say that things that will come about without saying anything will come about a little better and, at all events just as well, if you do say something. The whole purpose of this legislation is to remove any doubt on the question.

Mr. GUTHRIE: I am going to test the thing by moving:

That section 3 be amended by adding thereto the words following: 'but the provisions of this Act shall not apply to litigation now pending except the proceedings under the Criminal Code, 1902, and amendments.'

We will let it apply to the criminal cases.

Mr. GRAHAM: Perhaps I may be allowed to intrude into the sacred circles of the law. Probably I will call things by their real names with less delicacy than some members of the legal profession would in discussing the result of this change in the arrangement of the courts in Ontario. First, there is dissatisfaction with the change, of which I am aware; second, it provides two vacancies for friends, of which I am aware; and, thirdly, it makes another chief justiceship, of which I am aware. These are the concrete results of this legislation. I have had considerable discussion and some correspondence with leading members of the Bar and I know that this whole arrangement is eminently unsatisfactory. I wish strongly to protest against retroactive legislation unless there is a clear and distinct case made out in favour of it. I regret to say I do not think the hon. Minister of Justice (Mr. Doherty) has made out that clear case. It perhaps will not be out of place for me to say that I think the Ontario powers have not been as careful in some of their legislation as to existing rights as this House has always been. I have had experience where legislation was passed after suit had been entered and for the sole purpose of influencing the decision in that suit. I do not think that in this Parliament we ought to countenance any legislation looking in that direction. This retroactive legislation must be enacted to affect some case or cases. My contention always has been, since I have been in a legislature, that no parliament, no government, has any right to intervene, unless under the most extraordinary circumstances, in the rights of parties to any litigation. If they take the step once they will find that it is very difficult to refuse to take a similar step for other parties when they ask them to do so. What right can be affected if the amendment proposed by my hon. friend from South Wellington (Mr. Guthrie) is adopted? It will be a safeguard to this Parliament for all future legislation. My own opinion, in what I have heard, is that there is a distinct request for this legislation from a certain direction and I do not think that we ought to countenance a request for this kind of legislation. Might I ask my hon. friend the Minister of Justice if the Ontario Government itself has asked for this legislation; and, if so, what reason does it give?

Mr. DOHERTY: I have been requested by the Ontario Government to enact this legislation. The Ontario Government gives reasons substantially the same as I have given myself, that, in its judgment and in the judgment of the judges of Ontario, it is desirable to remove any doubt as to whether the legislation changing the designation of the court has deprived that court of jurisdiction which it formerly had. I would thoroughly agree with what was said by my hon. friend from South Renfrew (Mr. Graham), if this was a question of retroactive legislation which was intended to deprive people of their rights. This, however, is legislation intended simply to prevent people from being deprived of their rights, which unquestionably they had on the 31st of December, by the issue of a proclamation by the Ontario Government, bringing this law into effect. If the bringing into force of the Ontario Act prevented the court under its new name from having jurisdiction, then on the first day of January the people were deprived of their rights. The purpose of this Bill is to remedy that uncontemplated and unintended effect, and to prevent people, to whom this Parliament has given rights, from being deprived of them by an unintended consequence of an Act passed by the Ontario legislature.

Mr. CROTHERS: My hon. friend from South Renfrew (Mr. Graham) has expressed his conception of the motives for passing the provincial legislation which has given rise to this Bill.

Mr. GRAHAM: I said this was the result; I did not say anything about motives.

Mr. CROTHERS: The result. I could understand a lawyer objecting to the new statute passed by the legislature of Ontario, but I cannot understand a layman doing so. What was the object of that legislation? Any member of the Bar of Ontario knows that for many years there was a great outcry amongst the people owing to the extraordinary cost of litigation and the number of appeals. The Supreme Court of Ontario, prior to the passing of the Act, was composed of a court of appeal and a high court. The High Court was divided into four divisions. There was an appeal from a trial judge to one of these four divisions, another appeal from the judgment of the Divisional Court to the Court of Appeal, another appeal to the Supreme Court of Canada, and another appeal to the Judicial Committee of the Privy Coun-

cil. This Act was passed primarily to cut out one appeal, owing to the objections of the laymen of the province to the extraordinary cost of so many appeals. Under the new Act, we have simply the High Court of the Supreme Court and the Appellate Division of the Supreme Court. The appeal under this present law will go directly from the trial judge to the Appellate Division of the Supreme Court. The cost of one appeal is thereby cut out. The Act was passed, if I remember right—and I speak with some diffidence in regard to this—in the year 1909, and it probably was the duty of the Government then in power at Ottawa to see to it that legislation was passed by this House to meet the proposed altered conditions in Ontario.

Mr PROULX: This legislation was to be brought into force by proclamation.

Mr. CROTHERS: I was just about to say so. Although the Act was passed in the year 1909, provision was made that it was not to come into force until after proclamation by the Lieutenant-Governor in Council, and that proclamation was issued to take effect on the first day of January of this year. That fact would not prevent this legislature from passing the Act to provide for the altered conditions, when they might be brought into force by the proclamation. The net result is that one weapon, provided by the province for determining legislation passed by this House, that is, the Court of Appeal, now called the Appellate Division of the Supreme Court has, according to the suggestion of my hon. friend, been knocked out of existence on the first day of January. Take, for instance, a case depending upon a statute passed by this House, where a notice of appeal was given on the 1st day of December last to the court then in existence in Ontario, namely, the Court of Appeal, and that appeal comes on for hearing on the 10th day of January. The argument is: you are out of court; there is no such thing as the Court of Appeal now, although you gave the notice to the court that was in existence at the time you gave the notice. Do my hon. friends opposite desire to bring about such a result as that? Do they desire to do away with the weapon which we have chosen for the determination of legislation passed in this House? That may be the effect of what they are proposing. Who is injured? Is it the lawyer, who, according to my hon. friend from Carleton (Mr. Carvell), is engaged on one of these appeals, and who desires, upon a technicality, to secure a little fame and a good deal of costs; or is it the people who are interested in seeing that justice is done and that the laws made by this legislature are carried out in the same court under another name? If we are here for the purpose of lending our influence to the administration of justice and to the execution of statutes passed by this House, it seems to me that we should accept this proposition at once. Any other course can only tend to prevent the carrying out of our laws, and to that extent to do an injustice to the people at large.

Mr. BORDEN: If my hon. friend who moved this amendment had given a little consideration to the principle which governs the prospective or retrospective construction of the statute, he would hardly have taken the trouble to press it. There is a very clear distinction which, I think, is known to most lawyers, that while statutes are not construed retrospectively with regard to the rights of parties, they are construed as applying to the pending actions if they relate only to the practice and procedure of the courts. I am not at all sure that the clause which the Minister of Justice has inserted in this Bill is necessary, but whether it is necessary or not it simply carries out a principle which ought to be applied in such cases. The amendment moved by the hon. member for South Wellington is in direct abnegation of the principles which, under authority that could be easily quoted, would apply to such enactments. It is hardly necessary to quote authority for so simple a proposition, which I have heard ever since I was a student-at-law. But if authority is necessary, I would quote the last edition of Maxwell on the 'Interpretation of the Statues,' one of the best recognized authorities on this subject in which this is laid down:

> In both of the above cases, however, the construction, though fatal to the enforcement of a vested right, by shortening the time for enforcing it, did not in terms take away any such right; and, in both, it seems to fall within the general principle that the presumption against a retrospective construction has no application to enactments which affect only the procedure and practice of the courts, even where the alteration which the statute makes has been disadvantageous to one of the parties. Although to make a law for punishing that which, at the time when it was done, was not punishable, is contrary to sound principle; a law which merely alters the procedure may, with perfect propriety, be made applicable to past as well as future transactions; and no secondary meaning is to be sought for an enactment of such a kind. No person has a vested right in any course of procedure. He has only the right of prosecution or defence in the manner prescribed for the time being, by or for the court in which he sues; and if an Act of Parliament alters that mode of procedure, he has no other right than to proceed accordingly to the altered mode.

So, if this provision were not in the statutes, then from the time the statute is enacted the parties must proceed in the

courts according to the law as it has been altered. Therefore the provision which my hon. friend seeks to introduce by his amendment would interfere absolutely with the principle of the law.

Mr. GUTHRIE: My right hon. friend says 'from the time this statute was enacted,' I admit that.

Mr. BORDEN: But my hon. friend says that that ought to be interfered with. What the Minister of Justice is doing is to make it applicable to litigation from the time that the law was altered in regard to the Ontario courts. He is not extending the principle but he is applying the same principle to the date when the Ontario Act took effect, because these cases now pending in the courts of Ontario ought to be subject to the provision of this enactment not only from the day it received the assent of Parliament and of the Crown, but from the day that the Ontario Act took effect. So, there is no violation of any principle. Further than that, it seems to me purely a formal matter. The legislature of Ontario, acting absoutely within its jurisdiction, has seen fit to alter the constitution of its courts and to give certain courts a new designation. It is necessary as a matter of conformity, and in order to prevent confusion, and in order that parties may not lose their right of appeal, that we should make our statutes conform to the statutes of Ontario. If this had not been a federation, if there had only been one legislature to deal with the whole matter, it would have been dealt with in one Act. But, inasmuch as we here have jurisdiction over criminal matters and Ontario has jurisdiction over certain matters of procedure, it is necessary that there should be an enactment of Parliament as well as of the legislature. I cannot see that any objection ought to be made against the application of this statute to the date at which the constitution of the courts in Ontario was altered and at which the title or designation by which these courts are known to the law was changed in certain respects which did not in the slightest way affect the rights of any suitor in those courts but was merely for the convenient administration of the law.

Mr. GUTHRIE: If I understand my right hon. friend's argument it is that as this is merely in the nature of a change of procedure of the courts, it would be viewed, as a matter of course, retroactively and retrospectively, and would be made applicable to the practice of the courts even if clause 3 were not in the present Act. That being correct, there can be no necessity for clause 3.

Mr. BORDEN: There can be no harm in it.

Mr. GUTHRIE: It validates that to which exception has been taken in the pending litigation. That is the principle which I would like to have cleared up. I do not altogether agree with my right hon. friend in his interpretation of the matter; but, without discussing that, I would suggest to him that, on the strength of his own opinion, which is a strong, bold, well-put opinion, we should strike out clause 3 and allow clauses 1 and 2 to go into operation. If he is right all the difficulty is overcome. Otherwise, I think the rights of pending litigants should be protected.

Amendment negatived.

Bill reported, read the third time and passed.

DUTY ON DITCHING MACHINERY.

On motion for Committee of Supply.

Mr. A. B. McCOIG (West Kent): Before you leave the Chair, Mr. Speaker, I have a matter of considerable importance to my constituency and to the people of the province of Ontario generally to refer to. It has been drawn to the attention of the House by the resolution I placed on the Order Paper some time ago. I refer to the duty of 27½ per cent on ditching machinery. I would like to occupy the attention of the House for a few moments, in an endeavour to explain why I believe the Government should relieve the people of this unnecessary charge.

Mr. SPEAKER: I would remind the hon. member that there is a notice on the Order Paper in connection with this matter, and it would not be permissible for him to take it up and discuss it, as he would be anticipating a notice on the Order Paper.

Sir WILFRID LAURIER: There is no notice on the Order Paper to-day.

Mr. SPEAKER: My attention was drawn to the matter, and I find that a notice was on the Order Paper yesterday. This brings up another matter which, it seems to me, it is desirable to mention at this stage, that is, with regard to the right to drop notices from the Order Paper without their being called in the House. If I understand it correctly, when a notice is put on the paper it can only be disposed of by the House, or, after it is called, on the request of the hon. member who has put it there to have it dropped, which is done with the consent of the House. I do not know whether there is a notice on the Order Paper to-day with regard to this matter, but it seems to me it would be in violation of the rules to discuss the subject upon the motion to go into Committee of Supply. The rule with

regard to the matter is very plainly set out by Bourinot as follows:

The rule which requires a strict adherence to the Order Paper is absolutely necessary to prevent surprises. So rigorously is it enforced in the Imperial Parliament that even when it has been admitted that a day has been named by mistake, and no one has objected to the appointment of an earlier day, the change has not been permitted. It is quite irregular, even if a member proposes to conclude with a motion, to introduce and attempt to debate a subject which stands on the orders for another day.

Mr. NESBITT: The notice on the Order Paper was not withdrawn.

Mr. SPEAKER: No, because we did not reach the notices of motion yesterday, and consequently it could not be dropped not having been called. It seems to me that the only way in which the matter could be dealt with would be with the unanimous consent of the House.

Mr. BORDEN: If it is to be as short a discussion as I understand from the other side of the House it will be, I would suggest that the consent of the House be given to the hon. gentleman to discuss the matter.

The consent of the House having been granted:

Mr. McCOIG: Owing to the fact that private members day was withdrawn by the Government before we reached this motion, it was impossible for me to bring it to the attention of the House previously; but I am glad to have at the present time the consent of the House to direct the attention of the Government to the importance of granting the request which I am about to make. The resolution placed on the Order Paper on December 10 last by myself was as follows:

That, whereas tile drainage machinery is very extensively used in the whole of Canada and more particularly in Ontario by the farmers of the southwestern portion of the province;

And whereas the same is not now manufactured in Canada, but is brought from the United States in spite of a heavy duty and at a great sacrifice for those having to use it;

And whereas on account of the scarcity of labour, it is impossible for the agricultural communities to dispense with the use of machinery, it having become an absolute necessity for the proper tile drainage of land in connection with successful farming:

That, in the opinion of this House, it is the duty of this Parliament to put the said machinery on the free list until such time at least as it is manufactured in Canada.

The traction ditchers, in respect of which I am asking that the duty of 27½ per cent be removed, are not manufactured in Canada, and other agricultural implements which are manufactured in Canada are subject to a duty of 17½ per cent. It really appears to be unfair, therefore, that this implement, which is so badly needed for the digging of trenches and for the purposes of tile drainage, should be subject to this unnecessary tariff, in view of the fact that it is not manufactured in this country.

Mr. BLAIN: Does my hon. friend intend to move a motion in regard to this matter?

Mr. McCOIG: No, it is not my intention to conclude with a motion, but I desire to have a friendly discussion in regard to the matter. I believe my request should have the hearty endorsation of members on both sides of this House, and I am sure it will have the hearty endorsation of both Liberals and Conservatives. Since this resolution was placed on the Order Paper, I have received scores of letters from both Conservatives and Liberals, assuring me that everything possible should be done to bring the matter prominently before the attention of the Government. That is one of the reasons why I do not propose at the present time to divide the House on this question, as I think it is a matter which should be dealt with in an absolutely impartial and non-political way, and I believe that, before the discussion is closed all hon. gentlemen who are interested in this important matter will join with me in trying to influence the Government to grant the request. Not only have I received letters from scores of prominent farmers, but I have also received resolutions which were passed at the meeting of the Corn Growers' Association in the city of Windsor a short time ago, by representatives from the counties of Essex and Kent. These resolutions heartily endorsed the scheme, and, in addition to these, there was a resolution presented by the County Council of the county of Kent. I have forwarded these two resolutions to the hon. Minister of Finance, so that he can see how important this matter is to the people of the southwestern part of Ontario. Almost every municipal council in the western part of Ontario has sanctioned the idea. I have received copies of other resolutions, but, as I am not in possession of the originals, I am not in a position to present them to the hon. Minister of Finance. During the Fat Stock Show held recently in the city of Ottawa, Mr. W. H. Marcell, a prominent farmer in the township of Tilbury East, who was very anxious to have his farm tile-drained, and who had purchased tile for his 200 acres of land, was unable last fall to obtain the necessary help to do the tile draining, and he assured me that, although he had expected to get help to do the work, he was unable to do so. He had to purchase a traction ditcher at an

expense of some $2,000, and the duty he paid thereon amounted to $500 or $600. Hon. gentlemen will readily perceive the hardships under which this gentleman laboured, carrying out his desire to have his farm properly drained. This is only one instance of many which I desire to quote in order to show hon. gentlemen of the Government the importance of having this duty removed. I have been assured by a good many men who are desirous of securing these traction ditchers that if the tariff is removed they will secure the machines and proceed with the work so badly needed in different sections of Ontario. Not only are the farmers in sympathy with having this duty removed, but I notice that the agricultural press are advocating this reform. Shortly after the resolution appeared on the Order Paper the Farmers' Advocate published the following article, dated January 19, 1913:

The movement for the removal of the duty on traction ditching machines, imported into Canada, is steadily gaining support, as readers of the Farmers' Advocate are aware. It is satisfactory to note that the Canadian Manufacturers' Association, which formerly took the attitude of simply 'not opposing' the proposition, have again considered the subject and have decided to 'recommend the removal of the duty.' During the unsuccessful negotiations, which took place in recent years, with a view to promoting the manufacture of the machines in Canada—

They have found it impossible to manufacture in Canada and they have decided to join with the farmers in asking for the removal of the duty.

—a fact was brought out the significance of which should be carefully borne in mind in connection with the working of our fiscal policies. The United States makers and every Canadian manufacturer or capitalist with whom the situation was discussed, in estimating the probable profits, determined the selling process in Canada of a Canadian-made ditcher by adding the duty (27½ per cent) to the United States selling price since they would have no competition. Under these conditions it appears that establishing a factory in Canada would not have cheapened the machines to any appreciable extent.

Mr. MUNSON (Northumberland): Do you not think that if, as you assert, you could build dreadnoughts in Canada, you might be able possibly to build these ditching machines?

Mr. McCOIG: I said that I hoped this matter would be dealt with in a non-partisan way and that I do not wish to divide the House. The question is of great importance to the people whom I represent and I am afraid that the hon. gentleman, who has nothing else but dreadnoughts in his mind, will have to wait until the important question of the construction of dreadnoughts in Canada or elsewhere comes up for consideration. The article goes on:

A further point deserving consideration in regard to duty-removal is this—that the number of Canadians who might be employed in the manufacture of these ditchers would be less than the number of men who would be employed in producing the increased number of tile owing to the use of the ditchers, and less likewise than would be employed in building the extra tilemaking machinery that would be required. Persons in all sections of the country interested in encouraging this all-important work of drainage would strengthen the hands of the House of Commons by asking their local representative at Ottawa to give hearty support to the resolution on the Order Paper of A. B. McCoig, M.P., that traction ditchers be placed upon the free list. That is a proposal upon which, in their own interests, farmers can unreservedly unite.

The Advocate also has been considering this matter in a non-partisan way. I received this letter from Mr. W. H. Day, Professor of Physics at the Agricultural College, Guelph:

Dear Sir,

Can you give me any idea as to whether the movement for the removal of the duty is likely to be successful?

Yours very truly,
(Signed) Wm. H. Day.

This goes to show that the Professor of Physics at the Agricultural College, who has given considerable attention and time to the advancement of tile draining in Ontario, is also anxious that this duty should be removed so as to assist in the carrying on of that work. The provincial Government have done much to encourage tile draining. In 1897 they passed an Act known as the Drainage Act whereby farmers could secure money at about four per cent on loans to carry on work. In 1909 the Act was revised so as to make it more acceptable in the matter of getting money, and large sums have been given by the provincial Government for that purpose. Unfortunately the amount voted is not sufficient to meet the demands in many sections of the province. The provincial Government are also sending lecturers around the country to educate the farmers on the importance of under-draining, and surveyors to assist in laying out sections of drainage. They have also issued bulletins, some of which are of great interest. I have here bulletin No. 174 which gives the experience of a number of farmers with tile drainage. One farmer quoted is James Clayton, of Cedar Springs, who says:

In 1901 I drained 8 acres, at a cost of $112, or $14 per acre; 8 acres right across the fence was not drained. In 1902 both fields were sowed to beans; 8 acres drained land gave 302 bushels, which sold for $456; 8 acres undrained land gave 24 bushels, which sold for $37.

Grain, $419, nearly four times the cost of drainage.

Mr. J. A. Fletcher, of the county of Kent, is quoted as follows:

This section of the country (Tilbury East Township) is on a fair road to improvement. Farmers are beginning to realize in hard cash that they cannot farm without drainage; a photo (Fig. 1), taken on my farm (cutting wheat), which shows the advantage of thorough drainage. This farm was practically a mud-pond seven years ago, when I bought it, and to-day I completed harvesting one 18-acre field of corn, which gave me the handsome return of over 3,000 bushels.

I know that the Minister of Agriculture will be glad to know that on tile-drained ground we can grow such good crops in the county of Kent.

Mr. J. C. Thomas, Blytheswood, Essex, gives an experience which I think will be of interest to the member for North Essex.

Part of my seed-corn plot this year was on drained land and part on undrained. The results were as follows: Stalks, per acre, 4,000 lbs. on drained and 2,320 lbs. on undrained. Shelled corn, per acre, 82 bushels on drained, 29.7 bushels on undrained. In my general corn crop I got the following results: Stalks, per acre, on drained 2,970 lbs., on undrained 1,420 lbs. Shelled corn, per acre, 53.3 bushels on drained and 18.9 bushels on undrained.

So the House will see the advantages that are derived from lands which are tile-drained. There is no question that it is extremely important that every possible assistance should be given to farmers to encourage them in this important work. An article appeared in the Farmers' Advocate recently which goes to show the importance of this work. This article appears on August 8, 1912. It is as follows:

Careful and long-continued work done by the drainage authorities at the Ontario Agricultural College has demonstrated that, taking into consideration both wet and ordinary farm lands, drainage would give an average crop increase valued at a trifle over $20 per acre. There are probably 4,000,000 acres of land in what is known as 'Old Ontario' urgently needing underdraining, and probably 5,000,000 acres of slush, swamp or waste land, of which at least 3,000,000 acres might be reclaimed by drainage, the crops from which, added to the increase from lands already under cultivation, would make a grand total increase of $100,000,000 per year. Such an increase would go far to solve the high cost of living problem and materially benefit all classes of people. The drying up of wet or swamp lands would also prove of greater benefit from a sanitary standpoint, removing many causes of disease and mitigating others, such as those of a tubercular nature. What is true of Ontario is also to a greater or less extent true of the other provinces of Canada, excepting such areas as those of Alberta.

So you see that this is not entirely a provincial matter. It is extending from one province to another, and as the agriculturists of this country find out the importance of tile draining, they will all adopt it.

When the needs of drainage are so evident and the benefits so immediate and lasting, how is it that the work is not more generally done? By the staff of the Physics Department at the Guelph College, and by the county representatives of the Department of Agriculture, a great deal of drainage-survey work has been performed. By the urgent request of farmers who realize the need, proper systems of drains have been laid out, but, unfortunately, in too many cases it has been found impossible to carry on the undertaking to completion. In the year 1910 as many as 15,000 acres were surveyed on four hundred farms in thirty-seven different counties, and last year it was continued at about the same rate. Less than half the progress in drainage is being made that should be done, and Ontario is suffering a loss annually of probably $1,400,000 for that reason. Naturally, the provincial Government does not see its way clear to undertake the work of draining individual farms, and farmers themselves confronted by the appalling scarcity of labour, are unable to grapple with the problem. So, over the country, valuable land is reverting to pasture, and but little is realized from some of the richest soils that are among the most favourably situated in the world.

The land cannot be properly worked and everywhere weeds are gaining ground for the same reason. Time was when in every locality there were men ready to handle drainage tools, but it was heavy labour, and now the ditcher is practically non-existent. Skilled and unskilled labourers have been drawn away to the cities, whose industries thrive at the expense of the soil. Tillage and harvesting machinery has enabled farmers to overcome some of their obstacles with less manual labour, but ditching has not been so relieved to any extent.

Lack of tile is not the real impediment. Clay from which tile can be made is to be found in nearly every township, or at least in every county, and tile-making machinery is not difficult to procure and operate. In Ontario alone there are probably over 200 tile yards, the number and capacity of which might be vastly increased, along with the related industry of tile-making outfits. But neither the one nor the other will be developed unless the trenches to receive the tile can be made. Labour for this work, as we have stated, is practically impossible to obtain.

This is practically true in our province; we have been unable to get sufficient men to do the ditching. We have in the province of Ontario two hundred and fifty tile plants which in the last five years have increased their output from 15,000,000 to some 35,000,000 tiles, and that notwithstanding the fact that the farmers cannot get men to do the ditching. The output of these factories has continued to increase in the county of Kent. Last fall when driving round the townships, I noticed three or four plants starting up to build tiles for the farmers. Lowes & Sons, Harwich,

have spent thousands of dollars in establishing a plant, and last Saturday, the senior member of the firm called at my office to find out whether there was any likelihood of the duty on traction ditchers being reduced, as they have the factory to supply the tiles. Then at Tilbury, a plant has been established by an enterprising young man of the name of Armstrong, and in the township of Dover, Mr. Montgomery, a young farmer has established a plant. So that, there is no question that plants can be established very easily. In having a large number of these plants available the farmers would very easily get the tiles, and so far as the labouring men of the country are concerned, it would mean additional employment. In removing the duty of twenty-seven and half per cent on traction ditchers, which are not manufactured in this country, we would not be establishing a precedent. We have in our customs tariff many articles which are not manufactured in this country, and which are allowed to come in free of duty. I might just instance printing presses costing over $1,500 which are admitted without duty, and there is mining machinery; in fact in general articles that are not manufactured in this country are admitted free. The removal of the duty on these ditchers would be of such universal benefit that I do not see how the Government can refrain from agreeing to it. It would meet with the endorsation of men irrespective of political leanings, it would benefit the labouring men and the agriculturists of the country, and it is not opposed by the Manufacturers' Association, who are in sympathy with the scheme. I sincerely hope that the Government will give this matter their most favourable consideration and have this tariff removed so as to give the farmers the benefit of these ditchers, and then the important work of tile draining will develop to a greater extent than it has done in the past.

Hon. W. T. WHITE (Minister of Finance): A matter of this kind relating to the tariff is generally discussed in connection with the budget debate, but of course it would have been quite in order for my hon. friend to bring it before the House had his notice of motion with respect to it been reached. I may say for myself, and on behalf of the Government, as indicated by the right hon. the Prime Minister, that we were very glad indeed to acquiesce in a brief discussion of the subject this afternoon in connection with the motion to go into Supply. My hon. friend (Mr. McCoig) refers to the item of traction ditchers, or to machinery which would comprise traction ditchers in the tariff, and he has correctly stated that the duty is twenty-seven and a half per cent under the general tariff. These traction ditchers are purchased from the United States, and, therefore, the general tariff applies. What my hon. friend has said in respect to this matter has, as I stated the other day, been brought to my attention during the past year by many members on this side of the House, representing rural constituencies of the several provinces, some of whom may desire to speak on the subject. That shows as my hon. friend has said that it is not a provincial matter, but a matter of Dominion wide interest. In addition, I have received during the past year, and I find on record in the office, petitions and resolutions from farmers' institutes and communications from the agricultural colleges of the Dominion, principally I think from the Agricultural College of Ontario, some of which were received during the time of my predecessor. During the past year, the Minister of Agriculture of Ontario also brought the matter strongly to my attention. Quite apart from that I had been aware myself of the importance of it. On an occasion of this kind it would not be proper, in fact it would be quite improper for me, to even indicate my view as to the propriety or probability of any tariff change. I must follow policy and tradition in that respect. All I can say at the moment to my hon. friend is what I have stated to several hon. members on this side of the House, to the hon. member for North Oxford (Mr. Nesbitt), who also brought the matter to my attention, and to others who have discussed it with me, that this is one of those matters that is under the consideration of the Government in connection with the general question of the tariff. As I understand the matter, underdrainage is of very great importance to the agricultural community, speaking generally, and of especial importance to the districts in which it is particularly required. I think that we are all on common ground as to that. We all admit that the fertility of land is greatly increased by tile drainage. On account of the high cost of labour that prevails throughout the country, the cost of constructing ditches for underdrainage without the use of machinery is almost prohibitive to farmers and it is of very great importance to them to be able to obtain these ditchers. They are not manufactured in Canada, as my hon. friend has stated. I looked into the matter during the past year and I found that only a comparatively small number were used in Canada. In 1911 only about sixteen were purchased. The question of the effect upon the revenue is therefore not of great moment. These large ditchers are very powerful machines. On ground free from stones I understand that in a day they will ditch one hundred rods, or one-third of a mile and on stony ground probably half that.

Mr. BELAND: To what depth?

Mr. WHITE: The depth varies. There are machines that will ditch to a depth of seven and a half feet. There are varying widths to the ditches. I am not sure that the machine will ditch to a depth of seven and a half feet for any width, but I know that the average machine will do the amount of work that I have indicated. There are various widths and depths and the sides are sloped. Altogether it is a most ingenious piece of mechanism and of very great value on the farm. This discussion more particularly belongs to the budget debate than to an occasion of this kind although, as I have said, the hon. member would have been quite within his rights had his motion been reached, to bring the subject up and have it discussed in the House before the budget is brought down. I can only repeat that this is one of the matters that, during the past year has engaged my attention, and that has received attention on the part of the department. I think that is all I can properly say at the present time.

Mr. O. J. WILCOX (North Essex): Mr. Speaker, for the reason that my hon. friend (Mr. McCoig) represents a sister riding, and for the reason that the district which we represent, from its physical and geographical position and climatic condition, is one of the finest from an agricultural point of view in Canada, it will be proper for me to make a few remarks on this question. My right hon. friend the leader of the Opposition (Sir Wilfrid Laurier), when he came to our part of the country, to use his picturesque eloquence against us, said that Providence always shone on him in southwestern Ontario and that nothing would suit him better than to spend the declining years of his life in that southwestern part of our great province. I welcome my right hon. friend and I can tell him that when we get him with us among the tall corn, and when we have the duty removed from ditching machines, we will be perfectly happy.

I agree with my hon. friend the Minister of Finance (Mr. White) that it is a rather unusual thing in this House to discuss a question affecting the tariff before the budget speech is brought down. I will not, upon this occasion, deal with the question of the tariff generally as I would desire to do, and will possibly do, upon a later date. Let me say as a farmer in Canada that I have never been connected with any corporate interest and that, if I were biased at all—and I try not to be—it would be in the interest of the agriculturists. I am not by any means a free trader although I can see no reason in this particular case why the duty should not be removed from ditching machines for reasons to which I wish subsequently to allude. During the session of 1910 I had a little experience in this House to which I now wish to refer and I do not think I shall ever forget it. The question was brought up by my hon. friend (Mr. McCoig) of the great grievance that the farmers of Essex and Kent were suffering because of certain rights which had been retained by the Canada Company. A resolution was introduced into this House on which I had a few words to say. I had only been in the House a few months; I had no other object than to discuss that resolution upon its merits and to point out to the Government of the day what I considered to be its weak points. Every Liberal paper in the southwestern portion of this province placarded me as an enemy to the farmers' interests, and ever since then I have inquired, in fact this forenoon I made a special trip to the Deputy Minister of Trade and Commerce, and I find that not one cent has been paid under the provisions of that legislation to the farmers of southwestern Ontario. It was brought up before the electors, before the election; it was a beautiful picture, its panels were of jasper, its frame was of pure gold. It was dangled before the electors the day before the election, and it died the day after. I must say to the leader of the Opposition that it had a political effect.

Sir WILFRID LAURIER: Not quite enough.

Mr. WILCOX: Possibly not quite enough to meet the views of my right hon. friend. Of course, I recognize that under the rules I am not permitted to discuss the motive that actuated my hon. friend to word the resolution in this way and to bring it up under the conditions in which it was brought up, a little out of its order, and before the Minister of Finance brought down his budget; but I think a little politics underlay this resolution. This is the resolution which Mr. McCoig proposed:

> That, whereas tile drainage machinery is very extensively used in the whole of Canada, and more particularly in southwestern Ontario——

Mr. HAZEN: What is the date?

Mr. WILCOX: I took it from the Order Paper of December 10. That is to remove the duty on ditching machines. The first resolution that I referred to provided for the payment of one and one-eighth cents per gallon to the farmers whose mineral rights were retained by the Canada Company.

Some hon. MEMBERS: Gallon of what?

Mr. WILCOX: Gallon of raw petroleum. In the first place, nobody was entitled to the bounty, unless he had a producing well. A great portion of the land that was owned by farmers was not originally held by the Canada Company, and consequently there were no rights to retain. On those lots, upon which those rights were retained, it would be possible for the company to bore;

but no farmer could avail himself of the Act unless he had a producing well. Under the operation of the Act ninety-nine per cent of the farmers were debarred from obtaining any benefit. After three years of its operation, not a cent of the bounty has been paid by the Government to a farmer; but it was a glorious thing, Mr. Speaker, for the election of 1911. The resolution that we are dealing with to-day provides:

That whereas tile drainage machinery is very extensively used in the whole of Canada——

The fact is that last year sixteen of these machines were imported. The very fact that those machines will not, in my judgment, be used extensively enough to warrant any manufacturer entering into the manufacture of them, and the fact that they are not manufactured in Canada to-day, are sufficient reasons why the tariff should be removed, more particularly in the interests of the farmers of the southwestern portion of the province of Ontario. I remember that this same clause was at the end of the other resolution:

And whereas the same is not now manufactured in Canada, but is brought from the United States in spite of a heavy duty and at a great sacrifice for those having to use it;

That, in the opinion of this House it is the duty——

And so on.

I just wish to refer to one or two more points. Since 1906 every few years we have had an agitation with respect to a reduction of duty, which was to be of great benefit to the farmers in our part of the country. I remember one election which was run practically on the question of the duty on binder twine. The argument was this: binder twine was at such a low price in the United States; it cost so much more in Canada; we will take the tariff off, and thereby your farmers will get your twine so much cheaper than you are getting it at to-day. The duty was taken off a few years ago; to-day we have the result. What is it? Binder twine has been higher in price since the duty was taken off. At the time the duty was removed, thirteen industries in Canada were manufacturing binder twine; to-day they have all gone into liquidation.

Mr. TURRIFF: Why do you not put the duty on again?

Mr. McCOIG: Are you in favour of putting the duty on?

Mr. WILCOX: When the time comes for dealing with that question, I shall give it my earnest and careful consideration.

Another item in the budget that proved to be a gold brick was the reduction of duty on coal oil. When I was first taking a little part in politics, and not as well posted in the various subjects as I am to-day, and when some of my Liberal friends, who represented constituencies in my province at the time, could put it all over me in an argument at a public meeting, I remember that we were discussing this question. We were told we would get our coal oil at five cents a gallon. The duty was taken off. John D. Rockefeller and his trust came over to Canada and practically put our Canadian refiners out of business. In order that they might be able to continue in business the Laurier Government gave them bounties to the extent of $1,204,135.39 in four years.

The figures are as follow:

1904-5	$350,047 07
1905-6	291,157 20
1906-7	266,553 98
1907-8	296,377 96
	$1,204,135 39

The price of oil has been increased to the consumer, and the business of refining oil in Canada has been greatly handicapped. Now, under the principle in our fiscal system established, as I understand, by Sir John Macdonald, when he was Prime Minister nearly forty years ago, that which was then expressed was this: If we had a protective system in this country, if we had a developed capital, we could give our manufacturers a reasonable hold on our home trade and could attain a higher position among the nations of the world. That great statesman was able then to look into the future with prophetic vision and foretell the result of this national policy almost forty years ahead. And to-day in Canada we are enjoying the fruits of that policy, that splendid fiscal system of modern protection which we have established.

Now, with regard to this particular item of ditching machinery—to come back to it—there is no manufacturer in Canada of machinery of this kind. And there is not likely to be such a manufacturer in Canada, because the demand for that machinery in this country, I am informed, will not be sufficient for a good many years to come to warrant any manufacturer in undertaking its production here. There is no reason, in my judgment, therefore, why the duty on this particular article should be maintained. On the other hand, if a benefit is to be derived by the farmers of this country by the removal of that duty, I say, give them the benefit. If we had a manufacturer of this machinery of anything like the size of our manufacture of binder twine when the duty was taken off that article, I should be very sorry to see this duty removed. But as no manufacturer is likely to undertake the production of these machines in Canada, I am willing to coincide with my hon. friend in supporting the removal of this duty.

Mr. E. W. NESBITT (North Oxford): I fully endorse what my hon. friend (Mr McCoig) has said. He has gone into the question fully and has shown what would be the effect on the farmers' interest of the removal of this duty. I am sure my hon. friend is correct when he says there is not enough demand to warrant manufacturers in establishing the industry of producing these machines, I should not be surprised if before long some agricultural implement manufacturers or some producer in similar lines were to undertake the manufacture of ditching machinery in Canada. Certainly, I think there is a large enough profit in the goods at the prices charged in the American market and I think there would be a large enough profit even without the protection—certainly it is not necessary to have 27½ per cent. Answering my hon. friend from North Essex (Mr. Wilcox) with reference to binder twine, I am not going to wander off into a long discussion; but I doubt if the present Government or any other government that might exist in Canada would dare put a duty on binder twine. I believe that the benefit to the people at large in taking the duty off binder twine was greater than would have come from any manufacture of binder twine that might have been established. I doubt if any person could manufacture binder twine at present prices at a profit in Canada. As to coal oil, the hon. gentleman says it was increased in price in this country by the establishment here of the Imperial Oil Company, a branch, it is generally understood, of the great Standard Oil Company. As a matter of fact, the price to the consumer has been reduced by the establishment in Canada of the Imperial Oil Company. I remember distinctly—for I had the pleasure of selling coal oil for many years—that we could not get a first-class oil in Canada but had to import American oil in order to provide consumers with a first-class article; and we paid a high price and the duty besides. But since the Standard Oil Company have established a branch here they have been able to make just as good oil out of the Canadian crude as was formerly imported made from the crude oil of Pennsylvania. So, I do not think the consumers have anything to grumble at because the Standard Oil Company established their industry in this country. Returning to the question of ditching machinery, the Minister of Finance has described accurately how the work is done. The use of these machines would enable the farmers to ditch a great deal where it is absolutely impossible for them to ditch now. This use of ditching machines is practically a new industry in this country; until four or five years ago they were not used. They come into more extensive use every year. I agree with what has been said that it is almost impossible to engage ditchers at the present time. I have had to postpone putting in drains for over a year because I could not hire ditchers, though I paid them double the amount I had to pay them twenty-five years ago.

Mr. SMITH (South Ontario): How are you going to get men to enlist in the navy if you cannot get them to dig ditches at those wages?

Mr. NESBITT: I am sure the House, and you, Mr. Speaker, will excuse me if I do not enter upon a discussion of the navy question to-day. My hon. friend, I hope, will not think that I am discourteous to him, because that is not my desire. At the same time, the free admission of these machines would save the labour of ditchers to a very great extent, and would certainly be of immense benefit to the farming communities not only of that section of the country represented by the hon. member for Kent, but that particular portion of it from which I come. These machines were used with a great deal of success last year in my section of the country. I will not go into the matter of the tariff generally, and will not endeavour to answer the statements of the hon. member for North Essex in that regard. With my hon. friend from Kent, I thank the right hon. Prime Minister for giving us an opportunity to discuss this matter at the present time, but I am sure he would not have done so had he thought we would have drifted so far in to other matters.

Mr. W. S. MIDDLEBRO (North Grey): I think everything should be done that possibly can be done with a view to alleviating the great difficulties of existing conditions in the matter of agricultural labour in this country, and I think that the admission of ditching machines into Canada free will to a great extent relieve that tension. In my own riding I have been consulted by many agricultural societies in regard to the matter. The county council of the county of Grey passed a unanimous resolution, signed by John Rutherford, county clerk, requesting that the Government remove the duty on these ditching machines. In supporting this request, I think that no hon. member on this side of the House shall be in any way violating his principles in respect of moderate protection for home industries, because, as I understand it, none of these machines are manufactured in the province of Ontario or in the Dominion of Canada. As the basic principle of a protective tariff is the protection of home industries, and as we have no home industries to protect, so far as this implement is concerned, I do not think it would be violating our principles

if we were to vote for the removal of this duty, which involves nothing more nor less than a tariff for revenue. To my mind, the removal of this duty will have the effect of opening up our richest districts in Ontario and other provinces, because it is well known that many of the lands which are now absolutely useless would be the richest lands in the country if they could be given tile drainage. They are practically in a natural state, having all the strength and fertility of the richest lands, and for that reason, if for no other, we should be justified in removing this duty. I have also had presented to me a petition from the Farmers' Institute of the township of Kemble, in the county of Grey, signed by William Bunt and James Gardner, committee. I think the reasons set out in these petitions are sufficient to warrant hon. members in coming to the conclusion that this duty should be removed. I have also a petition from the West Derby Farmers' Club, signed by J. E. Dolphin and W. F. Munson, giving other reasons for the removal of this duty, and also a petition signed by A. F. Donald, secretary of the North Grey Farmers' Institute. These represent practically all the agricultural societies in my riding, and I have therefore very much pleasure—although I know the Government cannot at this time make any announcement as to what they propose to do in the matter—in saying that I shall be ready to support any astion taken by the Government to remove the duty on ditching machines.

Mr. F. F. PARDEE (West Lambton): I desire to endorse all that has been said with regard to the duty on ditching machines, particularly the remarks of the hon. member for West Kent (Mr. McCoig), I have received several petitions from interested parties in my county in regard to this matter. The county council of the county of Lambton have forwarded me a petition asking me to support any resolution for the removal of the duty on these machines, and I have received several petitions from the township councils of the county of Lambton asking that I should do the same thing. We recognize the fact that there must exist a revenue for the purpose of carrying on the affairs of the country, and I do think, as the hon. Minister of Finance said this afternoon, that in cases where the revenue will not be particularly affected, or where it is in the general interests of the people that an article which is not manufactured in Canada, and which is required to a very large extent in this country, should be allowed to be imported upon terms as reasonable as possible. Without reiterating the arguments of the previous speakers this afternoon, I think it will be agreed that the Minister of Finance and the Government, prior to the bringing down of the Budget, should very seriously consider the question of placing ditching machinery upon the free list. I was much amused upon hearing the statement of the hon. member for North Essex (Mr. Wilcox), in which he dealt with the subject of the duties on oil, saying that by reason of the action taken by the late Government the manufacture of oil in the Dominion of Canada had been very much handicapped. I can hardly conceive upon what premises he can base such an opinion, given to this House and the people of the country, and, if he knew how much the action of the Government—which, I think, was sanctioned by both sides of the House, —had benefited the people and the consumers of oil in this country, he would realize that this action not only reduced the price of oil to the consumers in Canada, but resulted in the employment of thousands of men in connection with the manufacture of oil. Industries have grown up, and, speaking from a local standpoint, so far as my own county of West Lambton is concerned, I can say that the action of the Government at that time with regard to the tariff on oil has been of greater advantage to the people of West Lambton and of other parts of the country, than perhaps any other step taken in regard to the lowering of the tariff. How the hon. member for North Essex could make such an assertion is a matter which I cannot understand, and I think it was made wholly in ignorance of the subject he was discussing.

Mr. J. W. EDWARDS (Frontenac): I also have received petitions from my county in regard to this matter. I may say that if the discussion had been deferred until the bringing down of the budget speech, it would have been a more proper time for its consideration. I do not, however, find fault with my hon. friend from Kent for introducing the matter. While he may be a little premature in bringing it up at the present time, it should be remembered that he did not evidence any of these signs of interest when his own party was in power. He had the opportunity then of having the duty on these machines reduced or removed, but he did not avail himself of it. I think it was Abraham Lincoln who, in pressing his views with regard to protection, said: 'If we buy a machine in England and pay $100 for it, we in the United States get the machine, and the people in England get the $100. If we make that machine in the United States, and pay for it here, we have both the $100 and the machine.' That argument would hardly apply in this case, because at the present time the machines are not manufactured in this country, and no industry can therefore be affected by the removal of the duty. I entirely endorse the arguments

which have been advanced by the previous speakers that the Finance Minister, in dealing with this question, should give very earnest consideration to the fact that labour on the farms of Ontario and throughout Canada is extremely scarce, and the fact that this machine is a labour-saving device is a strong argument in favour of the removal of the duty on it. Personally I have no hesitation in saying that I feel inclined to favour very strongly the reduction or removal of the duty upon these machines.

Mr. J. G. TURRIFF (Assiniboia): In the discussion this afternoon there has been some suggestion that the hon. member for Kent (Mr. McCoig) has brought this matter up prematurely and should have waited until the Minister of Finance had brought down the budget. As I understand the matter if he had waited until that time it would have been rather too late for the minister to take action. By bringing it up to-day hon. gentlemen on both sides of the House have been afforded an opportunity to express their views and the Minister of Finance will be able to give the matter fair consideration and reach a decision before bringing down his budget. The matter has been dealt with largely from the standpoint of the farmers of Ontario. They are not the only people using these machines. In our western country, while these machines have not been used for the draining of land, I know that a very considerable number are in use in various towns and cities of the West for putting in water works and drainage systems. I have seen a considerable number of them at work during the past summer and it will be of great advantage to the people of the western cities as well as to the farmers of Ontario who desire to use these machines to have them placed on the free list. The duty of $500 on each machine is a very considerable item and the removal of that duty will be a benefit not only to the people of eastern Canada but of all Canada, and therefore, on behalf of the West, I would ask the minister to give it his very best consideration and if possible I hope he will have the duty removed.

At six o'clock House took recess.

After Recess.

House resumed at eight o'clock.

THE FENIAN RAID BOUNTY.

On the motion for Committee of Supply.

Mr. MACLEAN (Halifax): Before you leave the Chair, Mr. Speaker, I wish to discuss very briefly a matter relating to the Fenian Raid Bounty Act which was passed by this Parliament last session. I do so for the purpose of securing from the Minister of Militia a statement as to what is the departmental interpretation of the sections of that Act which qualify persons for the bounty, and also as to what is, or will be, the departmental practice in the matter. Section 2 of that Act reads as follows:

> In this Act 'volunteer' means any person who was regularly enrolled or enlisted in and served with any militia corps which the Government of Canada, or of Nova Scotia, or of New Brunswick called out for active service in the year one thousand eight hundred and sixty-six, or which the Government of Canada called out for active service in the year one thousand eight hundred and seventy, excepting, however, the two battalions of riflemen formed for service in the 'Northwest.'

I think it has been the interpretation of the department in the past, perhaps not in the immediate past, that only those who had been called to the front and had actually performed service were entitled to the Fenian Raid bounty. I also understand that the members of any volunteer regiment who performed garrison duty in the place of any regular regiment which was moved to the scene of actual operations were entitled to the bounty. Earlier in the session I asked the hon. Minister of Militia a question as to the departmental interpretation of the section, but unfortunately I cannot place my hands upon the answer which he gave and which is to be found in 'Hansard.' My recollection is, and I think that it is a fair inference from the answer given, that it was the intention of the department to pay the bounty only to those who had active participation in the events of the years 1866 and 1870. Recently, however, I have had reason to believe that the department were interpreting the provisions of the Act more generously, so as to include a great number of possible applicants, and in the province of Nova Scotia particularly, a class of persons who never saw active service in the two years mentioned, but who, nevertheless, belonged to the Nova Scotia militia and were called out for service in the event of being needed. I am led to believe this by reason of the fact that recently there has been issued by the department, or, at least, with the knowledge of the department, certain forms to be used by applicants for the bounty, which rather satisfy me that it is the intention of the department to pay the bounty to a great number of persons other than those who were actually at the front. I have had placed in my hands by a fellow member of the House a form to be used by applicants, which is as follows:

> I, , of , , in the province of Nova Scotia, do hereby apply for a grant under the provisions of the Fenian Raid Volunteer Bounty Act.
>
> The grounds of my application are as follows:—

I was enrolled in regiment of county in the province of Nova Scotia, and served with it at Lunenburg, in the said province of Nova Scotia, under the command of , from 18th March, 1886, for the period of ten days, on active service, in obedience to the proclamation issued by the Governor of Nova Scotia under date 17th March, 1866, and on that occasion arms and ammunition were served out to me and the other men of the said regiment to enable us to perform our said service.

Accompanying this form of application, is a form of declaration to be made by the comrade of the applicant in arms, and that form is as follows:

I, of the county of , in the province of Nova Scotia, do solemnly declare that I personally know , in the province of Nova Scotia, who has applied to the Militia Department for a grant under the terms of the Fenian Raid Volunteer Bounty Act, on account of service performed by him with the regiment of county, and I identify him as the who served as a private militiaman in and with the said regiment on active service under arms at , in the province of Nova Scotia, in the month of March, in the year 1866, under the command of , when called out by the Governor's proclamation, dated 17th March, 1866.

Now, I understand that in the province of Nova Scotia practically all the regiments and all members of the regiments were called out for active service in the year 1866. By active service, I do not mean that eventually they were asked to go outside of their province, or that they were engaged in actual military service; but after being called out they were obliged to engage in drill, were furnished with a certain amount of arms for a limited period of time, and afterwards were permitted to return to their homes. So far as I can gather, that is about all the military service which they performed.

The matter which I bring to the attention of the Minister of Militia, and in regard to which I desire from him a statement, is that, up to a very recent date at least, I do not think it was clearly understood in my province that such persons were entitled to the Fenian Raid bounty, although that was always my personal opinion. I am not at all protesting against their receiving it, if, under the provisions of the Volunteer Bounty Act, they are entitled to it. What I do say is that if they are entitled to it, it should be made known in the most public manner possible to everyone in that province who was a member of the Nova Scotia militia and who was called out by the Governor's proclamation in 1866. I have reason to believe that the intention of the department to pay the Fenian Raid bounty to those who were called out in 1866 in Nova Scotia has been conveyed in a quiet and almost secretive manner to certain persons in the province.

I rise to discuss this matter largely for the purpose of registering my protest against that. In one or two cases Conservative members from the province of Nova Scotia, who appear to have had this information in advance of any other person, have constituted themselves advance agents or attorneys of possible applicants, and, with a great deal of display, are securing applications in some of the counties and having them remitted to the Militia Department here. I know that this has been done by one or two members of the House and in one or two counties which are not represented by members supporting the Government. The duty seems to have been placed upon their shoulders of notifying everybody who was called out under the proclamation of 1866. I do not say the minister, or his department, is responsible for this; I am not making that charge, but I do say that if, under the provisions of the Volunteer Bounty Act, all persons who were called out by the Governor's proclamation in 1866 in Nova Scotia are entitled to this bounty, the department should take steps, in an official manner, to acquaint everybody in the province entitled to the bounty, of this information, and it should not be left to members of Parliament to convey the information to applicants because one can easily see that it might be used with some political effect by friends of the Administration. While that may not be the intention of the minister, yet I think he will recognize that there is some force and validity in the statement which I make and the situation might be cleared up by his making in Parliament a statement to that effect, and further by communication to the colonels or official heads of the several regiments in Nova Scotia so that this information can be disseminated in a proper manner and given to every person who could possibly be entitled to it.

Mr. J. H. SINCLAIR (Guysborough): Before the hon. Minister of Militia and Defence gives his answer, I may be permitted to say that at the time that the Bill was introduced last year, I took occasion to ask the minister the scope of the Bill, and the question which is now brought to the attention of the House by my hon. friend from Halifax (Mr. Maclean) was at that time asked by myself. I inquired of the minister if it was his intention to provide a bounty for such volunteers as did perform drill at that time, but had not been called to the front, or had not been engaged in what might be called active service. I was familiar with what happened in Nova Scotia, and I was aware that a very large number of volunteers had subjected them-

selves to drill for two or three weeks in 1866 in response to the proclamation issued by the Government of the province. It was expected that a fenian raid was to take place and these preparations were made for it. In the various counties of Nova Scotia the militia were called out. Four or five regiments in the county that I represent met in different places and sergeants were provided by the military at Halifax to carry on the drill. They subjected themselves to two or three weeks drilling in preparation, but they were never sent to the front and never engaged on active service. I asked the minister if the Act would apply to a case of that kind and his answer was that it would not apply unless they had been engaged in active service. From the reply which I then received from the minister, no person in Nova Scotia would be entitled to this bounty at all because there was no actual service performed outside of the preparations which were made in the way I have mentioned.

Mr. HUGHES (Minister of Militia): Perhaps the hon. member would read what I said.

Mr. SINCLAIR: I have not the exact words, but I remember very distinctly that I was told that the Act would not apply to volunteers who had not been engaged in active service or who had not performed some services in anticipation of active service. It was a little indefinite to my mind as to what it meant. My hon. friend the junior member for Halifax (Mr. Maclean) has quoted the words of the statute that:

Volunteer means any person who was regularly enrolled or enlisted and served with any militia corps which the Government of Canada or Nova Scotia or New Brunswick called out for 'active service' in the year 1866 or in 1870.

The whole crux of the question is, what is the meaning of 'active service'? Does drill, in preparation for going to the front, constitute what the minister understands to be active service? I took occasion the other day to ask the right hon. the Prime Minister (Mr. Borden) what was the construction the Government intended to put upon that clause, and he admitted that he was not very familiar with what was being done in the Militia Department, and referred me to the Minister of Militia. Yesterday I again drew the matter to the attention of the hon. the Minister of Militia, and made inquiry as to whether the policy of the Government in regard to the distribution of bounties for Fenian Raid veterans had been relaxed in any way. I told the minister that we had noticed in the papers that not only those parties who actually took part in the conflict at that time, but those who had drilled preparatory to going to the front, were to participate in the bounties, and the minister's reply was:

There has been no change whatever.

I have been informed as has been related by my hon. friend the junior member for Halifax, that in the province of Nova Scotia certain members of Parliament and certain hon. gentlemen of the other Chamber have asked their friends to send in applications for this bounty, and they imply, in their advertisements, or letters, given to the press, that there has been some relaxation in the rule, and that it is now open to these parties who had performed drill to apply. For example, I find in the Antigonish Casket a statement issued by an hon. gentleman of the other Chamber in which it is said that he:

—informs us that according to the interpretation likely to be put upon the Fenian Raid Bounty Act, passed at the last session of the Dominion Parliament, it appears that a number of people of this country will be able to qualify for the grant.

In the year 1866, the year the Fenian scare, there were in the county four regiments of volunteers, which had been organized under the Nova Scotia Militia Act. In each regiment there were a number of companies (the number varying from four to ten), each with its own captain. In that year the Government of Nova Scotia issued a proclamation calling out for active service all able bodied men belonging to these divisions. This must not be confused with the regular annual autumn drill, which took place every fall in accordance with the conditions of the above mentioned Militia Act. This was a special proclamation, issued because of the alarm that was felt and to meet a possible danger of invasion. All those who responded to that special call should secure the proper application forms, have them filled up according to requirements, and forwarded to Ottawa.

That statement was published in the local papers in Nova Scotia, and, as a result, a very large number of letters have been written to members. I have received a large number of them myself, asking for an explanation as to whether these people who had performed drill at that time are entitled to the $100 that is to be given to these veterans. My hon. friend from Halifax has drawn attention to the fact that certain members of this House have issued statements in the press of Nova Scotia above their own signatures, appointing men in various places to receive the claims and to forward them to the department. A good deal of interest is felt in that province in regard to these statements. I have always understood that the Militia Department was run on non-partisan lines and that hon. gentlemen on this side of the House would be given every information that is open to members opposite. I presume that my hon. friend the Minister of Militia intends to carry out that policy. It is the one depart-

ment in the Canadian service that I think has always been free from partisanship The fact that an hon. gentleman supported the Government has never, so far as I know, given him any advantage whatever in regard to matters carried on by the Militia Department. We have some reason to enter our protests if it be true that information has been handed out to hon. gentlemen opposite that has not been given to us on this side. I should like to join my hon. friend from Halifax in the hope that the Minister of Militia will to-night make a clear and distinct declaration in regard to this matter,—that he will inform the House and the country what persons have a right to this bounty, so that there may be no doubt about it, and that he will assure us that the friends of hon. gentlemen on this side of the House will be treated in exactly the sam way as those of hon. gentlemen opposite.

Mr. HUGH GUTHRIE (South Wellington): I think there is some misapprehension in the part of the province of Ontario from which I come, as to the interpretation which should be put on the Volunteer Bounty Act. There is a rumour that some relaxation of the conditions has been or is contemplated, and that some parties who under the fixed reading of the Act would not be entitled will in the near future, if not now, be entitled to that bounty. In my constituency are four worthy citizens who are entitled to any consideration that can be given, namely: Mr. J. C. Walker, Mr. Henry Boulton, Mr. Joseph Beechy, and Colonel Walter Clarke. I think the last-named gentleman is well known to my hon. friend the Minister of Militia. These four men actually went to the front and performed active service at the time of the Fenian Raid in 1866. They came to Canada in 1861 or 1862 with the British regiment which came out at the time of the Trent affair. They continued in Canada and were stationed at various places in Ontario at the time of the outbreak of the Fenian Raid in 1866. when they were at once sent to the front. After performing the service required of them and after putting in their time, they obtained a discharge from their several regiments and they became active settlers in Canada. They have resided here ever since and are, to all intents and purposes, Canadian citizens. I am informed that the reason why they have been refused the bounty is that they did not comply with section 2 which prescribes:

> Volunteer means every person who was regularly enrolled or enlisted and served with any militia corps which the Government of Canada, or of Nova Scotia, or of New Brunswick called out for active service in the year 1866 or which the Government of Canada called out for active service in the year 1870.

These men were not enrolled or enlisted, but they did serve with the militia of Canada. If any relaxation of conditions is proposed, I think the men who actually served should be entitled to any bounty that is paid. If, under the fixed reading of the law, these four men are not entitled to it, I think the law might be amended so as to enable veterans of British regiments who did service to be treated as native-born Canadians and to be paid the bounty on the same scale. I understand that the survivors are not many, that only about seven or eight or nine hundred British regulars who actually did service are now living. Some of these men have seen me, and they have heard rumours that the conditions are going to be relaxed.

Mr. E. M. MACDONALD (Pictou): It is most desirable that the Minister of Militia should make a statement which would settle misunderstandings which have certainly arisen in regard to this matter.

Before dealing with that particular phase of the question, I would like to refer to a proposition made by my hon. friend from South Wellington (Mr. Guthrie). Certain hon. members in the province of Quebec, who are not here to-night, asked me, in anticipation of this matter coming up, to call to the attention of the minister the cases of about twenty men in some of the border counties, who formed themselves into a volunteer corps and who actually performed active service in these counties at the time of the Fenian raid. I am free to say that I think that the men who actually performed active service at the time of this incident ought to be especially considered, even if those who were called out were prepared to go. If the minister intends to amend the Act in any way, cases such as I have mentioned should come under his particular attention.

With reference to the alleged misunderstanding as to the meaning of the Act, I am bound to say that I cannot see any necessity for the circular letters that have appeared in the press of Nova Scotia in regard to this matter. It looks like an attempt to make political capital out of a question in which there ought not to be any. The wording of the Act is very clear and there cannot be any misunderstanding about it. It has been quoted by my hon. friend from Halifax (Mr. Maclean) and by my hon. friend from Guysborough (Mr. Sinclair). The important words are these: that the person who was called out for active service and who was enrolled as a member of the militia was entitled to receive that bounty. That language is clear and definite. It conveys to anybody, who knows anything about militia work or any-

thing about active service, a proposition which is self-evident, namely, that the man who is going to receive this bounty must be specially called out for service. I personally never had any misunderstanding in regard to the subject; and to those who have inquired in regard to the mattter in my own constituency or other constituencies, I stated what the law was. I was therefore surprised to find that some hon. gentlemen alleged lately that they had by their influence, succeeded in getting the Militia Department to put some new interpretation upon this statute; and that certain other people, who it was thought at first were not entitled to receive this bounty, as a result of the efforts of these gentlemen who were supporting the Government, were going to receive it. We all knew that the minister was bound by the terms of the Act and could not pay a dollar to anybody who did not come within this section 2; and all the influence of all the hon. members supporting this Government could not have succeeded in getting the minister to give a bounty to a single man who did not come within the terms of the statute. Consequently, all these letters upon this subject have been entirely erroneous, and have resulted in misleading a large number of people in the province of Nova Scotia by causing them to believe that there were certain friends of this Government in Ottawa who, by some superhuman efforts, had succeeded in bringing about a condition of affairs that would enable some to claim this grant who could not otherwise have received it. The result is that a large number of men in the province of Nova Scotia who were not called out for active service, but who attended the annual drill in 1866 and 1870, are writing to hon. members of this House on the subject. I am sure the Department of the Minister of Militia is receiving applications from these men in good faith and relying upon these statements in the party press of hon. gentlemen opposite, that something had been done by which the men who had drilled in 1867 and 1870 were going to be entitled to $100. The Guysborough Times contains a statement on the subject. A copy was forwarded to me by a constituent of mine who stated that he had drilled in 1870, and says that under the terms of this document he is entitled to the money. The special part of this is the newspaper notice that accompanies the letter of the hon. member for Annapolis (Mr. Davidson). The Guysborough Times says:

We are glad to note from the letter in the Spectator of Mr. Davidson, M.P., for Annapolis, that all those who drilled in 1866 and again in 1870, for the Fenian Raid scare are qualified to draw the bounty of $100. Mr. George T. MacNutt has written several communications—

Mr. DAVIDSON: Has the hon. gentleman the letter of mine which appeared in the Annapolis paper?

Mr. MACDONALD: Yes.

Mr. DAVIDSON: The hon. gentleman, then, will notice that no such representation was made.

Mr. MACDONALD: I will come to that. I am reading the statement of a paper friendly to the Government as a result of the letter of my hon. friend from Annapolis. The Mr. MacNutt referred to was the candidate of the Conservative party for the legislature two years ago. (Reading):

—along this line to the Truro News, and no doubt is qualified to advise his friends on the matter. We hope all the veterans in the county of Guysborough will have their papers made out at once and forwarded to the Militia Department at Ottawa.

The Guysborough county veterans are in precisely the same position as the veterans of Annapolis county.—(Editor Times.)

I warn my hon. friend the Minister of Militia that all the good old gentlemen in those counties of Nova Scotia who drilled in 1867 and 1870 are going to send in their applications to him, and his department will be very busy refusing them under the terms of this Act. A large percentage of the volunteers of that province must have been called out for active service, because at that period in our province there was practically compulsory service, and almost every man of twenty-one years or over went out to annual drill. My hon. friend from Annapolis called attention to his letter. What does he say?

Dear Sir:—As your readers are doubtless aware, an Act was passed at the last session of the feredal Parliament entitled 'The Fenian Raid Volunteer Bounty Act.' which provided that volunteers called out for active service in the year 1866 were entitled a bounty of $100. As first interpreted the Act did not appear to cover the case of volunteers in this province, who were merely called out for drill during the year and who did not actually encounter the enemy.

You will notice that that statement is very equivocal; for his interpretation does not cover the men called out for drill in 1866. (Reading):

The Government members from Nova Scotia, however, have brought to the attention of the department the fact that on the 17th of March, 1866, a proclamation was issued by the Governor of Nova Scotia calling out volunteers for active service, and the department is now inclined to the view that members of regularly constituted militia corps, who turned out in obedience to the above mentioned proclamation are entitled to receive the bounty.

He goes on to ask the people in his county to send in applications to certain gentlemen who are named.

I am sure the minister will agree with me that there has never been but one interpretation to this Act; there could be but one, and that was that the men who were called out for active service, and they alone, were entitled to receive the grant. What has occurred is this: The local representative for Yarmouth writes to a paper in his county a circular letter calculated to lead every man in the county of Yarmouth who went out to drill in 1866 and 1870 to believe that, as a result of the vigorous efforts put forward by the Government supporters from Nova Scotia, all he had to do was to send in his application to the Minister of Militia, and back would come $100. Of course, this is poor politics, after all; it is silly, ridiculous. The policy of the department on this question has been settled, and there ought to be no misapprehension. The only result will be that many will be disappointed who ought not to have been misled; for a man who only went out to drill in 1870 could not possibly be considered in this connection, because the only proclamation calling out men for active service in Nova Scotia was the one issued in 1866. So, if I am accurate in my statement—and the minister will state whether I am right or not—no matter who drilled in 1870, so far as Nova Scotia is concerned, he was not called out for active service. The only men in Nova Scotia who could be entitled to receive this $100 were those who came out in response to the proclamation in the spring of 1866. The man who drilled in the autumn of that year, or any other year, in that province, but who did not come out in response to the proclamation for active service, was outside the list of those for whom Parliament intended this benefit. In a matter of this kind, where Parliament has willingly come to the conclusion that the men who responded to their country's call in this period of our history should receive some recognition, it seems to me there ought not to be such misapprehension raised.

To show what is attempted to be done in relation to this matter, I would refer to a printed form which has been issued in the county of Yarmouth by the Conservative local member, the result of his advertisement. Any person who wishes to put in a claim for this grant can get one of these forms on making a requisition to the department. This, I assume, is the official form containing the data upon which the department acts. But, as a result of the interference of these gentlemen in the matter, we have this special form which differs in very material respects from the one provided by the department I would like the hon. minister to tell us whether there is in circulation in Nova Scotia a form which is being used for the purpose of getting applicants for the bounty to make proof of their claims, and whether or not that form has received the sanction of his department? If that is the case, I think it is unfair, if an applicant in one county writes to the hon. minister or an official of his department for a form which he is expected to fill out in order to obtain the bounty, that he should receive the official form, and that at the same time the people should be informed through the press that there is another form that may be obtained by application to these local offices, which, I must say, are unquestionably being utilized for political purposes. I would like the hon. minister to tell us also whether or not the department has made any regulations under chapter 53 of the Act of 1912. The statute does not provide for the making of any regulations by the department, and I cannot conceive why any should be made. The statute provides that such proofs shall be submitted as are prescribed by the Governor in Council, but the hon. minister or the Governor in Council would not prescribe any proofs which are at variance with this statute. My hon. friend or the Governor in Council could say that a statutory declaration setting out certain data would be satisfactory. I assume the Governor in Council have not put their impress upon the method which is being employed in the province of Nova Scotia of circulating a form which is different from the one issued by the Department of Militia. If there are any regulations—and I am advised by the department that there are not—I would like the hon. minister to tell the House whether or not any interpretation was put upon this matter different from the one which was self-evident—namely, that the men called out for active service in this province were entitled to the bounty? If there was any interpretation put upon it different from what is self-evident on the face of it, was that interpretation made as the result of any legal advice, and, if so, who gave the advice? If there was any such interpretation, when was it changed, and as a result of what advice or whose opinion? I apprehend, of course, that the minister will say there has been only one opinion in regard to this matter. Active service is, as the minister knows, well defined in military circles, and nothing could, in my opinion, change that definition in any way. The allegation was made that the department intended to pursue a parsimonious course in regard to the matter, and limit the circle of people entitled to this bounty. For some reason, however, they have changed their minds, and have very materially widened this circle.

Will the minister state explicitly whether he regards it as possible that any person in

the province of Nova Scotia who drilled in the year 1870 can obtain the benefits of this Act and be entitled to the bounty, if there was no proclamation issued calling them out for active service in that year? The hon. minister should make an authoritative statement as to whether or not anyone in the province who did not respond to the call for active service which was made under proclamation in the spring of 1866, but who did perform military service in that year, is entitled to receive anything under the Act. The interpretation of the Act seems to be reasonably clear, and I ask these questions for the purpose of adding the weight of the authority of the hon minister to the information already at hand, so that Parliament and the country will understand exactly what the policy of the Government is on the subject.

Mr. SAMUEL BARKER (Hamilton, East): I have a personal recollection of many of the events of the year 1866, and I do not remember that there was any invasion of Canada by Fenians in that year except at Fort Erie in the county of Welland, province of Ontario, early in June, 1866. I was an officer of the active militia in that year, and for many years previous to that. In the early part of March, 1866, there were disturbing rumours in circulation, largely in the press, because of the fact that in Buffalo the drilling of certain irregular bodies, supposed to be Fenians, and who no doubt were connected with the Fenian movement, was going on. During March, April and May of that year, that drilling was carried on in the city of Buffalo, and I doubt very much whether anywhere else, except perhaps on the border of lake Ontario, there had been any such organization. In March, April and May, the 7th Regiment of London turned out every day to drill. I would be surprised to hear that there was any general order of the Government or of the adjutant of the militia calling them out; my impression is they turned out voluntarily. At that time we had two regiments in London, where I then lived, including a battery of artillery; there was a good deal of military feeling throughout that district, and we had very little difficulty, four, five and six days a week, in getting fifty per cent of the regiments to turn out to drill. I am the only surviving officer of No. 3 Company of the 7th Regiment of that day; my two companions are dead and gone. I am taking into consideration the possibility of mistakes in dealing with this matter, but I think I am quite clear in my recollection. We met every afternoon during March, April and May. The three officers of my company were young law students or lawyers and we went every day to drill and each day for three months a considerable portion of our men, not always the same men, turned out for drill. Every now and again someone in the city of London would be arrested by the police as a Fenian and there would be a little excitement but that was all there would be about the invasion of Canada at that time. In the first week of June, 1866, the regiment was drilling in the drill shed one Friday evening about half past eight. Colonel Hawley, who commanded the Prince Consort's Own Rifle Brigade rode into the drill shed and called aside the colonel of our regiment. We had no order from the Government, there was no word of authority for drilling, we had been voluntarily drilling all the three months. Colonel Hawley, as I say, called aside the colonel of our regiment and had a few words with him. The colonel came over to the regiment and said we were ordered to the front. Colonel Hawley said that one-half the regiment was to go. There was a little dispute as to whether any of our volunteers should be left behind, and Colonel Hawley said: You are only half a regiment anyway and I will take it on myself to say that you shall all go. There was a cheer. There was no headquarters order for us at all at the time. Colonel Hawley rode in from the 60th rifle barracks and gave that order and within an hour and a half we were on the train. We were marched down to the station and on the way down were joined by some more of our men who had heard that we were going to the front and who rushed out with their uniforms under their arms and their rifles in their hands. We got on board a freight train at nine o'clock on Friday night and at one o'clock on Saturday morning were at Paris, Ontario. We were detrained at Paris. At six o'clock in the morning we were called up by bugle and went out again. We waited for orders nearly all of Saturday. We did not leave Paris until about noon. We got to Port Colborne that evening about eight or nine o'clock in time to see some of the 13th regiment of Hamilton coming in from the fight at Ridgeway. That is what occurred. I am speaking now not of orders, but of facts. The only regiments that turned out on that occasion, were the 10th of Toronto, the Queen's Own, of Toronto, the 13th, of Hamilton, and the 7th, of London. They were at Ridgeway. The 7th did not arrive until the fight was over; I want to admit that. The fight was over before our train arrived at Port Colborne. At two o'clock on Sunday morning we were again called up and at four o'clock we marched through swamps to where we supposed the enemy was and we got to Ridgeway on Sunday morning about eleven or twelve o'clock. The company of which I was an officer marched over what was called the orchard. We marched over five dead bodies of Fenians lying there. After an hour's rest we went on to Fort Erie and arrived there that evening. We saw there a battery of the regular

artillery and the 10th regiment and some of the Queen's Own. We were all assembled there and the Fenians were on a Government revenue vessel out in the river. That is all the fighting that was done. We returned on Monday night to London. I have since had many a letter, some within the last week, from men who were there and if there is any complaint which I could make about the minister's management of this question, which is a very difficult one, it is that I am told that some men who I firmly believe were there and who are in correspondence with me to-day are not being paid because their names did not appear on a pay-list. I doubt very much if we had a pay-list in those days. I doubt if a pay-list could be found. My recollection is that the regiment did not have a paymaster until that spring when Judge MacMillan,, at one time a member of this House, was appointed paymaster. I never heard that Nova Scotia or New Brunswick had been invaded.

Mr. CARVELL: Oh, yes, New Brunswick was.

Mr. BARKER: I am not disputing; I am only saying that at that time we heard nothing of any invasion there. There was that one invasion of the Fenians. The 16th regular regiment was there and some of these men, it has been said, afterwards left the regiment and remained in Canada but they were there as British soldiers, under the pay of the British Crown. None of our regiment ever thought of a day's pay at all but the men of whom my hon. friend from Wellington speaks as regulars who remained in Canada were regular soldiers and did not do very much work either. I do not want to cast the slightest slur upon the British soldiers but the 16th Regiment did not do much on that day, unfortunately for themselves. I believe that the unfortunate 16th's had the reputation of never having been under fire. That was nobody's fault, it was just a misfortune. But the regular soldiers who remained in Canada were men who were there receiving pay from the British Government as soldiers; they were not there as volunteers.

After that we were expecting a further invasion. Sixteen or eighteen months after that it was alleged that General O'Neill, the great general of those days as some of you recollect, and his adjutant were bringing other men over to Thorold and then and for the first time, I think, the Government of Canada ordered a number of volunteers down to Thorold. I need not say that there was no invasion it was only a rumour, but the men were then ordered down to Thorold. I went there. I must confess that after the first fight, at which I was not present, I was obliged, owing to the necessity of my profession, to give up volunteering, but when, a little afterwards, we heard that there was likely to be another invasion, one of my brother officers and myself enlisted as privates and went to the front. I recollect very well that I was promoted to be a sergeant in about two months and that I commanded a squad of the Elgin men who went down to Thorold and I had charge of four of the most drunken men I ever saw in my life. We went down to Thorold. my two brother officers and I—we were rankers at that time—and then crossed to the other side of the Niagara river, and at the International Hotel there dined in our uniforms as Canadian soldiers. The Fenian officer was General O'Neil. He was Adjutant General. and everything was as friendly as could be. I recollect very well one poor fellow of the Queen's Own who was shot, I think, through the heart. He was the first man killed at Ridgeway, and I saw five Fenians lying there. They were not in any uniforms; they looked like cab drivers or men of that class. They had been left there by the men who bolted to the States after the Saturday fight. We marched all over their country. and the road was strewn with paper collars and worn-out boots and other articles that had been thrown away by the Fenians on their rush for home. That was the battle of Ridgeway. I will say this for the Queen's Own, that after the fight I never saw young fellows so anxious for a fight or so keen to catch up with those fellows, but they were too late. Coming to business, I am firmly convinced that the men of the 7th Regiment were never on any pay-list. They were a good class of men, and included mechanics, law students, and medical students, and I do not think they looked for pay. At that time I doubt if we had a pay-list in that regiment. One man has written to me saying that he did not mind so much about the money but that he wanted recognition. It is a little hard on many of them. I have had a letter from a man named Sleeman in Michigan who I have no doubt was at Ridgeway and went through the fight, and I have seen a letter to him to the effect that because he was not on the pay-sheet they could not pay him the bounty. I think there should be a little more relaxation of that rule. No officer ever got a cent, and no officer ever asked for it, but I think that the men who were actually present should be paid without too much strictness. I do not want to find fault with the members from Nova Scotia, but I think they ought to be very happy that they did not have one man killed. We went through that swamp, and I know our officers and men were black up to their necks as the result of walking through the swamps.

Mr. W. F. CARROLL (Cape Breton South): I have no criticism whatever to make of the Department of Militia or of the Minister of Militia for any relaxation which the Department may have made in connection with this Act but it does seem to me that there is a misunderstanding somewhere. Several weeks ago, in the month of January I think, I asked the Department of Militia for forms to be supplied to people who thought they came out under the proclamation of the the Fenian Raid bounty. Those forms were supplied to me, twenty-four or twenty-five of them, and I distributed them among the people who asked for them. One person in particular, a gentleman who lives in the town of Glace Bay, and who undoubtedly come out under the proclamation of the Governor of Nova Scotia in 1866, made application on that regular form. I think on that form it is implied that no person will get this bounty unless he holds a Fenian Raid medal. That was, I think, part of the form and part of the affidavit which had to be signed. Now, the gentleman I refer to did not have a Fenian Raid medal. He sent his application to the department, and shortly afterwards I received a letter saying that he could hardly receive the bounty because his name did not appear on any pay-list in the province of Nova Scotia or elsewhere. Now, at that time I do not think there was any regular enrollment in the province of Nova Scotia, and yet for the reason I have mentioned this man, up to the present time, has been debarred from receiving his bounty. I think that 'active service' under the terms of the Act applies to any person who came out under the proclamation issued in Nova Scotia in 1866, and I think there should be some uniform regulation. Here was a man who came out under that proclamation. He put in his application, which has been turned down for the reasons first that he could not swear to certain parts of the affidavit, in that he did not have a Fenian Raid medal, and secondly that he was not enrolled. Personally I would be in favour of almost every man who belonged to the regular militia organization in the province of Nova Scotia of that day receiving this bounty, but I do not think that the Act as it stands now entitles them to it. There seems to be some misapprehension. There is one little town in the county which I have the honour to represent, where a gentleman is sending out letters to various people in the constituency asking them to call at his office in order that they may fill in applications for the Fenian Raid bounty. Up to the present time, two hundred people have made application through that gentleman. I have no fault to find with that at all, but that gentleman seems to use a certain sort of discretion as to the parties he notifies to make application. The fact is that there has been no uniform understanding as to who shall, and who shall not get this Fenian Raid bounty. As was pointed out in Nova Scotia in the years mentioned there was an annual drill, and I have not met a gentleman down there who having been called out does not think that he is entitled under this Act to receive this bounty. I try to be fair with them, and last year I tried to get an interpretation placed on the Act by the Minister of Militia that it applied to those who belonged to the active militia. Of course, it is a matter of opinion as to what active service really means. That seems to be the difficulty. I have nothing more to say regarding the matter except that the department should make regulations which are uniform, and that the applications and affidavits should be uniform, so that there could be no misunderstanding, and applicants would not be turned down because their applications were not technically in form. I believe that every person who was called out in Nova Scotia under that proclamation is entitled to the bounty under the Act; I believe the Act will bear that interpretation. Like other hon. gentlemen who have preceded me, I hope the minister will make some public announcement so that there will be no misunderstanding in the future as to who is entitled to receive this aid.

Mr. PIUS MICHAUD (Victoria, N.B.): I live in a county which borders on the state of Maine for a distance of one hundred miles, and I remember well hearing people speak of a great organization in the state of Maine to invade the northern part of New Brunswick. When that organization took place in the state of Maine, a company was organized at Grand Falls in the counties of Victoria and Madawaska, under Captain Bossé. Grand Falls is about three or four miles from the boundary of the state of Maine. I have here the names of some citizens who were under arms for a certain length of time, preparing for possible invasion. There are such names as Robert Malcolm, Adam H. Caldwell, Bernard McLaughlin, Manus McCluskey, George Sirois, Archibald Pelletier and James P. Kelly. Mr. Kelly is a magistrate at the town of Grand Falls. There are other names that I could mention, such as Alexandre Marquis and Theodore Marquis who were under arms for a certain length of time and who went to Niagara Falls. These gentlemen feel that they are entitled to consideration. If the Act does not permit the Minister to pay them the $100 bounty, it should be amended in such a way that these people may be compensated for the service which they performed at the time of the Fenian Raid. I hope that the minister will give

earnest consideration to the representations which have been made to him this evening on behalf of those who served their country when it was threatened by invasion.

Mr J. W. EDWARDS (Frontenac): I want to say a word in regard to this matter inasmuch as there have been a number of claims sent to the Department of Militia and Defence from residents of the county that I have the honour to represent and which claims have been disallowed on the ground that the names of the claimants do not appear on the pay list. It is only fair to say that I think the officers of the Militia Department are endeavouring to deal with these claims fairly and in the only way in which they can deal with them according to the letter of the Act. But, I agree with the statements that have been made by gentlemen on both sides of the House, that some greater latitude than appears to be given by the Act should be allowed in its interpretation. The Militia Department might better pay several claims which were really unjust than refuse to pay one just claim. I cannot think that men, whom I know to be reputable citizens in my county, are entirely mistaken in regard to having served during the time of the Fenian Raid. I know a great many men who have a distinct recollection of having been called out and having served in 1866 or 1870, whose claims have been disallowed on the ground that their names do not appear on the pay lists. I can only conclude that there is something wrong with regard to these pay lists or that they have not the authentic pay lists in the department. I know of a number of cases in my own county which I am satisfied are bona-fide cases and which have been disallowed. One thing which makes the matter a little more difficult is that a great many Fenian Rail veterans were granted medals by this Government and this is regarded by these men as an acknowledgment by the Federal Government of the justice of their claims. When, therefore, a man presents his claim to the Government for his bounty and is told that his name is not on the pay list, although he has received from the Federal Government a medal for his services, I feel that there is strength in such a case. The very fact that this Government granted him this medal was an acknowledgment of the justice of his claim and must be regarded as very strong evidence that he was at the front at that time whether his name is on the pay list or not. Another thing that I think is a little harsh is this: A man gets his application form, fills it out and gets a statement of one or two comrades certifying that he was out in 1866 or 1870; notwithstanding that, they refuse his claim because they say his name is not on the pay list. Then, they ask in some cases that the man produce further evidence. He may produce one or two affidavits of reputable persons and still they ask him to tell some little incident that occurred in 1866 or 1870. It seems to me that this is carrying the matter a little too far. I think that when a man has made his application, has received from the Ontario Government his land grant has received from the federal Government his medal, has himself taken a declaration that he was out on a given date and has backed that up with affidavits from two to three others that he was out, that ought to be sufficient evidence for the Militia Department, whether his name is on the pay-list or not.

Mr. H. B. MORPHY (North Perth): Mr. Speaker, in line with what the hon. member for Frontenac (Mr. Edwards) has said, I would like to say that I have in my county, living in the city of Stratford, a gentleman of the name of Walter Runcey, He has made application and he was at the front at the time of the Fenian invasion, under arms with other gentlemen with whom I have spoken. They have received their pay, they stood in the ranks with this man at the front and yet he is denied his pay because his name is not on the pay-list. That is one isolated instance of probably a defective pay-list. Probably some one, whose duty it was to put that man's name on the list, neglected it. All these probabilities are taken against the man although indubitable evidence can be furnished, and has been furnished, I believe, to the department, that he was at the front, sworn to by companions, he has received his medal, he has received his land grant from the Ontario Government, but he cannot get a dollar from the present hon. Minister of Militia and Defence (Mr. Hughes). It seems rather hard that the Minister of Miltia is subjected to attack from both sides of this House. I cannot myself say that the hon. gentleman is altogether to blame but, from the instances which have been given to the House, it seems to me that it would be reasonable to ask that some amendment be made to this Act to give the minister more latitude in dealing with these cases.

While I am on my feet, I desire to point out another instance that appears to be a great hardship. In the city of Stratford there was a well ogranized, fully equipped company known as the Grand Trunk Railway Brigade. It is true that it was only a company, but in the early days it took upon itself the name which I have just mentioned. These men, as a recognized unit wearing the Queen's uniform, I am informed, were called out for active service by some authority—I am not in a position to say what authority—but were

sent to the front. When I speak of the front I understand they were sent to the town of Sarnia on the border. They performed their drill and other military functions and did military service in that way. In the village of Millbank, in North Perth and in the adjoining county of Waterloo, there was a company known as the Crosshill company, about which I may apply practically the same arguments as I have attempted to adduce in favour of the Grand Trunk Railway Brigade. They organized and equipped themselves at their own expense. In this latter case they performed the drill that the authorities asked them to perform and they took the stations that they were asked to take. In both of these cases, it was thought at the time that the stations which they took were just as hazardous and as dangerous as any other station to which a soldier was asked to go. Therefore it seems to me that they were entitled, from the point of view of national spirit and patriotism, to be recognized in some way by this Government for the willingness which they displayed in doing their duty, although they never came under fire. The way in which the Act works out is peculiar in some respects. In the city of Toronto, in connection with the Queen's Own Rifles, one company known as the Toronto University Company, was called out. Probably, Toronto being at that time more of a military centre, had better military organization than other centres, and knew the Queen's regulations better. It had the facilities and the officers to do things properly and regularly. This company, I understand, was called out legally under the Queen's regulations; but men in that company had their pay who were never near the firing line. They happened to bury the dead after the engagement. That was a military service laudably performed, and I think the country was entitled to pay for any such services. What have we to say, however, in regard to the non-payment of a man who was at the front, whose companions have certified to him, but who was refused payment because he could not prove that his name was on the pay-list of the Militia Department. I think that the whole Act should be amended, that there should be no hesitancy at all to enlarge it so as to include every reasonable, honest, decent claim. This country can afford, in a case of this kind, to show some reasonable generosity, in this its day of expanding bountiful returns. The Act should be extended to include the widows of the men who lost their lives in vicissitudes of that campaign. There are to-day, to my knowledge, many such widows who are dependent upon a cold world for the charity which will give them sustenance. Let us in this case be a little generous. I think every Canadian, no matter what his political proclivities may be, will applaud loudly if this Act is largely extended so as to be generous rather than parsimonious.

Mr. MORPHY.

Mr. D. D. McKENZIE (Cape Breton, North): I should like to call the Minister of Militia's attention to a point in section 2 of the Act. It appears that two classes of persons are recognized in the Act, the militia and those who served with them. I would imagine that, if it were militiamen altogether that were recognized, the Act would say: 'those who served in the militia.' The word 'in' is not used, but the word 'with.' This is the way the section reads:

> In this Act volunteer means any person who was regularly enrolled or enlisted and served with any militia corps which the Government of Canada or of Nova Scotia or of New Brunswick called out for active service in the year 1866, or which the Government of Canada called out for active service in the years 1870, excepting, however, the two battalions of riflemen formed for service in the Northwest.

Possibly the language is understood by military men in a different way, but 'serving in a battalion' and 'serving with a battalion' are two different things. I should like the Minister of Militia to give us some idea as to whether he recognizes two classes of men in that connection.

I should like to call to his attention further, that two different forms of application are issuing from his department. I think I am justified in supposing that nothing is issued from that department without the sanction and approval of its head. I have under my hand two forms of application, one of which, the first one that was issued by the department, is altogether in compliance with the Act. The other, a more recent one, is different from the language of the Act. It says that any persons who were in any of the corps, the names of whose officers appear in a certain copy of Belcher's Almanac, come within the provisions of the Act, and are entitled to receive the bounty. It is stated in some literature issued by the department that certain letters have been written by members of Parliament supporting the Government. According to those letters, the warrant for the $100 bounty will issue upon certain forms, which are not mentioned in the first application, being complied with. In 1866, there were three or four regiments in the county of Cape Breton under the colonelcy of Col. Reid, Col. Graham and some others. These regiments were called out for regular drill at that time, and the proclamation of 1866 by the Governor of Nova Scotia received a very general response. I think that a uniform interpretation should be put upon this Act, so that we may all understand it. There seems to

be different understandings in different places.

Mr. F. F. PARDEE (West Lambton): I wish to discuss briefly two or three of the applications that the department has received, on which it has not issued bounties. I wish to support the statement of the hon. member for Hamilton (Mr. Barker), that at the time the volunteers were called out in 1866 and 1870 there was no pay roll. In that connection I refer particularly to one James E. McKelvey, of Sarnia, who was out in 1866 and again in 1870. His application was received; it was practically all right, and I fancy that the bounty was about to be paid to him when the department discovered that he was not on the active service pay-list for the period for which he claimed the bounty, and that therefore the bounty could not be paid. I think it highly probable that the very same circumstances applied to Mr. McKelvey and to the company with which he served as to the company with which the hon. member for Hamilton (Mr. Barker) served. There were no papers. But when all the other conditions have been complied with, it seems to me it would be a reasonable thing for the department to accept other evidence that would show that the men had seen active service. It does not seem to me that it should be a condition precedent that the name of the man should be upon the payroll. I asked for the papers in this case, and they have been brought down, and that is the net result of the refusal to pay the bounty. It seems to me that the hon. member for North Perth (Mr. Morphy) has spoken properly when he said that the Act should be enlarged. If a man can show that he was called out, that he was forced to give up what he was then at to go out in the service of his Queen and country, whether he saw active service or not, surely the statute should give him the bounty. There are some cases in which the proofs have been left with the department and the department has not so far taken any recognition of them at all. There are the cases of Simon Blunden, Humphrey Blunden and John Blunden. These men were all out in 1866. They were called out for duty, and served with their company, patrolling the shore of the river St. Clair and lake Huron, doing what they were called upon to do as good Canadians will. Having done that, they are entitled to what the Act calls for without going into minute particulars on technicalities by which they are debarred. I would call the attention of the minister to another case, that of A. C. Pousette, M.D., appointed surgeon or medical officer at Sarnia and on service for a considerable time. He was appointed on the 28th of December, 1865, and served as medical health officer until the end of the trouble. He was continually called out to duty—so he writes the department and has given a specific statement of affairs. He was required to be on parade. The smallpox broke out and he was called upon to attend the patients. He acted as surgeon for a time and was compelled to provide his own uniform; and he thinks he is entitled to the bounty provided under the Act. The only other person from my section who has sent in a claim, so far as I know, is John MacMillan. He was with Grand Trunk Company number six which was organized at Fort Edward on the lake shore. He was captain, and the commanding officer was Major Wylie. He says the company drilled daily and patrolled the lake and river shore, and at one time they were called out and entrained, went as far as Camlachie sixteen miles up the line, because they had heard that the Fenians were about to land on the lake shore and raid the country. I am not finding fault with the minister or the department; I fancy that they have a great number of claims and a great correspondence. But I wish to convey to the mind of the minister that I do not think this Act ought to stand on any technicality so far as the payment of these claims is concerned. The whole spirit of the Act was that anyone who could show bona fide that he was called out and responded to repel any raid, who gave up his ordinary occupation, and, as I have said performed service for Queen and country, is entitled to receive the bounty. I call the attention of the minister to the matter and I feel satisfied, knowing his broadmindedness and his fairmindedness, that he will see to it that the men who can show that they responded to their country's call, shall receive this grant.

Hon. SAM HUGHES (Minister of Militia): I am very much pleased with the spirit which evidently actuates hon. members in this matter. I can assure them that this is a difficult matter to manage. Many of these claimants are very old, and their memories, even under the best of circumstances, are not as acute as they were. But let any of us try to recall what transpired four or five years ago, and we will find it not easy to say who was present with us on any particular occasion. The officers of the department allow every reasonable latitude in this matter. But let me assure hon. gentlemen who have been criticising the department that we have had scores of cases much clearer than that presented by my hon. friend from North Perth or my hon. friend from West Lambton, and when they come to face the music, in every instance, they have been proven to be wrong or to need to get further evidence. I have had members come to the department, good Christian Tories, and be simply wild at the way my officers were managing affairs. In order to make sure, on one or two occasions, I have

gone with them to the officer. I have said: I will see whether this man is doing as you say. In one instance, I found that the man had given the wrong company and the wrong town, and we were being condemned for what was really due to his own stupidity. Instance after instance of that kind occurs. We have the pay sheet in almost every instance. One instance, was that of two brothers who were enrolled. One of these gentlemen has since died, and a third brother, protests most vigorously that he was out. What are we to do? There were two brothers, and surely if they are on the payroll and forty or fifty of their neighbours it is strange that this other man was not on the payroll if he was really out. And surely, we are justified in such a case in asking this gentleman to furnish more evidence. We do demand the evidence, and let me say in all fairness, we intend to demand the evidence. This money is not mine; it belongs to the people of Canada. But where indubitable evidence is furnished there is not a case that is refused—not one. In one case a gentleman reported himself as a trooper, signed as a trooper, swore he was a trooper. It turned out that he was an officer. When we wrote him and told him we had no such name down on the payroll as a trooper, and asked if he was an officer, he did not deign to reply but got his member to try to raise cain over the matter. In these cases there are only two things asked, in fact only one, that the party should prove his claim. I do not wish to enter into a discussion of the general question. The hon. member for Victoria (Mr. Michaud) has brought up some cases. One case from the eastern townships was brought up, I think by the hon. member for Pictou. The farmers there turned out and actually did first-class duty. A body of farmers along the border at Missisquoi who were not enrolled, and when the Fenians crossed, they found these fellows ready to meet them.

When the Fenians crossed the boundary they found these men ready to meet them. Unfortunately, these men had not been sworn in as volunteers, and I understand that some militiamen who lost the opportunity of distinguishing themselves because these farmers had already repelled the Fenians thought of having them arrested for murder, and the poor old fellows were afraid to admit that they were connected with repelling the invasion. That is a case in which I think payment should be made, but the law does not meet it. In the case of the Kingsville Company, all the volunteers declared that they were at the front, and were regularly enrolled, but no order of enrolment or organization was apparently issued to them until weeks after the Fenian Raid. A case of this kind can be dealt with only upon the due receipt of proofs.

Mr. SINCLAIR: The hon. minister referred to the fact that the name of the applicant was supposed to appear on the pay-list.

Mr. HUGHES: No.

Mr. SINCLAIR: Then I misunderstood him. In the province of Nova Scotia there were no pay-lists at all, as the volunteers were not paid, but there would be some kind of a list of the men who were in the different regiments and companies. Can the minister tell us if these lists for the province of Nova Scotia are in his possession?

Mr. HUGHES: There were pay-lists in Nova-Scotia. Where there is a pay-list, and a man says he was in the company, we take it as evidence that he was not in the company if his name does not appear on the pay-list, and we therefore ask him to furnish collateral proof. In every instance where this proof is furnished the man is given his warrant. We are getting from the archives and from the Nova Scotia authorities returns in connection with the matter.

Some fault has been found by hon. gentlemen opposite because some circulars or forms have been issued among their constituents. In my opinion, very few members of this House know the circumstances under which the volunteers in Nova Scotia were called out in the year 1866. On the 17th of March of that year there was a rumour afloat that a number of vessels had left United States ports and were about to invade the coasts of the province of Nova Scotia. That province was not then a part of the Dominion of Canada, and the Governor of Nova Scotia on the 17th day of March issued a proclamation calling out the volunteers of that province for active service on the 18th. They had only twenty-four hours' notice, but the men turned out in large numbers, and drilled for a few days until the scare was over. At the time the Act was passed I had not read the proclamation, but my attention was drawn to it by the hon. member for Hants (Mr. Tremain); and the hon. member for Annapolis (Mr. Davidson) also drew my attention to the fact that the proclamation issued to the people of Nova Scotia actually called them out for 'active service.' Every man, therefore, who can prove that he was called out, and that he turned out to drill under that proclamation for active service, is, under the law, entitled to a bounty.

Mr. MACLEAN (Halifax): I would like to tell the hon. minister that this information was in his department years ago. It was one of the grounds upon which the person most prominent in Nova Scotia in asking for the payment of the Fenian Raid

bounty based his claim. The hon. minister will find that the correspondence and proclamation were filed in his department quite a number of years ago.

Mr. HUGHES: We knew the proclamation had been issued, but we did not know that its terms were as general. These men have only to prove their claims under the law; there has been no change in the regulations of the department. The junior member for Halifax spoke of some questions which he asked in the House in December last, and I now desire to read them and the answers thereto, from page 826 of Hansard:

Mr. Maclean (Halifax):

1. What is the interpretation of the Department of Militia and Defence of the provisions of the Fenian Raid Volunteer Act, 1912, as to what services qualify a person for the bounty?

2. If an enlisted volunteer of a militia regiment was called out for regimental drill, and did undergo drill, but whose company or regiment was ordered from the drill grounds for active service elsewhere, is he entitled to a bounty under the provisions of said Act?

3. What is the departmental definition of 'Active Service' as used in clause 2 of the Fenian Raid Volunteer Bounty Act?

Mr. Hughes:

1. That a volunteer must have been enrolled in a corps called out for active service and have actually served with that corps during the period of a raid, in pursuance of the order or proclamation which called it out.

2. If the corps was called out for active service and the drill or service was performed in connection with such calling out, yes; but the order for more annual training, or drilling without the order for active service does not count. Verification must be by declaration of applicant and of at least one comrade; and the name must appear on the service or pay roll for the period—or other equally satisfactory evidence must be given.

3. Active service means service performed in response to the order or proclamation which called out the corps for the purpose of repelling invasion.

These are the answers that were given on that occasion, and they are the identical answers we give to-day. No change has been made in the regulations. The hon. member for Pictou (Mr. Macdonald) has correctly interpreted them. The consideration of the subject involves the question of active service as compared with annual drill. The orders for the annual military meets state explicitly that the men are called out for annual drill or training, but when these officers and men were called out in 1866, the proclamation read for active service the object being to repel an invasion. Accordingly, under the law, these men, as I have said, who turned out and who can prove their case will be entitled to their bounty.

Mr. MACDONALD: What about the 1870 men in Nova Scotia?

Mr. HUGHES: If they were called out for active service as of course they were they are entitled to the bounty; but, if they were called out for annual drill, they are not. So far as I know, there was no order issued in 1870 calling the men out for active service.

Mr. MACDONALD: Your opinion, then, is that no one is entitled to a bounty by reason of any claim based upon his action in 1870?

Mr. HUGHES: I have never seen any proclamation issued in 1870 in Nova Scotia. Some reference has been made to very distinguished soldiers who are probably entitled to this bounty. Let me point out that no Canadian regular soldier, no Canadian Northwest mounted policeman, no British regular, has ever participated in the bounties given for the Fenian raid, the Red river rebellion, or the northwest rebellion.

Mr. GUTHRIE: Might not the Act be amended to include them?

Mr. HUGHES: If the House and the country choose to amend the Act, and if I happen to be Minister of Militia when the change is made, I shall be only too glad to carry out such a provision; but I do not think that the Act should extend to these people.

Mr. SINCLAIR: I am not quite clear as to whether the minister has in his possession a list of the men who were called out for active service in Nova Scotia. For example, if a member of Parliament receives a letter from a constituent stating that he thinks he is entitled to the bounty, it would be a great convenience if we could go into the minister's office and find out if the man's name is on the list before we send down affidavits asking him to make statements that possibly he could not make.

Mr. HUGHES: Much as we would like to see members of Parliament around the Militia Department, I am satisfied that they would gradually become a nuisance, coming in to find out if this or that man was on the list, and we would require to increase the staff by fifty or sixty to accommodate them. The simplest way, the only business way, is that the man knows whether he was called out for active service or not, he should be called to prove his case. If he cannot prove it, and there are some little technical difficulties in the way, we will go as far as possible to assist him in proving his case. In many cases where the applicant has been an old man, not very well able to attend to the matter for himself, we have written to some one in the neighbourhood asking him to see if

the man is justified in the claim he makes or if he is only talking through his hat, and has only performed annual drill. Now and then, I am sorry to say, there are found men whose consciences will allow them to go just a little beyond the fact, and declare that they were out in 1866 or for the Fenian raid when the lists show that they were not out for the Fenian raid, but were out for the annual drill later on. I think you will find that the Act has been pretty well administered, taking it all in all.

Mr. MACDONALD: How many claims have been paid up to date?

Mr. HUGHES: I think 10,000 or 12,000.

Mr. BELAND: I understand that these claims are passed upon in the order in which they are received.

Mr. HUGHES: Yes.

Mr. BELAND: In case a claim is rejected, does the department communicate with the party advising him of that fact and of the ground on which the rejection is made?

Mr. HUGHES: I understand so.

Mr. BELAND: Is the minister sure of that?

Mr. HUGHES: The instructions are and to my knowledge the practice is in many cases to send on such information, because the men's friends come back at us again.

Mr. BELAND: I myself filed a good many claims for my constituents. Some of those claims have been paid, some have not, and I have received communications from those who have not been paid complaining that they had had no information whatever.

Mr. HUGHES: If my hon. friend will bring a list, as other members do, I am sure that the officer in charge, Mr. Panet, will satisfy him in a few minutes. While it is not customary to show lists, I have given instructions that any member who comes in shall receive all possible information and every courtesy.

The Grand Trunk Brigade has been spoken of. The Grand Trunk Brigade were uniformed and enrolled by the Grand Trunk railway for the protection of its own property. I regret that they are not under the law. They were a fine body of men all over the country, but they do not come under the law as technically construed, and therefore I am powerless in the matter.

Mr. MACDONALD: Would the minister bring down a statement of the number of claims paid?

Mr. HUGHES: At any time.

Mr. F. B. CARVELL (Carleton, N.B.): As far as my constituency is concerned, I think the minister has tried to administer the law as fairly as possible, and therefore anything that I have to say is not in a fault-finding mood. It seems to me from the discussion we have had that it must be apparent to the minister that the law should be amended to some extent, especially with reference to the Nova Scotia claimants to participation in this fund. I do not profess to have any more foresight than an ordinary member of Parliament and if the minister would refer back to the debate upon the committee stage of this Bill on March 27, 1912, he would find that I pointed out to him some difficulties that I feared he might encounter in the administration of this law. The discussion to-night has fully demonstrated the wisdom or the opinion that I gave to the minister at that time. I told the minister that I felt the whole difficulty would arise over the definnition of the words 'called out' and I pressed the minister as closely as I thought courteous to give some particular definition of those words. I could foresee difficulty then and I see that this difficulty has been greater than I supposed it would be. Take the case of the Nova Scotia militia: it turns out now, according to the statement of the minister, that a general proclamation was issued by the Governor of Nova Scotia calling out the militia force of Nova Scotia for active service. Now, the minister says: As I interpret the law, I am bound to recognize the claims of every member of the active militia of Nova Scotia. Compare that with the position of other provinces. There was no invasion in Nova Scotia, there was an invasion in New Brunswick. I do not know to what extent an actual invasion of New Brunswick took place, but down along the St. Croix near St. Andrews or St. Stephens there was an invasion. Members of the New Brunswick militia were taken from various points of the province to that particular place. A regiment came from St. John, a company or two from my town, Woodstock. I believe that the Charlotte county militia, around St. Stephens and St. Andrews, were enrolled and went to the front. At the same time that these three or four corps were acually taken to St. Andrews there were corps all over New Brunswick under arms performing their drill. I do not say that they were called out in the sense that the Governor of Nova Scotia called out his men but they were called out by some proper authorities or rather they were under arms and ready to take part in the fray if necessary. Surely, as a matter of justice and right the men who did not actually go to St. Andrews in New Brunswick but were under arms are as much entitled to this bounty as the militia of Nova Scotia who answered the call of the Governor, which happened to say 'for active service.' The Minister can see

the position in which he is placed and in which the militia of Nova Scotia are placed as compared with the militia of other provinces of Canada. It seems to me that even at this late date the minister could well afford to modify this law to such an extent that he would do justice, make it more definite, do the things that I tried to impress on him a year ago as necessary to be done. Take, for instance, the case detailed by the hon. member for Hamilton (Mr. Barker). I was very much interested in his narration of events there. I was somewhat surprised that we had among our members a gentleman who had the proud distinction of being a participant of these events. Surely the men who went from London on three hours' notice, as the hon. member for Hamilton has said, are entitled to participate in this bounty if any person in Canada is.

Mr. HUGHES (Minister of Militia): All get it.

Mr. CARVELL: The hon. member for Hamilton (Mr Barker), seems to be able to give cases in which they cannot get it, and the hon. member for Perth also pointed out some cases. Surely those men are entitled to participation in the bounty to a far greater extent than are the ordinary militia of Nova Scotia who answered to the call to perform their annual drill.

Mr. HUGHES: My hon. friend says annual drill.

Mr. CARVELL: Yes.

Mr. HUGHES: I agree with him.

Mr. CARVELL: I see the distinction, but I venture to say that in the province of Nova Scotia there was not one militiaman out of one hundred who knew the difference between being called out to annual drill and being called out to active service. Since this discussion started this evening, an hon. member has informed me that in a great many cases when the militia are called out in ordinary years, they are called out for active service. I do not know that; that is what I am told. The point is that the ordinary militia man does not know the difference. The ordinary militia man in Nova Scotia answered the call of the proper authorities to go under arms, just as the militia answer the call of the proper authorities to go under arms every year. By an accident perhaps, the words 'active service' were incorporated as regards Nova Scotia, and were possibly left out as regards New Brunswick. That seems to me to be creating a condition of things which is not fair and which was not the intention when this Bill was introduced. I am satisfied that the Minister was actuated by proper motives, and that he did not intend that such a condition of affairs should exist. But it is not too late to remedy the difficulty or to introduce during this session an amending Bill clearly defining what class of persons are entitled to participate in this bounty. There is no use of the hon. minister saying that if this House determines to pass a law, he would be willing to enforce it. We know that it would be useless for any hon. member on this side of the House, or on the other side for that matter, to attempt to introduce an amendment to this Act without the consent of the minister. The only way we can have this matter dealt with is by the Minister of Militia, and we know that if the minister introduced a Bill it is pretty certain to become law. We may as well get back to the fountain head of military authority in Canada and give credit where it is due, or blame if necessary. Therefore I think my hon. friend the minister must take the responsibility of saying whether this law should be amended or not.

A question was raised by some hon. gentlemen as to whether the Nova Scotia militia were entitled to any consideration on account of having been called out in 1870. There can be no question whatever that the Nova Scotia militia are not entitled to participate in this fund by reason of anything that took place in 1870. Even if they were called out by proclamation of the Government for active service, for section 2 of the Act which is the section that gives the authority provides for any volunteer who was,

> —regularly enrolled or enlisted in and served with any militia corps which the Government of Canada, or of Nova Scotia, or of New Brunswick, called out for active service in the year, one thousand eight hundred and sixty-six, or which the Government of Canada called out for active service in the year one thousand eight hundred and seventy.

The only people who were called out in 1870 and who are entitled to participation in this bounty are those who were called out by the Government of Canada and not by the Governor of Nova Scotia, or by the Governor of New Brunswick, so that I think we can dismiss that branch of the matter, so far as Nova Scotia and New Brunswick are concerned.

Some question has arisen as to the difficulties of enforcing the Act. I quite appreciate that. I can well understand the minister having plenty of difficulties. No doubt, once in a while, he finds some person whose conscience permits him to make statements which in the case of a younger man might be regarded as being not exactly true. But I think the minister has tried to meet cases as fairly as possible, and I want to give him credit. So far as my province is concerned, I do not think that any great attempt has been made to introduce politics. After the

passage of the Act last June, an old military officer tried to take upon himself the entire control and enforcement of the Act in New Brunswick, but he was not sustained by the department. I tested it myself, and I found that I was able to get replies to my applications, and we were treated just as if we were good Tories. It is nice to be able to say pleasant things about the Minister of Militia; it is really a pleasure to give him some credit. I want to give another illustration to show how carefully the minister has tried to do justice. I had a case where a gentleman now living in my county, an old man nearly 80 years of age, who claimed that at the very last moment he was induced to take the place of a man who had failed to turn up before the corps were ordered off to St. Andrews. The change was not made in the service roll or in the pay list. This man went to St. Andrews and served his month or six weeks, but the change in the roll was not made. He made application, and he was informed that his name did not appear on the pay list or on the service roll. I wrote to the minister, who replied asking me to send a copy of the man's handwriting, which I did, and the minister promptly satisfied himself that the application was genuine, and the $100 was sent. Under those circumstances I think I can say that the minister has tried to enforce the Act fairly, but I think it would be, not an unfair interpretation, but an unfair piece of legislation if every militiaman who is alive to-day in the province of Nova Scotia is regarded as entitled to participate in this fund, when the militiamen of other provinces, who did just as much as the Nova Scotia militiamen, perhaps more, are not entitled to the bounty. My own father did more perhaps than those Nova Scotia militiamen. His farm abutted on the boundary line, and I am told that for three months he and his neighbours were organized into a militia company, and met day after day and night after night to patrol the border. Those men did more than the militiamen of Nova Scotia, but I cannot say they were called out, as my hon. friend says they had to be under this Act. My father has been dead many years, and I am not making any claim on this fund; I simply use his case as an illustration of what took place in my own part of the country and probably in other parts of Canada. Some change should be made by which the men who are entitled to this bounty should receive it, and the men who are not entitled to it should not receive an advantage over others.

Mr. HUGHES (Minister of Militia): In justice to the Nova Scotia people, I may say that the time of the raid in New Brunswick, if I remember rightly, was June, 1866, while the time of the raid or expedition in Nova Scotia was March 17, 1866. As I understand the situation, telegrams were received stating that vessels had left on a marauding expedition for various parts of the province of Nova Scotia, and therefore the Government at that time called out all the troops of Nova Scotia to man the ports in every part of the province. They turned out on the morning of the 18th all over the province. Just as the clans in the Highlands of Scotland used to turn out in response to the Fiery Cross, so the people of Nova Scotia rallied at once to repel the invader. I just mention that in passing.

Mr. CLARENCE JAMESON (Digby): I must dissent from the opinion of the hon. member for Carleton, New Brunswick, (Mr. Carvell) that the militia of Nova Scotia did not know, at the time they were called out in 1866, whether they were called out for the usual annual drill or for active service. At that time, as I have been informed by those who participated in the movement, there was general knowledge throughout the province of Nova Scotia that there was likely to be a descent made upon the coast by privateers and vessels which were being fitted out in the United States and the militia came out with the expectation of having to repel an enemy. They were for a number of weeks under arms at almost every seaport, and, in the county that I have the honour to represent in this House, I know that the militia took a very active part in making the necessary preparations to repel the expected invaders.

I was glad to hear the hon. gentleman say that he had failed to find that, in so far as his experience went, there had been any politics in connection with the Militia Department in regard to this particular matter. Some hon. gentleman on the other side of the House who preceded him, however, seemed to think that there had been some politics in this matter in so far as Conservative members were concerned. I think that perhaps there is some slight misapprehension in the minds of hon. gentlemen opposite in regard to the position of hon. members from Nova Scotia upon this side of the House with respect to this matter. The fact is that, when this proclamation of the 17th of March, 1866, was rediscovered, it became necessary, in the opinion of some hon. members on this side of the House, who had consulted together, to have a special form of application prepared to meet the peculiar circumstances which resulted from the form of proclamation of the Governor of Nova Scotia in 1896. In view of the fact that this was necessary, it was not unnatural that, in corresponding with those in our constituencies who were interested in this matter, we should have desired to lay before them all the information which was available and that we should send them a draft of this form of application. The hon. member for Cape Breton South has

said that he thinks there should be one set of regulations and affidavits and one form of application. I might point out to him that it is impossible there should be only one form of application for the reason that the circumstances were different in Nova Scotia from what they were in New Brunswick. In Nova Scotia there was a proclamation calling out the militia for active service and in New Brunswick I understood the hon. member for Carleton, New Brunswick, to say that was not the case, nor was it the case in Ontario.

Mr. CARVELL: I did not say that there was no such call in New Brunswick. I said that I had no knowledge of it. It seems that the whole thing is shrouded in mystery to some extent. We know that the militiamen were out and performed their drill for a length of time but, whether they were called out or not, we do not know.

Mr. JAMESON: In Ontario, at all events, I understand from my hon. friend from Hamilton (Mr. Barker), who spoke a few moments ago, that there was no proclamation calling out the militia.

Mr. MACKENZIE: The hon. member refers to me as speaking about the uniform regulations.

Mr. JAMESON: It was the hon. member for Cape Breton, South (Mr. Carroll) I referred to.

Mr. MACKENZIE: I said the same thing and I took it that the reference was to myself. I sent to the department for a form two or three days ago and I was given the old form which is entirely different from the form that has been prepared for the province of Nova Scotia. I cannot, therefore, understand why the later form should not have been sent to me in order that I might send it to parties who wish to make application in my province. I was given the old, or universal, form and not the recent form which was made to comply with the proclamation of the Governor of the 17th of March, 1866. That is what I thought should be regulated as far as the province of Nova Scotia is concerned.

Mr. JAMESON: The form which I have sent out has been sent out after consulting with other hon. members on this side of the House. It was drafted by ourselves and we did not secure it from the department. It is true that it contained only the alterations which were necessary in order that it should conform to the proclamation issued by the Governor in 1866.

Mr. SINCLAIR: May I ask the hon. member if he knows if the form which was drafted by hon. gentlemen opposite will be acceptable to the department if used?

Mr. JAMESON: I have no reason to suppose that, if it embodies all the necessary facts and proves the claim, it will be rejected. I may say that I have not had a claim returned and decided under the new form. The form includes, in so far as it possibly can, all the essentials of the form that the department has been giving out and it includes further the facts which are necessary in order to show that these people claim to have been out on active service as a result of the proclamation of the Governor of 1866.

My hon. friend from Pictou (Mr. Macdonald) said that hon. members on this side of the House were endeavouring to make political capital out of this matter. I would be sorry to think that there should be any impression of that sort. As far as I am personally concerned, I have studiously avoided anything which might be so construed. The first claim to be paid in my constituency was a claim which was paid to Major John Daley, who was for many years president of the Liberal Association in the county. He was a very active opponent of mine in the last election and I am sure he will never vote for me, or any other Conservative candidate. Yet, he was the first gentleman in that county to receive recognition and a cheque for $100. I might point out to the hon. member for Pictou, who has said that we were introducing politics into this matter, that it is not so very long ago since he and his friends opposite, when they were in charge of the political affairs of this country, voted down a resolution introduced by the Conservative party when in opposition, to the effect that this relief or some similar relief, should be given to the survivors of the Fenian raid.

Mr. MACDONALD: As certain hon. gentlemen were creating a wrong impression in Nova Scotia as to who were entitled to receive this money, I asked the minister to make an authoritative statement as to who were and who were not.

Mr. JAMESON: I am glad that my hon. friend will limit his criticism to that. If that is the only criticism he has, I have no fault to find with him whatever. But I do not think, taking the circumstances as they have been in my county and as far as I know them to have been in other constituencies in Nova Scotia, represented by hon. gentlemen on this side of the House, that there has been any attempt to mislead anybody. On the contrary, in every case I have pointed out distinctly that those who make application should not confuse annual drill, with active service under the proclamation issued by the Governor of Nova Scotia, and that they should always be prepared not to be disappointed in the event of the department not being able to recognize their claims, as undoubtedly

some claims would creep in which they would not be able to recognize.

I think that the minister is giving careful consideration to all claims which are sent in to his department; and, although I do not go to the length to which some hon. gentlemen have gone of asking that the Act should be enlarged, at the same time I do trust that he will be able to give most favourable consideration to all claims filed, and which have merit; although, strictly speaking, the evidence may not be so complete as it would have been, had the opportunity been afforded these gentlemen years ago of making the claims which they are now making.

Mr. A. L. DAVIDSON (Annapolis): I should like to say a word or two, inasmuch as I have been made the subject of criticism by the hon. member for Pictou (Mr. Macdonald) and by some other hon. gentlemen opposite. I propose to make my remarks very brief indeed. It strikes me that hon. gentlemen opposite have an entire misapprehension in regard to the attitude of hon. gentlemen on this side of the House from the province of Nova Scotia. They seem very much concerned indeed that we should notify our constituents that there was a possibility of their claiming under this Act. As I understand the situation, it is this: At the last session of this Parliament, an Act was placed upon the statute-books. It was not the duty of the Government, which was given power to pay out money under this Act, to go out into the highways and byways in order to try to find people who were qualified to receive the bounty provided for. The onus was absolutely upon the persons who wished to apply. I think it was the duty of persons, who desired to claim under this Act, to prove their claims. I conceive it also to be the duty of hon. gentlemen, representing constituencies in Nova Scotia, to try to aid their constituents as much as possible in that regard. The only difference between hon. gentlemen opposite representing constituencies in Nova Scotia, and hon. gentlemen on this side of the House, is this: Hon. gentlemen opposite, when their constituents went to them and asked them about this matter, looked over the Act in a very careless manner, decided that there was nothing in it, and passed it by. We, on this side of the House, made up our minds that, if there was any possibility of any of our constituents getting the money legally from the Government, we would do the best we could to obtain it for them. We studied the records, and we found that we could make out a good case. In the first place we consulted the officials of the department. They were of the opinion that the volunteers in Nova Scotia were not qualified, because they had not been called out for active service. Later on, we were able to prove to them that the Nova Scotia militia had been called out for active service by a royal proclamation. When we got that information, we went to work to make it as public as possible. We did not introduce party politics into the matter. The hon. gentleman from Pictou (Mr. Macdonald) read a portion of a letter which I addressed to my constituents. I defy him to find there a single line which shows that I was trying to introduce party politics in any way. Had I wished to make political capital out of this matter, I could very easily have done so. I could have pointed out to my constituents in Annapolis that this Act was placed upon the statute-books entirely by reason of the efforts of the Liberal-Conservative party and despite the opposition of gentlemen on the other side of the House.

Mr. MACDONALD: Who opposed this last year?

Mr. DAVIDSON: I was referring to the Parliament of 1911, when the same principle was involved, when hon. gentlemen opposite had it in their power to pass an Act of this kind, and refused to do so, but voted down a resolution proposed by members of the then Opposition.

Mr. MACDONALD: You said we opposed the Act.

Mr. DAVIDSON: Opposed the principle of the Act.

Mr. SINCLAIR: We did not oppose the principle of the Act.

Mr. DAVIDSON: My hon. friend from Pictou is altogether too suspicious in regard to the action of hon. gentlemen on this side of the House. We have still got to learn the "A. B. C's." in the game of politics if we are to take the hon. gentleman for our model. During the time that he has sat in this House, there has not been anything that he has not turned to political account. The Department of the Interior issued a special atlas for the school children of Canada. Hon. gentlemen are aware that any school child or any person can apply for that atlas and get it. The hon. gentleman from Pictou discovered this fact and wrote an open letter to the school children of Pictou county, informing them that through his influence, they might obtain this boon.

Mr. MACDONALD: Would my hon. friend be good enough to read the letter if he has it?

Mr. DAVIDSON: I did not regard the letter as valuable enough to treasure it.

Mr. MACDONALD: You are speaking from a very bad memory.

Mr. DAVIDSON: Will my hon. friend deny that he wrote such a letter as that, or to that effect?

Mr. MACDONALD: The statement which my hon. friend attributes to me is entirely incorrect. No such language was used in the letter.

Mr. DAVIDSON: Will my hon. friend deny that he wrote a letter advising the school children of Pictou that, due to his efforts, they could obtain such an atlas from the Department of the Interior.

Mr. MACDONALD: If my hon. friend wants an explanation of the matter, I wrote a letter to the press in the county of Pictou stating that school trustees in that county could obtain this atlas on application to the department. They did apply. Many hon. gentlemen, including hon. gentlemen on the other side of the House, have done the same thing. My hon. friend from North Ontario (Mr. Sharpe) probably did so himself.

Mr. DAVIDSON: My hon. friend said that it was due to his efforts as member for Pictou. The hon. gentleman stated that party politics were not introduced into the Militia Department in the days of old. I have a very different story to tell. In the year 1904, there was established in the constituency, which I have the honour to represent at the present time, a regiment of King's Canadian Hussars. The officer who recruited for that regiment went out into the county which I represent and promised commissions to people absolutely upon the condition that they would support the Liberal party. No Conservative got a commission in that regiment, and the young men who asked for commissions were told that the condition of obtaining such a commission was allegiance to the Liberal party. I am very glad that an hon. gentleman, who does not have a reputation for very tender esteem towards the Conservative party, who is not supposed to be particularly friendly to this side of the House, nevertheless is driven to-night to make the statement that in this matter no politics had been introduced by the Minister of Militia. That is something which cannot be said of the former Administration.

Mr. CARVELL: That is casting pearls before swine.

Mr. DAVIDSON: I am giving it all possible notoriety. When the hon. gentleman gives information which deserves commendation, I commend it; but it is not often that I am called upon to do so. My hon. friend from Guysborough (Mr. Sinclair) struck me as exercising the characteristics of his race to a remarkable degree to-night. He showed a wonderful sagacity. He asked the Minister of Militia if he could find out from him who could take this affidavit, before advising his constituents what to swear to. I do not think he does his constituents any justice in that regard. I know the people of Guysborough to be a fine, sturdy, class of people, who would not take a false declaration. I do not believe he has to go to his constituents and advise them first what it is safe to swear to.

Mr. SINCLAIR: My hon. friend is altogether misconstruing my remarks. I simply asked the minister if he was in possession of any list in the province of Nova Scotia that would enable hon. members, who were asked to make inquiries, to find out whether these parties were enrolled on the list or not. We are told by some members who have spoken that it was necessary to be named on the payroll and I knew that there were no pay-lists in the province of Nova Scotia; and that is the reason I have asked the minister to tell me whether he had any kind of list for the province of Nova Scotia. The hon. member has no right to make such an inference from what I said.

Mr. DAVIDSON: I may be wrong, but I am in the judgment of this House, and I think the records will show that I have done the hon. gentleman no injustice. I think that a fair construction of what he said was that he wanted to find out if there was a list in the department to which he could refer, so that he could tell his constituents whether it was safe for them to make a declaration or not. The hon. gentleman wants to know whether there were pay-lists. He is anxious to ascertain that fact. There were pay-lists in Nova Scotia. In the county I have the honour to represent we have no difficulty in establishing who served at that time by reference to pay-lists, and I have no doubt that there were pay-lists in the county of Guysborough also. I think that before he induces his constituents to make application he should assure himself that the pay-lists are in existence and that names of possible applicants are upon those lists. At any rate, I do not think his constituents will be inclined to take declarations of the truthfulness of which they are not assured. I think it will be a surprise to the good Liberals in the county of Annapolis whom I represent, and who will benefit by this, to know that I was subject to criticism by gentleman opposite because I advised them of the law and provided means by which they could have their applications made out and put before the department.

DISMISSAL OF CHARLOTTE DEVEREUX.

On the motion for Committee of Supply:

Mr. G. W. KYTE (Richmond): I desire to call attention to the case of Miss Charlotte Devereux, the teacher lately in charge of the Indian school at Salmon river, Richmond county, Nova Scotia. On the 4th of December last I put some questions in the House which were answered by the Minister of the Interior (Mr. Roche). The report of the questions and answers in 'Hansard' is as follows:

Mr. Kyte:

1. Have any charges been made against Charlotte Devereux, teacher in charge of the Indian school at Salmon river, Richmond county, N.S.?

2. Have any communications been received asking for the dismissal of Miss Devereux?

3. By whom were the charges made, and from whom were the communications received?

Mr. Roche:

1 and 2. Information was received by the department that Miss Devereux's services were not satisfactory, and asking that she be not re-engaged.

3. Communications were received from J. A. Gillies, K.C., Sydney, Cape Breton, as well as a report from the agent.

Two days afterwards I addressed a letter to the Minister of the Interior requesting him not to dismiss Miss Devereux from the service of the department without having an inquiry as to whether or not the charges made against her were well founded. I did not receive an answer to this communication. In making this remark I do not wish to be understood as imputing any discourtesy to the hon. Minister of the Interior. I have pleasure in testifying to the uniform courtesy the hon. gentleman has always shown to myself and to other members on this side of the House and to his uniform good-nature in all relations I have had with him. We, on this side deeply deplore the cause which compelled him to leave the city of Ottawa a few weeks ago, and I am sure I voice the sentiment of every member on this side of the House when I express the fervent hope that he may be speedily restored to health and to the discharge of his duties in this House and in his department. It is probably due to some accident in the transfer of letters to my home during the Christmas holidays that I did not receive an answer. At all events, no inquiry was held as to the foundation of the charges made against Miss Devereux and she was dismissed from her position as teacher about the first of the year. The Minister of the Interior was good enough to give me a copy of the report made by the Indian Agent at St. Peter's on which this dismissal was made. I will read the report:

Mr. DAVIDSON.

Indian Agent's Office,
St. Peter's, N.S., Nov. 12th, 1912.

Sir,—In reply to yours of September 5th, 1912, 119, 707-1, requesting me to forward you more detailed information than is contained in my monthly school reports in regard to the way in which the Salmon river school (Indian) has been carried on since Miss Devereux has had charge of it, I may say that I have gone into the matter carefully and examined the case thoroughly and I have arrived at certain conclusions more or less definite which I shall now place before you. These may give you to understand my delay in answering you.

In the first place, then, I have interviewed the leading Indians on the matter and I find them absolutely opposed to a lady teacher. They claim that the children do not make the progress under them that they did when they had men. By an examination of the old registers I found this was not too true. Since 1904, when lady teachers were introduced, I find that only three pupils reached standard IV, while previous to that date I find that better progress by far was made than is now being done, many of the pupils being entered on the registers in the sixth standard. From an examination of the registers I find the above amply proven.

In the second place, I find that a goodly number of the Indians who attended school say, thirteen or fourteen years ago, and before that time, are able to read and write. Some of them subscribe for the newspapers. I have received letters from them written in fair English and they speak English better than those who are younger. The influence and the lasting work of the old teachers: Johnston, McMillan, Murphy, Campbell, McInnis, Langley—all men—can clearly be seen here. Many of the class of Indians mentioned have expressed to me their surprise at the Government in late years forcing lady teachers upon them when their results are so different from those of the male teachers of years ago.

In the third place, I find that the Indians show want of confidence in the ability of lady teachers to show and exercise disciplinary powers. The captain of the band, who is the spokesman of the band, assures me that he found it necessary not so long ago to remind a lady teacher that the teaching hours and proper discipline were not kept, but to no avail. If you ever had anything to do with the teaching profession you can easily understand that the child very readily knows what its parents' opinion of the teacher is and that it is next to impossible to advance the child unless the teacher has the sympathy of the parents and public opinion behind him. In this school, then, I find public opinion adverse; I find that necessary sympathy between parents and teacher conspicuous by its absence. It is one thing to try to show a good attendance by handing out cheese and crackers; it is quite another thing to lead Indian children along the flowery paths of knowledge. After the bills were rendered you this year, your department brought to my notice, through the Indian superintendent, the fact that too much cheese was purchased, at least at one time. I was never advised what quantity was considered allowable, but it is evident that quite a considerable attention was paid to this part of the programme

while other things more necessary in the opinion of the true educationist were neglected.

In the fourth place I must say that among many of the whites contiguous to the reserve, Miss Devereux's teaching and teaching hours are regarded as a joke. Her boarding house is three-quarters or a mile from the schoolhouse. She is known to have left her boarding house as late as 9.30 a.m., call at the post office after that, and often call at another house, which we may call Mr. A.'s, on her way to school. In fact she spent so much of her time at Mr. A's, going and coming, that the joke came to her ears from the white people that the Indian children would not get their grade this year, but Mrs. A. very likely would. Now, since I began to make inquiry, the Indians who are close to school tell me that for only one month did she keep proper school hours. I furnished her with your circular, 'Indian day school regulations,' as soon as I got it last year. She has the school hours to be kept before her there in black and white, but what do we find? On the 29th of October last I passed the school after 10 a.m. and the teacher was not there. On November 24 I went to visit the school after 10 a.m. and she was not there. On November 7 another man passed the school at 10.15 a.m. and she was not there. On another occasion after 10 a.m. she was not in school. Her excuse on the 29th October to me was that 'all the clocks in Burradfrad were astray.' This held no water. The 28th was Thanksgiving. She was in St. Peters that day where she could have got the true time and surely her watch would not lose one hour in twelve. Many of the white people now tell me of the poor hours she keeps and has kept all along, but they do not wish their names disclosed as it is nothing to them whether the Government maintains a school there or not.

In opening school in Sepember, she could not go back to her boarding house of last year. Why? Now, I do not vouch for the truth of this as I did not have it direct from her last year's boarding mistress, but she is represented as having said that under no circumstances would she have her again to board on account of the trouble she gave in often sitting down to breakfast after 9 a.m. You may take this for what it is worth; that is how it reached my ears. She certainly never got back to her former boarding house and it looked one time as if she could not get a place at all.

Now, do you consider this sufficient for you to act upon? I notice you ask for no recommendation from me and I accordingly make none. I should like to remind you that the Indian school is about eight miles distant from here, and I cannot always have my eyes on the school, and unless I have a teacher there who shows some willingness at least to keep proper hours that I cannot always force him.

In consideration I must say that I would thank you more had you given the making of this report to someone else. Miss Devereux is one of my parishioners, and as such she is one member of the spiritual family under my charge and care. You can perhaps understand then that in making this report condemnatory of her I am doing what I certainly do not relish, but I recognize too that I have duties to perform towards the department, as well as towards the Indian children whom she is paid to teach.

I remain,
Your obedient servant,
Rev. R. L. Macdonald,
Indian Agent.

You will observe, Mr. Speaker, that one of the charges made against this young girl upon which her dismissal was requested was that she was not opening the school at nine o'clock in the morning and closing it at four in the afternoon, in accordance with the printed regulations forwarded to her through the agent. I will now read a statutory declaration made by Miss Devereux with regard to the facts:

In the matter of the dismissal of Charlotte M. Devereux, teacher of the Indian school at Salmon River Reserve, Richmond county, N.S.

I, Charlotte M. Devereux, of St. Peter's in the county of Richmond, province of Nova Scotia, school teacher, do solemnly declare: That I was appointed teacher of the Indian school at Salmon River reserve, Richmond county, Nova Scotia. on or about the 13th day of January 1912, and I entered upon my duties as teacher an January 16.

That at the time I took charge of the said school, and for many years previous thereto, the hours for teaching were from ten o'clock a.m. till noon and from one o'clock p.m. till three o'clock, with a recess of fifteen minutes during the forenoon session.

That I was not furnished with any written regulations by the department as to the teaching hours, and on applying to Mrs. Henrietta Cameron, the teacher who immediately preceded me, I was informed by her that the hours were as hereinbefore stated.

That Reverend R. L. Macdonald, of St. Peter's, was appointed Indian agent for the said Indian Reserve in or about the month of March, 1912.

That the said Indian agent gave me a pamphlet containing the instructions issued by the Department of Indian Affairs respecting the conducting of the school and the hours during which the school was to be open on or about the first of April, and that was the first knowledge I had that the school hours were changed.

That the said Indian Agent told me at the time he gave me the regulations that he did not approve of the school hours as they were too long and said that I need not mind them but I was to teach the hours as formerly.

That thereafter I continued to open the school at ten o'clock, but on several occasions I endeavoured to keep the children in till four o'clock in the afternoon, but I was unable to do so successfully, for as soon as the clock struck three they became restless and made excuses to go home.

That on or about the 2nd day of September last I called upon the Indian Agent at his house at St. Peter's to discuss school matters, and I was accompanied by Mrs. Henrietta Cameron the former teacher; I told the agent of the difficulty I had in keeping the children in the school for a longer time each day than they had been accustomed to. He replied: I do not approve of these hours at all, con-

tinue the old hours, and if a kick comes I will see what can be done.

That on or about September 25th last the Indian Agent sent for me and I went to his house to see him. He told me that he had been to Ottawa and that they were after me at Ottawa. I asked him what he meant. He replied that I was to be dismissed, that Joseph A. Gillies was pushed to dismiss me and give my place to another because all my people were Liberals. He said there was no complaint whatever against me at Ottawa, and that he was was perfectly satisfied with me and my teaching, but that I was to be dismissed on account of politics and that they told me at Ottawa to be on the lookout for a teacher. He said Ernest McNeil is to be the man to get the school. He told me I had better resign and not to give them to say that they would dismiss, for they were bound to dismiss me anyway. I told him he had the doing of the whole thing in his hands, as he was the Indian Agent. He replied he could not interfere between me and Ernest McNeil as we were both his parishoners.

That previous to the 12th day of November, 1912, the date of the Indian Agent's report against me to the department, he never told me that I should keep the school open from nine o'clock to four o'clock, and he never intimated to me that complaint was made because of the hours I taught.

That I did not open the school and close it at the hour prescribed by the regulations of the department was solely because the agent told me not to do so. And I make this declaration conscientiously believing the same to be true, and of the same force and effect as if taken under oath and by virtue of the Canada Evidence Act.

Charlotte M. Devereux.

Taken and declared before me on the 4th day of January, A.D. 1913.

C. P. Bissett.

Commissioner for taking oath in the county of Richmond, Nova Scotia.

I have here a statutory declaration from Mrs. Henrietta Cameron, which is as follows:

In the matter of the dismissal of Charlotte M. Devereux, teacher of the Indian school at Salmon River reserve, Richmond county, N.S.

I. Henrietta Cameron, of St. Peter's, in the county of Richmond, married woman, do solemnly declare:

That I taught the Indian school at Salmon River aforesaid for four years and three months immediately preceeding the 1st day of January, 1912.

That during all these years the school hours were from ten to twelve o'clock a.m., and for one to three o'clock p.m.

That I was present in the house of the Indian agent at St. Peter's on the 2nd day of September with Miss Charlotte M. Devereux, lately teacher of the Indian school aforesaid.

That I heard her tell the agent the difficulty she had to get the children to remain in school beyond the hours during which the school was formally open, and I heard the agent say to her: 'I do not approve of these hours at all. Continue the old hours and if a kick comes I will see what can be done.'

And I make this solemn declaration conscientiously believing the same to be true and of the same force and effect as if taken under oath, and by virtue of the 'Canada Evidence Act.'

Henrietta Cameron.

Taken and declared before me this 2nd day of January, A.D. 1913.

C. P. Bissett,

Commissioner of the Supreme Court in and for the county of Richmond, and commissioner for taking affidavits in the said county.

You will observe, Mr. Speaker, that another ground upon which Miss Devereux's dismissal is asked for by the agent is the allegation that the attendance at the school under lady teachers had dwindled down almost to the minimum, and the successful teaching of the male teachers in the past and the larger attendance obtained by these teachers is compared with the results attained during Miss Devereux's term of office. On December 16 last I asked the following question in this House for the purpose of ascertaining in what respect the attendance in the Indian school at Salmon River in the last three or four years under lady teachers differed from the attendance in the early days of the schools when they were in the charge of male teachers. I have here the question and answer, and I will read them to the House:

1. What was the number of pupils enrolled in the Indian school at Salmon river, Richmond county, in each school year from 1890 to 1911 inclusive, and the grade of each?

2. What is the number of pupils enrolled there at present time and the grade of each?

3. What was the number of adult Indians of both sexes at the Indian reserve at Salmon river during each year of the years from 1890 to 1911 inclusive?

4. What is the number of adult Indians of both sexes at the reserve at the present time?

5. What was the average school attendance in each year from 1890 to 1911 inclusive?

6. What is the average attendance at the present time?

7. What is the number of children between the ages of 5 and 15 years on said reserve in each year from 1890 to 1911 inclusive?

8. What is the number of children between the ages of 5 and 15 years on the reserve at the present time?

9. What are the hours each day during which teaching is to be carried on?

10. Is the school conducted under the regulations of the Nova Scotia Council of Public Instruction?

11. If not, who prescribed the regulations governing the school, the grading and the course of study?

12. Is the school under the inspection of the public school inspector for the district?

Mr. Roche:

1.

Year.	Enrolment.	Standard of Grade. I.	II.	III.	IV.	V.	VI.
1890..	24	Standards not given.					
1891..	32	"		"			
1892..	27	"		"			
1893..	27	"		"			
1894..	30	11	7	7	4	1	..
1895..	29	16	8	4	1	..	..
1896..	33	16	10	4	3	..	..
1897..	23	12	7	3	1	..	..
1898..	26	6	10	5	3	2	..
1899..	24	7	8	5	..	1	3
1900..	25	7	7	2	5	2	2
1901..	25	14	3	3	3	1	1
1902..	25	17	3	2	2	..	1
1903..	28	17	8	1	2	..	..
1904..	21	10	9	..	2	..	..
1905..	26	10	15	1	..	..	..
1906..	27	16	9	2	..	..	..
1907..	16	9	5	3	1	..	..
1908..	23	9	8	4	2	..	..
1909..	26	16	4	4	2	..	..
1910..	26	14	6	5	..	..	..
1911..	23	15	5	3	..	..	..

2. Present enrolment, 20 pupils; Standard I., 13 pupils; Standard II., 5 pupils; Standard III., 2 pupils.

3. There are no returns showing age or sex of Indians on this reserve previous to 1901.

Year.	Male.	Female.
1901..	32	22
1902..	33	28
1903..	26	26
1904..	35	39
1905..	24	25
1906..	25	26
1907..	23	23
1908..	27	25
1909..	18	21
1910..	24	25
1911..	24	25

4. Twenty-nine males; 31 females.

5. 1890, 6; 1891, 12; 1892, 7; 1893, 10; 1894, 10; 1895, 17; 1896, 10; 1897, 8; 1898, 9; 1899, 5; 1900, 8; 1901, 5; 1902, 5; 1907, 7; 1904, 5; 1905, 8; 1906, 8; 1907, 6; 1908, 7; 1909, 8; 1910, 7; 1911, 8.

From this answer it would appear that the attendance during the last four years at that school, under the teaching of these girls, was quite equal to that of any other period in the school's history. The answer also shows that during the last four or five years the number of school-going pupils upon the Indian Reserve was less than in the earlier days of the school but, notwithstanding that, the average attendance was quite as good as in any other period of its history.

I have here a letter written by the department on October 8, in reply to a letter forwarded by Miss Devereux stating that she had learned from the Indian agent that the department was about to dismiss her anyway and she had might as well resign in order to save her reputation from being besmirched by the fact of her being dismissed. The letter is as follows:

Ottawa, October 3, 1912.

Madam,—

In reply to your letter of the 27th ultimo I beg to inform you that the department has no intention of dispensing with your services as teacher of the Salmon River Indian School so long as they are satisfactory. I may state, however, for your information that Mr. Agent MacDonald has been asked for a report on the manner in which you conduct your school and I can assure you that you will not be dismissed without sufficient cause.

Your obedient servant,
J. D. McLean,
Asst. Deputy and Secretary.

Miss Charlotte M. Devereux,
Teacher, Salmon River Indian School.
St. Peter's, N.S.

On October 3rd, 1912, Miss Devereux received the following:

Madam,—I have to inform you that it has been decided to dispense with your services as teacher of the Salmon River Indian school at the end of the present quarter, December 31. The Indian day school regulations require the school to be opened at 9 A.M. and it has been shown conclusively that you have been constantly late.

Your obedient servant
J. D. McLean,
Asst. Deputy and Secretary.

Therefore the reason why Miss Devereux was dismissed from the school was because she was not opening the school at nine o'clock and closing it at four, whereas it appears from the statutory declaration I have read, the reason why she did not open it at nine and close it at four was that she had received no regulations from the department when she began to teach the school, and she had simply taught the hours prescribed ever since the school was established; then without her knowledge a report was sent in against her after, as she asserts she had been assured that it was unreasonable to keep the school open during the hours prescribed by the regulations and that the department was to be requested to change them. The secretary of the department of Indian affairs communicated with Mr. M. J. T. MacNeil, public school inspector for the County of Richmond requesting him to take charge of the inspection of the Indian schools, Mr. MacNeil replied to that request by a letter which I have here.

River Bourgeois, N.S., Dec. 23, 1912.

J. D. McLean, Esq.,
Assistent Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

Sir,—Your letter in reference to Indian schools has been lying on my desk so long unanswered that I owe you an apology and an explanation.

A good many years ago, I used to visit those schools till I found that I had little or no influence over them or control over their teachers; so I ceased to inspect them. In recent years, I was under the impression that

Mr. Boyd, the superintendent of agencies, was doing the necessary inspection.

There being no trustees or other local control, over these schools, I should like to be informed as to:

(a) What are supposed to be the relations between the teacher and the inspector,

(b) How far is the former responsible to the latter for the management of the school, and

(c) On whose recommendation is a teacher to be appointed or liable to be dismissed?

I may state that I have just been informed that the teacher of the Salmon river school, this county, Miss Devereux, has been dismissed to make room for a young man having neither license experience nor professional training; whereas the deposed teacher is an experienced and capable one, having a Normal College Diploma—a young lady of irreproachable character in every respect, and (though, I presume, this does not count) an orphan—fatherless and motherless. Is it too much to ask the reason for this change and at whose instance it was made? Because if it is as is commonly reported. I would like to say that I should much prefer to have nothing to do with these schools if they are to be controlled by political influence. The schools of Nova Scotia are not managed on those principles.

I was informed by Mr. Boyd, some weeks ago, that the school at Malagawatch, Inverness county, was closed, not to be re-opened till some time in January. Hence I should not have been able to visit that one, in any case, before now, so I decided to visit neither till I heard from you.

I am, Sir,
Your obedient Servant,
M. J. MacNeil,
Inspector of Schools.

From this letter it would appear that Earnest MacNeil, who was appointed by the department to succeed Miss Devereux has neither license, experience nor professional qualifications and at this moment the Department of Indian Affairs is conducting an illegal school in Richmond county by reason of the teacher at present employed there not being qualified. I have here the reply of the secretary to Mr. M. J. MacNeil.

Ottawa, January 7, 1913.

Sir,—I have to acknowledge the receipt of your letter of the 23rd ultimo in reference to the inspection of the Indian schools in your inspectorate. In reply I beg to say that the department desires to have these schools inspected by you under the arrangement made with the Department of Education of Nova Scotia. In reply to your questions I would say that the duty of the public school inspector is to visit the school, as stated in official letter to you of June 29 last, report fully upon the class-room work as performed by the teacher and condition of the building, &c., using forms provided by this department for the purpose, a supply of which is being sent you. While the teacher is not directly responsible to the public school inspector, as the school is conducted and managed solely by this department, nevertheless teachers are supposed to carry out the instructions of inspectors in regard to their work and general management of the school, and any failure to do this should be reported to the department.

With regard to the appointment and dismissals of teachers, I may say that these are matters which rest solely with the department. Recommendations for the appointments of teachers may be made by any person interested, but, as stated above, final decision rests with this department.

With regard to the discharge of Miss Devereux I beg to say that the action was taken by the department on a report made by its agent.

Your obedient servant,
(Sgd.) J. D. McLean,
Asst. Deputy and Secretary.

M. J. T. Macneil, Esq., B.A.,
Public School Inspector,
River Bourgeois, N.S.

That completes the documents which I have, but I have here under my hand the last annual report of the Department of Indian Affairs in which Miss Devereux's competence and success as a teacher is commented upon, not only by Mr. A. J. Boyd, the Superintendent of Indian Agencies for the maritime provinces, but by Mr. Scott the Superintendent of Indian Education as well. Mr. Scott, in his report of the Salmon River school says:

Miss O'Toole who conducted this school successfully for a number of years, resigned in December of last year and Miss Devereux was appointed as her successor. Miss Devereux is the holder of a second-class certificate and is meeting with success in her work. She also teaches sewing to the girls.

Here is the report of Mr. A. J. Boyd:

It seems to be no easy matter to get a good teacher now for any school, whether Indian or white. At one time Indian schools were in favour with the majority of our teaching fraternity on account of the superior salaries attached to them; but at present there appears to be no particular desire among the successful class of our teachers to occupy such schools. This changed attitude is due, no doubt, to the fact that employment in most other occupations in this country to-day is more remunerative than teaching; and I think the inference is that the department will soon be obliged to advance its 'minimum wage' for teachers, if it wishes to continue in its employ those worth retaining, or to engage others whose services are worth having.

Experience forces me to the conclusion that females succeed better than males as Indian teachers. At any rate, there can be no doubt that the schools at Truro, Sydney, Bear River, New Germany, and New Glasgow, which have always been conducted, so far as I am aware, by ladies, are distinctly ahead, in the matter of education, of those that have always been conducted by men; and the most backward of the Indian schools is one that has always been in charge of a male teacher. The standing of the Middle River and Chapel Island schools, taught by Mrs. Annie McNeil, and Miss Charlotte M. Devereux, respectively, is equal to that of the best school taught by a male teacher; so that the evi-

dence would seem to be very much in favour of the ladies as Indian teachers; and their superiority in that respect has impressed me from the beginning of my experience with Indian education. Therefore, in filling vacancies that will, no doubt, occur from time to time on the department's staff of teachers in Nova Scotia, I would strongly urge the selection of ladies, who possess the necessary qualifications.

You will observe, Mr. Speaker, that one of the complaints made against the Indian school is that Miss Devereux was a lady teacher, and it is stated that male teachers were very much more successful than female teachers. The minister replaced this qualified teacher Miss Devereux, having a Normal school diploma, by a young man having neither license, qualification, nor professional training. The agent refers to the fact that one of the captains of his band recommended the dismissal of Miss Devereux, and that he wanted a man. It would appear that the whole educational policy of the Department of the Interior is to be set aside upon the suggestion of one illiterate Indian, notwithstanding that the well-qualified and highly paid Superintendent of Education of the Indian Department, and the well-qualified and experienced Superintendent of Indian Agencies in the maritime provinces, both recommend Miss Devereux, on account of her superior training and of the success which had attended her conduct of the school. I have not much fault to find with the Department of the Interior. I stated at the beginning that I had no criticism to make against the hon. gentleman who is in charge of the Department of Indian Affairs. I do say, however, that the department ought to have instituted an inquiry as to whether or not the allegations made against Miss Devereux in the agent's report were well founded. Had that been done, an opportunity would have been given to summon before the commissioner appointed to investigate the charges those persons who are best qualified to say whether or not Miss Devereux's conduct of the school was a success. The commissioner would have had an opportunity of summoning before him the inspector of schools for the county of Richmond whose testimony to the superior character and qualifications of Miss Devereux I have read here this evening. He would have been able to summon Mr. A. J. Boyd, superintendent of Indian agencies for the maritime provinces, and he would also have had an opportunity of learning that the young man who was appointed to take the place of Miss Devereux was not a qualified teacher and therefore ought not to be employed by the department. However, an inquiry was not held, and I ask the acting Minister of the Interior, who is here to-night, to give this matter his serious consideration, and to see if he cannot right the wrong that has been perpetrated upon Miss Devereux. The letter which I read from Mr. MacNeil indicates that Miss Devereux is an orphan; that is true. Her father and mother are both dead, and she has no immediate relatives to whom she can apply for succour should she be unable to obtain other employment. According to the statement made by Miss Devereux in her statutory declaration, she was dismissed, or at all events her dismissal was recommended, because her people were Liberals. I stated a moment ago that her father is dead. Her grandfathers are both dead, and she has no brothers who ever polled a vote up to the time this report was written. She has no first cousins who ever polled a vote up to the time the report was written. The nearest relatives Miss Devereux has, who ever polled a vote in their lives are her second cousins, and I can say from personal knowledge that the majority of her second cousins voted for the Conservative party and not for the Liberal party. I would be sorry to believe that the department would knowingly dismiss Miss Devereux because her relatives were Liberals. If they did, they went very much farther than I believed they are capable of going. I have some knowledge of the precedents that hon. ministers have established during the last eighteen months with regard to dismissals, but I never believed, and I do not believe now that they would dismiss an orphan girl merely because her relatives happened to be Liberals. Miss Devereux was dismissed at a time when the public schools were all taken up for the school year. The school year in Nova Scotia begins on the 1st September and ends on the 1st July. Any teacher desiring a school in the province of Nova Scotia who does not apply for one at the beginning of the term, is obliged to go without employment during the whole of that school year. Miss Deveraux was dismissed about the 1st of January, as I have said, and the public schools of Nova Scotia are closed to her. She cannot get any position that is worth having in the service of the public schools of Nova Scotia, owing the fact that all the good schools were taken up for the year. Miss Devereux was told that she must be dismissed because her relatives were Liberals, and according to the information given by the hon. the Minister of the Interior, she was dismissed upon the recommendation of Mr. J. A. Gillies, and of the Indian agent.

Mr. CROTHERS: Do you say that he told her that she was dismissed because her relatives were Liberals?

Mr. KYTE: That is the effect of it. She sets out in her statutory declaration that that was the effect of what he told her. I stated a moment ago that I refused to believe that that was the ground upon which she was dismissed. I am somewhat familiar with the length to which the minister will go to secure the dismissal of a Liberal official, but I refuse to believe that he would go to such a length to secure the dismissal of an orphan girl, still wearing the emblems of mourning for her dead father, simply because her relatives in a remote degree had voted for the Liberal party. It is surely not too late to give this young lady redress now that all the facts are known. It is not my desire to unduly criticise the conduct of the department or of the gentleman who presides over the department interested. I regret that he did not take my suggestion and have an inquiry as to the genuineness of the charges made against her and upon which she has been dismissed; but he has not done so and there is nothing more to be said. There is the further fact, to which I now direct the attention of the acting Minister of the Interior, and it was brought to the attention of the Secretary of the Department of Indian Affairs by the inspector of schools, that the young man, who is now in charge of the public school at Salmon river, is not a licensed teacher, he has not the experience and has not the professional qualifications to suit the inspector of schools, and surely the minister will find in that sufficient reason for relieving him of the school and restore Miss Devereux to her rightful employment, because I believe that, under the circumstances, she was dismissed without a full knowledge of all the facts by the Minister of the Interior. I have no more to say on the subject at the present time further than this; there is a very considerable feeling existing in the neighbourhood of the Indian reserve and in the town of St. Peter's, where Miss Devereux lives, and the Prime Minister could do nothing better in the way of commending himself to the people in that locality for his fairness and his desire to do justice to the orphan who has been wrongly dealt with, than to order that she be immediately restored to her position in this school.

Hon. T. W. CROTHERS (Acting Minister of Interior): It is very much to be regretted that my hon. friend from Richmond (Mr. Kyte), has felt it to be his duty to expose to the House and the public some of the facts and circumstances in connection with this matter. I regret it very much because it seems to me that the result of making public the facts must necessarily be injurious to the young lady who is particularly interested in this case.

Mr. KYTE: That was probably the purpose of making the complaint.

Mr. CROTHERS: The charge made by the hon. member is, in substance, that this young lady was relieved from any further work in connection with this school from political motives and in collusion with the Indian agent. Who is the Indian agent? The Indian agent is the Rev. Father R. L. Macdonald, parish priest, of whose church this young lady is a member.

Mr KYTE: And of whose church I am a member.

Mr. CROTHERS: Are we to believe that the Rev. Father R. L. Macdonald, parish priest, entered into a conspiracy with Mr. Joseph A. Gillies to secure the dismissal of one of his own parishioners? That is the substance of the charge.

Mr. CARVELL: It looks very much like it.

Mr. CROTHERS: The hon. gentleman (Mr. Carvell) says it looks very much like it. Why do you not come out in the open and charge the Rev. Father McDonald with having been guilty of that crime?

Mr. KYTE: I have read his report; I have read the evidence and the House can draw its own conclusion.

Mr. CROTHERS: I am going to read some of it, too. I am informed that the hon. member had an opportunity in the Department of the Interior to read the whole of this file which is under my hand, but he has, for his own purpose, declined to read some of the important parts of it. As a matter of fact, Mr. Joseph A. Gillies was the man under whose influence this young lady, Miss Devereux, was appointed to this office.

Mr. KYTE: That is possibly true.

Mr. CROTHERS: I understand that a young lady named Miss O'Toole who, I understand, was married afterwards to a man named Cameron, taught that school in 1911 and that, on behalf of her friend, Miss Devereux, she wrote to Mr. Gillies. She had resigned herself and she was writing to Mr. Gillies a letter in behalf of Miss Devereux. This is the answer that Mr. Gillies sent to Miss O'Toole on the 18th December, 1911, which my hon. friend very carefully declined to read.

Mr. KYTE: I had no opportunity of reading anything. I only asked for the agent's report, and the minister was good enough to let me have it.

Mr. CROTHERS: I was informed that this file was placed at the disposal of my hon. friend in the Department of the Interior and that he had an opportunity of looking through the whole file.

Mr. KYTE: I had not. I was given an opportunity of looking at the report of the Indian agent. I did not ask for the other papers because I was not told that I might read them. I did ask for the letter that Mr. Gillies wrote, and which is referred to in the answer of the Minister of the Interior, but I was told that I could not see it.

Mr. CROTHERS: I am simply stating what I was told in the office in regard to the matter, and it is that the file was placed at the disposal of the hon. gentleman and that he had an opportunity of reading the whole of it. I now propose to read the letter written by Mr. Gillies on the 18th December in reply to one which he had received from Miss O'Toole asking him to use his influence to get her friend, Miss Devereux, appointed to the position in the school:

Miss Henrietta O'Toole,
Barra Head, Richmond Co., C.B.

Dear Miss O'Toole,

I am in receipt of your letter of the 14th instant, and I am indeed very favourably impressed with the fair and cogent manner in which you have presented your case on behalf of the party you mention. I may say at once that your dismissal never occurred to me for a moment, nor had it ever entered my mind. I will be very glad indeed to do what I can to secure Miss Devereux the position provided she has requisite qualifications. You had better tell her to see the Reverend R. L. Macdonald, P.P at St. Peter's in this matter as his certificates will assist very materially.

Your reference to the political affiliations of the late Mr. Devereux were entirely unnecessary. He had a perfect right to think politically as he pleased and act accordingly at least while he kept within legitimate limits, and this I think he always did. In any case the past should be forgotten. I will be pleased to do anything I can to secure for his daughter the position mentioned provided she be qualified to fill the same.

I thank you cordially for your kind expressions in your letter towards myself.

Yours very truly,
(Sgd.) J. A. Gillies.

That is the man that my hon. friend now accuses of conspiring with the parish priest to put this orphan girl out of the position which she had.

Mr. KYTE: I do not think it is right for the hon. minister to put words into my mouth or to impute anything to me that I did not express. I read the documents and I leave the House to draw its own conclusions. I ask the hon. minister to withdraw his statement.

Mr. CROTHERS: I did not say that my hon. friend accused Mr. Gillies and the parish priest of acting in collusion for the dismissal of that lady.

Some hon. MEMBERS: Order, order.

Mr. KYTE: I rise to a point of order. My hon. friend says that I have accused Mr. Gillies and the reverend father of conspiring together for the dismissal of Miss Devereux. I made no such statement, and I ask my hon. friend to withdraw it.

Mr. CROTHERS: I did not make any such statement. I said the substance of his conclusions was that they must have acted in collusion.

Mr. SPEAKER: Order. If the point of order is raised, I think it would be more appropriate simply to deny the statement, and then the hon. member would be bound to accept the denial.

Mr. KYTE: I have denied it, Mr. Speaker. Still the hon. acting Minister of the Interior repeated it. I made no such charge; I made no such imputation, and I trust the hon. minister will not repeat the statement.

Mr. CROTHERS: I said that my hon. friend did not make any such charge, but that that was the inference from his remarks. I submit to the House whether it is a fair inference or not. My hon. friend read a declaration, or what purported to be a declaration, made by the young lady, in which she stated, if I remember rightly, that she was told that she was to be dismissed because of politics. I do not charge my hon. friend with saying that. It appeared in a document that he read. I said before and I say now that the fair inference from his remarks is that the young lady was dismissed for politics and that the parish priest acted in collusion with Mr. Gillies in order to carry out his design to remove from the position a young lady who was a member of the parish priest's church. The young lady was appointed teacher and was paid at the rate of $350 a year, beginning about January 1, 1912. That is the sum and substance of the matter. At the end of the year she was told that her services would not be required after the first of the next year. That is done every day of the week by ordinary school trustees. It is true that charges came to the department in a general way, stating that complaints were being made against this young lady. The department also received a letter from her, which I think my hon. friend read, saying that she had heard something to the effect that her services were to be dispensed with at the end of the year. She was advised by the department, according to the letter which my hon. friend has read, that her services would not be dispensed with except for cause. The department refused to recognize the complaint until it asked the In-

dian agent, the parish priest, to investigate the matter and make a report.

Mr. KYTE: Will the hon. minister concede, if it were not for that charge, that her services would not have been dispensed with?

Mr. CROTHERS: I submit that, if it had not been for the report that was made by the parish priest, the Indian agent, saying that she was not qualified to discharge the duties of her position, she would not have been dismissed.

Mr. KYTE: That is the point.

Mr. CROTHERS: My hon. friend has read the report sent in by the agent, the Reverend Father Macdonald, in reply to a request from the department. I think I shall read it again and see whether or not the department was warranted in acting upon it. As my friend would have it, the point is not merely that she was opening the school at nine o'clock in the morning and continuing there until four o'clock in the afternoon; she had not the confidence of the parents of the children whom she was teaching. Whether that non-confidence was the result of any fault on her part or not was immaterial. We all know that if the parents of children have no confidence in the teacher, the teacher has survived his or her usefulness in that school, whether or not he or she has been guilty of any fault. That is quite a sufficient reason to warrant anyone refusing to continue a teacher in a school.

Mr. McKENZIE: Before the minister reads that report, will he give us the substance of the request that was made for that report. I take it that the department asked for that report.

Mr. CROTHERS: Yes, the department asked for that report.

Mr. CARVELL: There must have been something that necessitated the department asking for it.

Mr. CROTHERS: Here is a letter asking for the report, dated September 5, 1912:

September 5, 1912.

Reverend Sir,—I have to request that you will report very fully in regard to the way in which the Salmon river school has been carried on since Miss Devereux has had charge of it. The department wishes ot have more detailed information than is contained in your monthly reports on this school. You will be good enough to give this matter your attention.

Mr. CARVELL: In order to have the record fairly before us, would the minister give us the letter that preceded that request? There must have been a letter from somebody preferring charges.

Mr. CROTHERS: I do not propose to read the whole file. This is the letter in reply from the Indian agent:

November 12, 1912.

In reply to yours of September 5th, 1912, requesting me to forward you more detailed information than is contained in my monthly school reports in regard to the way in which the Salmon river school has been carried on since Miss Devereux has had charge of it, I may say that I have gone into the matter carefully and examined the case thoroughly, and I have arrived at certain conclusions more or less definite which I shall now place before you. These may give you to understand my delay in answering you. In the first place, then, I have interviewed the leading Indians on the matter——

Not merely one, as my hon. friend stated.

—and I find them absolutely opposed to a lady teacher. They claim that the children do not make the progress under them that they did when they had men. By an examination of the old registers I found this was but too true. Since 1904 when lady teachers were introduced I find that only three pupils reached standard IV while previous to that date I find that better progress by far was made than is now being done, many of the pupils being entered on the registers in the sixth standard. From an examination of the registers I find the above amply proven.

In the second place, I find that a goodly number of the Indians who attended school say, thirteen or fourteen years ago, and before that time, are able to read and write Some of them subscribe for the newspapers. I have received letters from them written in fair English and they speak English better than those who are younger. The influence and the lasting work of the old teachers,—Johnston, McMillan, Murphy, Campbell, McInnis, Langley—all men—can clearly be seen here. Many of the class of Indians mentioned have expressed to me their surprise at the Government in late years forcing lady teachers upon them when their results are so different from those of the male teachers of years ago.

In the third place, I find that the Indians show want of confidence in the ability of lady teachers to show and exercise disciplinary powers.

I do not think the Indians were very far astray in that.

The captain of the band, who is the spokesman of the band, assures me that he found it necessary not so long ago to remind a lady teacher that the teaching hours and proper discipline were not kept, but to no avail. If you ever had anything to do with the teaching profession you can easily understand that the child very readily knows what its parents' opinion of the teacher is, and it is next to impossible to advance the child unless the teacher has the sympathy of the parents and public opinion behind him. In this school, then, I find public opinion adverse.

Is that true, or is it false? It comes from a Minister of the Gospel, a man, I am told, of great ability, a man who is regarded as perfectly fair-minded; and he is

speaking of one of his own parishoners. Are we to conclude that he is reporting something that is untrue? If it be true, then this dismissal was justifiable; if the dismissal was not justifiable, we must come to the conclusion that the parish priest is not—

Mr. KYTE: Why not ascertain the facts by the investigation I asked for?

Mr. CROTHERS: The hon. gentleman did not ask for the investigation until after the lady had been notified that her services had been dispensed with.

Mr. KYTE: What was the date?

Mr. CROTHERS: The hon. gentleman wrote on the 5th of December, and she was notified on the 3rd of December.

Mr. KYTE: Did the minister——

Mr. SPEAKER: The hon. member had an opportunity to speak, and, when the minister is on his feet, it is not permissible to interrupt.

Mr. TURRIFF: The minister asked him a question.

Mr. CROTHERS (reading):

I find that necessary sympathy between parents and teacher conspicuous by its absence.

Is that statement true or false? If it is true, that warrants the teacher's dismissal; if it is not true you have a charge against a man who has been there for years, and who enjoys the esteem and confidence of all who know him, as I am advised.

It is one thing to try to show a good attendance by handing out cheese and crackers—

I was surprised to find that it was the custom there to provide the Indian children with lunch.

Mr. KYTE: It is the custom in all the Indian schools in Nova Scotia and has been for twenty years.

Mr. CROTHERS: I never heard of it before. I have no doubt you could get a good attendance for a short time each day by handing out cheese and crackers.

It is quite another thing to lead Indian children along the flowery paths of knowledge. After the bills were rendered you this year, your department brought to my notice through the Indian Superintendent, the fact that too much cheese was purchased, at least at one time. I was never advised what quantity was considered allowable, but it is evident that quite a considerable attention was paid to this part of the programme, while other things more necessary in the opinion of the true educationist were neglected.

In the fourth place I must say that among many of the whites contiguous to the reserve—

The evidence does not come from the Indians alone.

—Miss Devereux's teaching and teaching hours are regarded as a joke.

Is that true, or false? It comes from the white people who are looking on.

Her boarding house is three-quarters or a mile from the school-house. She is known to have left her boarding house as late as 9.30 a.m., call at the post office after that, and often call at another house, which we may call Mr. A's, on her way to school. In fact she spent so much of her time at Mr. A's, going and coming, that a joke came to her ears from the white people 'that the Indian children would not get their grade this year, but Mrs. A. very likely would.'

Now, since I began to make inquiries, the Indians who are close to school tell me that for only one month did she keep proper school hours.

She began on the 1st of January and this report was made on the 4th of November.

I furnished her with your circular 'Indian Day School Regulations' as soon as I got it last year. She has the school hours to be kept before her there in black and white, but what do we find? On the 29th October last I passed the school after 10 a.m. and the teacher was not there. On November 7 another man passed the school at 10.15 a.m. and she was not there.

This is not hearsay. Is there a gentleman within the sound of my voice who is prepared to believe that this minister of the Gospel told her she was not to begin school before ten o'clock? Did he purposely visit the school at an hour when he knew she would not be there, when, according to the declaration we have had he had told her she should not be there.

On another occasion after 10 a.m. she was nor in school. Her excuse on the 29th October to me was that 'all the clocks in Burradfrad were astray.'

Is the Rev. Father Macdonald telling the truth when he says that on the 29th October she had told him, what—that he had told her she need not to be there until 10 o'clock—no but that all the clocks were wrong. Is he telling the truth or is he putting in lasting form, in writing something which is not true? First from the very calling of the Rev. Father Macdonald, and second from the high character I hear of him, and from what he has put here in writing, I choose to believe him in preference to any statutory declaration gotten up and read before this House.

This held no water. The 28th was Thanksgiving. She was in St. Peter's that day where she could have got the true time, and surely her watch would not lose one hour in twelve.

Many of the white people now tell us of the poor hours she keeps and has kept all along, but they do not wish their names disclosed as it is nothing to them whether the Government maintains a school there or not.

In opening school in September, she could not go back to her boarding house of last year. Why? Now I do not vouch for the truth of this as I did not have it direct from her last year's boarding mistress, but she is represented as having said that under no circumstances would she have her again to board on account of the trouble she gave in 'often sitting down to breakfast after 9 a.m.' You may take this for what it is worth; that is how it reached my ears. She certainly never got back to her former boarding house and it looked one time as if she could not get a place at all.

Now, do you consider this sufficient for you to act upon? I notice you ask for no recommendation from me and I accordingly make none. I should like to remind you that the Indian school is about eight miles distant from here, and I cannot always have my eyes on the school, and unless I have a teacher there who shows some willingness at least to keep proper hours that I cannot always force him.

In conclusion I must say that I would thank you more had you given the making of this report to some one else. Miss Devereux is one of my parishioners, and as such she is one member of the spiritual family under my charge and care. You can perhaps understand then that in making this report condemnatory of her I am doing what I certainly do not relish, but I recognize too that I have duties to perform towards the department, as well as towards the Indian children whom she is paid to teach.

I remain,
Your obedient servant,
Rev. R. L. Macdonald,
Indian agent.

Is that report of the Indian agent, whose character I described a few moments ago, true or not? That is the whole question. If it is true, the department was amply justified in dispensing with Miss Devereux's services, and in securing the services of someone else. I do not choose to believe that it is false; I do believe it is true, and that the young lady's services were not dispensed with on account of any political partisanship on the part of Mr. Gillies or anyone else. My hon. friend from Richmond seems very determined to use every possible means to blacken the character of his opponent in the late election. The letter I have read from Mr. Gillies written to Miss O'Toole when she appealed to him on behalf of her friend Miss Devereux, amply establishes that Mr. Gillies was not actuated by any political motives. It should be remembered that politics was not overlooked in that letter, as Miss O'Toole evidently referred to the matter in her letter to Gillies. The writing of that letter on the part of Mr. Gillies does him great credit, and I do not believe that he exercised any political influence to get rid of this young lady. I do not believe any man in this House will entertain such an idea; it is inconsistent with the letter he wrote in the first instance.

Mr. CROTHERS.

Mr. CARVELL: Will the Minister now produce the letter written to the department which caused them to ask the Indian agent for this report?

Mr. SPEAKER: The hon. member has already spoken on the motion before the House that the Speaker leave the Chair; therefore it is not permissible to speak again.

Mr. CARVELL: Have I not the right to ask a question, if the minister is willing to answer it?

Mr. SPEAKER: No, I think not. If I read the rule correctly, it states that when a member is speaking, no member shall interrupt him except to a point of order.

Mr. TURRIFF: Will you apply the same rule to members on the other side of the House if they ask questions of hon. gentleon this side when they are speaking?

Mr. SPEAKER: Order.

Mr. TURRIFF: It will never do—

Mr. SPEAKER: The hon. member has no right to reflect upon the Chair.

Mr. TURRIFF: The Chair should do what is right.

Mr. SPEAKER: Order.

Mr. CROTHERS: The whole matter was reported upon by the deputy superintendent of Indian Affairs, Mr. Pedley, but the substance of that report has already been placed before the House. The action taken by the department in dispensing with Miss Devereux's services was based entirely upon the report made by the Indian Agent at the request of the department, and I think no one connected with this whole transaction, from the time of Mr. Gillies' first recommendation of this young lady until her services were dispensed with on the strength of the report of the Indian agent, has been guilty of any wrong-doing except the young lady who was principally interested in this inquiry. I will close with the observation I made at the beginning that it seems to me my hon. friend has done Miss Devereux a very questionable service in bringing this matter up and forcing the department to spread throughout the country the report made by the Rev. Mr. Macdonald, her parish priest, whose statement I accept as being literally true from beginning to end, and whose report fully and amply justifies the action of the department in dispensing with Miss Devereux's services. Having that report in their possession, the department would have been guilty of grave negligence of duty had they not acted upon it. What loss has the young lady sustained? She was getting a salary of $350 a year; is it possible that any

young lady possessing the qualifications attributed to her by my hon. friend cannot earn $350 a year in any other school in the province of Nova Scotia?

Mr. KYTE: Just a moment—

Mr. SPEAKER: The hon. member has already spoken.

Mr. KYTE: When I rose to put some questions to the hon. minister your Honour told me I would have the right to reply. I would not insist except that Your Honour informed me that I would have the right to reply.

Mr. SPEAKER: The hon. member is entirely mistaken; I made no such statement. I knew it was not a substantive motion, nor was the hon. member making a motion; the only motion was that I should leave the Chair, to which the hon. member has spoken once.

Mr. KYTE: I simply wanted to make an explanation with reference to the date of my letter to the Minister of the Interior. The acting minister stated that it was too late to have an investigation, inasmuch as the letter of dismissal was dated December 3rd. My question was on December 4th and the answer I received from the minister did not indicate that she was dismissed, it simply stated that communications were received from Mr. Gillies, as well as a report from the agent making complaints against her. There was no intimation that she was to be dismissed, but even if she had been dismissed we are not without precedent of inquiries being made into the truth of charges even after officials have been dismissed.

Motion agreed to.

SUPPLY.

House in Committee of Supply. (Mr. Deputy Speaker in the Chair.)

Civil Government—officers of the Conservation Commission—salaries, $28,860.50.

Mr. BORDEN: When this item was up the other evening, I promised to bring down information as to the work of the commission. With the permission of the House, I shall hand in a statement which has been furnished me:

Work of the Commission of Conservation in 1912.

A review of the work of the Commission of Conservation must necessarily be prefaced by a statement that its functions are wholly investigatory and advisory. It does not appoint a staff of fire-rangers to protect forests, nor inspectors to protect men engaged in mining operations, nor doctors or sanitary engineers to carry out public health regulations, nor engineers to administer water-powers, nor inspectors to grade grain, nor officials to administer fishing regulations. But it can, and does, investigate methods of protecting the forests, methods of preventing loss of life and waste in mining, methods of preventing the spread and dissemination of disease, the conservation of waters and water-powers, and methods of increasing the yield of agricultural products and, at the same time, conserving the fertility of the soil.

If the commission undertook administrative work, it would be responsible for administrative work. Standing aloof and occupying the position of impartial critic, it is able to investigate and report upon any subject without being hampered by any administrative acts of its own or of any allied organization.

To get a comprehensive view of the work of the commission, it is necessary to review the work that is being carried on under the direction of the various committees.

Committee on Lands.

The agricultural survey was continued throughout Canada on thirteen hundred farms. This survey is being conducted in order to secure an accurate diagnosis of agricultural conditions, in order that the future operations of this branch of the commission may rest on a scientific basis of fact. Special attention is given to the preservation of soil fertility, crop yields, pests, fuel, power and water supplies, and instances of good farming that might serve for demonstration purposes.

As a result of the survey, thirty-one illustration farms were established in the various provinces this year. The object of this work is to encourage the adoption of methods that will increase the quantity and improve the quality of the products of the farm, while maintaining and increasing the fertility of the soil.

The illustration farm is made the centre for neighbourhood meetings and demonstrations, and as the work on it is conducted by the owner, an average farmer, under the scientific supervision of the commission's experts, the results show the farmers conclusively that the adoption of scientific methods can be made profitable with the means available on the ordinary farm.

The alfalfa investigation work conducted in Quebec last year, was this year extended to the Maritime provinces. This work, which consists of an investigation into the conditions under which alfalfa can be successfully grown in these provinces, is designed to impress the farmer with the value of this crop for forage and soiling purposes.

Committee on Forests.

The principal line of forestry activity has been in connection with the development of better methods for the prevention and control of fires along railway lines. The commission assisted materially in the preparation of the draft of Order 16,570 of the Board of Railway Commissioners which prescribes fire protective measures to be taken by railway companies under the jurisdiction of the board. In accordance with a plan of co-operation the chief forester for the commission, Mr. Clyde Leavitt, was also appointed chief fire inspector for the board and has spent the summer in organizing this work. A protective organization has already been perfected in the western provinces, and has done effective work during the past season. As a result of the experience of only one summer, the railway companies are heartily co-operating in

the measures of fire prevention. While conserving a great natural resource, they do not impose any considerable burden upon the railways while preserving what must always be a very important source of revenue.

To avoid any clashing or overlapping of work, is was arranged that certain officials should, upon recommendation by the department of the Interior, be appointed assistant fire inspectors with authority to carry out the provisions of the Railway Commission's regulations, the chief fire inspector giving a general supervision.

The various provincial governments have either passed or will pass, legislation respecting railways with provincial charters along the same lines as the Railway Commission's regulations.

In Peterborough and Haliburton counties, an investigation of forest conditions has been carried on under the direction of Dr. B. E. Fernow. This region has been selected as typical of a large area of cut-over territory, and the investigation is intended to ascertain to what extent reforestation is possible, and to what other uses such desolate territory as this can be profitably put.

The report of a forest survey of Nova Scotia conducted under the direction of Dr. Fernow, at the expense of the province, has been published by the commission.

An investigation of forest revenue and taxation is being made by Mr. Donnell, in order to determine to what extent existing methods of taxation affect the practice of forestry by private owners. Taxation in the United States has been derogatory to forest conservation, but no attempt has hitherto been made to ascertain its effect in Canada.

Committee on Minerals.

The investigation conducted last year in the province of western Canada, to ascertain the efficiency of coal mining methods, the utilization made of by-products and the safety afforded the miners, was extended this year to the coal mines of eastern Canada. Mr. Dick, mining engineer of the commission, visited all the principal coal mines, coal-briquetting plants and coke-oven plants in Nova Scotia, during the past summer. The results of these investigations are now being embodied in a report, and will be available for publication early in 1913.

A report on mine rescue work in Canada has been printed. Until recently, little has been done in Canada, to further the establishment of mine rescue stations. This report was, therefore, written for the purpose of encouraging the work done by the provincial governments, mine operators and employees, in establishing mine rescue stations and forming trained corps.

Committee on Waters and Water-powers.

The officials connected with this division of the commission's work have been engaged in obtaining data for the report on 'Water Powers of Western Canada.' Mr. Denis, the commission's engineer in charge of water-powers spent the summer in investigating the water-powers of the northern portions of Alberta and Saskatchewan, where there is much more power available than in the southern portions of these provinces. Mr. Denis' work included an investiagtion of the water-powers of the Peace, Slave, Clearwater and Churchill rivers.

In British Columbia, Mr. A. V. White has measured the powers of the upper Fraser of the west coast of the mainland and on Vancouver island.

Information has been collected in tabular form respecting the water-works plants in all the municipalities in Canada. The report is now completed and will be issued in a few weeks.

A report embodying all the important available information regarding the proposed damming of the St. Lawrence river at the Long Sault rapids is in progress of publication.

Committee on Fisheries, Game and Fur-bearing Animals.

In June last, this committee met to hear addresses of experts and to outline work of investigation. The report of the proceedings at this meeting has been published.

An investigation of fur-farming in Canada, with particular reference to the black fox industry, was made during the past summer by Mr. J. Walter Jones. A report on it will be published in a few weeks.

During the year, the Dominion Government gave to each of the oyster-producing provinces the undisputed right to issue leases to oyster areas for cultural purposes. Mr. Patton, who had previously reported on the jurisdictional dispute, was sent to Prince Edward Island to investigate the oyster fishing there, and assist the provinical Government in formulating the regulations for the leasing of oyster bottoms. While there, Mr. Patton also gave some attention to the lobster fishery.

Committee on Public Health.

The public health work of the commissison has been directed to the compilation of reports and data in respect to the sewage disposal and water supplies of the chief cities of the world.

An examination of the Chicago drainage canal, as well as of the proposed extension of the same by the Calumet-Sag channel, was made and reported upon by Dr. Hodgetts, medical adviser to the commission.

For nearly two months the commisison, through its medical adviser, took over the management of the health department of the city of Ottawa.

The most important public health questions were discussed on the public platform, in different parts of the Dominion, the provinces visited being Ontario, Quebec, Manitoba, Alberta and Nova Scotia.

Clearing-house for information.

A notable feature in the work of the commission during the past year has been the increase in the number of inquiries from all parts of the world asking for information and reports about Canada. Careful attention has been given to these, the required information either being compiled from the commission's records, or obtained from the Government departments.

Publications of the Commission of Conservation Since January 1, 1912.

Since January 1, 1912, the Commission of Conservation has issued the following reports:

1. The Game Resources of Canada.
2. Third Annual Report.
3. The Prevention of the Pollution of Canadian Surface Waters.

4. Forest Conditions of Nova Scotia.
5. Protest Against Further Diversion of Water from Lake Michigan for the Chicago Drainage Canal.
6. Papers relating to the Application of the Sanitary District of Chicago for Permission to Divert 10,000 cubic feet of water per second from Lake Michigan. (This report was published under the name of the Department of Marine and Fisheries, but was compiled and edited by the Commission of Conservation.)
7. Supplement to Animal Sanctuaries in Labrador.
8. Sea-Fisheries of Eastern Canada.
9. Ottawa Typhoid Fever Epidemics.
10. Instructions relating to the Gathering of certain Preliminary Information respecting Water-Powers.
11. Agricultural Conditions in Canada, 1911.
12. Mine Rescue Work in Canada.
13. Catalogue of Publications.

In addition to these, the following reports are now in the press and will be issued in the course of two or three weeks:

14. Fur-Farming in Canada.
15. The Water-Works of Canada.

The following reports are in various stages of preparation and, it is expected will be issued in the course of the present calendar year:

1. Fourth Annual Report.
2. Papers relating to the Proposed Development of Water-Power at the Long Sault rapids of the St. Lawrence river.
3. Water-Powers of Western Canada.
4. Some Farm Crops and How to Grow Them.
5. Sewage Disposal in European Cities.
6. An exhaustive report on Forest Conditions in Canada.
7. Conservation of Coal in Canada.

Besides having published the above-mentioned publications, the commission issues a monthly publication for eight months in the year, which contains items of current interest on the various phases of conservation work. It was designed primarily to supply the newspapers with ready-made articles on conservation topics. The demand for it, however, became so large and insistent that besides being forwarded to all newspapers in Canada, it is now being sent to the leading libraries, the clergy of Canada and many private individuals who have requested it. The school teachers of Canada are also to be soon added to the list of those receiving it.

To sum up, the Commission of Conservation has, since January 1, 1912, issued thirteen reports on various conservation subjects; two more will be issued in two or three weeks' time and an additional seven will be published by the end of 1913. Besides this, a monthly publication is issued for eight months in the year.

Respectfully submitted,
James White,
Secretary.

Reference is made to the annual report of the Commission not being available. The secretary informs me that every year this report has been out within two months after the close of the fiscal year, whereas the reports of other departments are not available until seven or eight months after the close of the year. I am laying on the Table a full list of all the publications that have been issued by the Commission. Copies of this may be obtained by any member on application to the Commission.

Department of Militia and Defence—salaries, $161,800.

Mr. LEMIEUX: Are all the increases given in accordance with the Civil Service Act?

Mr. HUGHES: Yes.

Mr. CARVELL: Perhaps the minister would explain why there is such a substantial increase in the amount. In the salaries of clerks of the first division of subdivision B there is an increase of $1,000 and in the second division, subdivision A, there is an increase of between $3,000 and $4,000. In the next subdivision there is an increase of almost $5,000. We know that this is a growing time in Canada, especially in the matter of military and naval expenditure, but this is certainly going some.

Mr. HUGHES: I have not the detailed information at hand to-night, but in nearly every case these are ordinary statutory increases. There are a few appointments of extra clerks. In the second division there is an increase of four in the staff and in the second division subdivision A there is an increase of two. In the third division there is an increase of four. We have had to add a large number of clerks for the handling of the Fenian Raid bounties, and in almost every branch of the department we have had to add one or more clerks.

Mr. CARVELL: Has there been an increase in the number of clerks?

Mr. HUGHES: Yes.

Mr. LEMIEUX: Is there a special staff which deals with the Fenian Raid Bounty claims?

Mr. HUGHES: We need a special staff; we cannot take them off the ordinary work.

Mr. LEMIEUX: I am very glad my hon. friend has added to his staff for that purpose, for I have just received a letter from an old elector of mine who is a claimant under the Act. For a number of years this gentleman has been imploring the department to look after his claim, and I have joined my voice to his in an effort to obtain justice. This old soldier served first in 1861 in the Zouaves of the Holy Church of Rome, and after serving the church he wanted to serve the state and he went to Quebec, during the time of the Fenian Raid. My hon. friend has all the details in his department. Last year the minister appeared to be as anxious to do justice as he is now, and this old soldier, having written in the interval, has sent me a letter in

which he says 'I have sent my application, but I never received a letter.' I understood that my hon. friend had not the proper staff to look after the Fenian Raid claims, but now that he has such a staff perhaps he will consider the claim of Louis Letourneau of Mont Louis, in the county of Gaspé. He has written several letters, but he has had no answer, and I believe he made his claim in the regular form. I invite the attention of my hon. friend to this case.

Mr. CARVELL: Perhaps I am transgressing the rules of the House in calling my hon. friend's attention to a matter which I placed upon the Order Paper some weeks ago, but which, unfortunately we have not been able to reach. While it does not come under the item under discussion I wish to remind my hon. friend of the fact that there is a claim by a gentleman for loss occasioned by his horse contracting some sort of disease at Petawawa camp. Perhaps my hon. friend will take notice of motion No. 15 standing in my name in the list of motions for the production of papers, and perhaps he will give the information when the estimates are reached another time.

Civil Government—Department of Miltia and Defence—Salaries and contingencies, $178,300.

Mr. CARVELL: What is the explanation of that increase of $4,500 for sundries? It is almost double what it was before?

Mr. LEMIEUX: Is it for the private car?

Mr. HUGHES: I have not the details of this item, as I did not expect it to come up. I think, however, that it is in connection with some transport, not in connection with the car I may say.

Mr. CARVELL: Does it not occur to the minister that it is a pretty substantial increase?

Mr. LEMIEUX: I am very anxious to know the details of those sundries. In my experience when a gentleman was in favour of the abolition of the bar, his sundries account was usually pretty large. My hon. friend abolishes the canteen in the camps, and this item quite perplexes me. There is something very mysterious about it. If, what I hear of the Oriental car of the hon. gentleman, this item may have reference to the Oriental life in that car, I think we had better leave this item till we get the details.

Mr. REID (Minister of Customs): Pass the item and we will get the details later.

Mr. HUGHES: I will bring the details, but it is a matter of no consequence to me whether the item stands or passes.

Mr. LEMIEUX: I think the item for sundries had better stand.

Item stands.

Mr. LEMIEUX.

Civil Government—Department of Trade and Commerce—Salaries and contingencies, $118,237.

Mr. PERLEY: There is no change, except that the census and statistics branch has been taken over from the Department of Agriculture by the Trade and Commerce Department.

Mr. BELAND: Has the number of clerks in the census office been diminished?

Mr. PERLEY: Some of the temporary employees that were there for the purpose of the census, have been dispensed with, but this item provides for the permanent staff which is just the same as it was under the Agriculture Department.

Mr. LEMIEUX: I understand that the officers of the Government Insurance branch have been transferred to the Post Office Department.

Mr. PERLEY: Yes.

Department of Agriculture—salaries, including F. Torrance at $5,000, $373,925.

Mr. CARVELL: In the first division of subdivision A there is an increase of $11,000.

Mr. BURRELL: Last year there were twelve and now there are thirteen officials in this subdivision, the one extra being Mr. W. T. Macoun who has been in the service as Dominion Horticulturist since 1887 and who has gone up into the A class.

Mr. CARVELL: There seems to be a very large increase in subdivision B. There is an increase in the number of clerks and an increase of nearly $11,000 in salaries.

Mr. BURRELL: We have five promotions there and four new appointments—Mr. T. R. Arkell, from the outside service, as special sheep expert attached to the live stock branch, an assistant pathologist, Mr. A. Watson, B.S., in the veterinary branch, Mr. A. E. Eastham as seed analyst in the seed branch, and Mr. F. C. Elford poultry expert who is take charge of the poultry branch at the farm.

Mr. McKENZIE: How are these gentlemen transferred from the ouside to the inside service?

Mr. REID (Minister of Customs): After they have been three years in the outside service they can be transferred to the inside service according to the Act of 1908.

Mr. CARVELL: Does that take the place of the examination?

Mr. REID: Yes, that saves the examination; that is the way they get in.

Mr. CARVELL: Take the next item, second division of sub-division A. Are all those increases statutory?

Mr. BURRELL: In the second division A we had forty-seven clerks last year. There were seven vacancies during the year and there are fifty-eight clerks required this year. There were a number of promotions from 2A to 1B and eight new appointments are proposed to 2A, as follows. A dairy expert, a poultry expert, for the live stock branch, Mr. W. A. Brown having been appointed to this position from the outside service, an assistant to the Dominion cerealist, assistant to the Dominion botanist, assistant horticulturist, a specialist in plant breeding, and an assistant pathologist, from the outside service, in the veterinary branch for laboratory work. In the expansion of the work of the Agriculture Department there is necessitated a considerable increase in the Civil Service estimates. I can assure my hon. friend that there is not a single appointment but what is warranted in view of that expansion.

Mr. CARVELL: There may be some mistake in these figures but they seem to be rather singular. There is only an increase of three officials; last year the number was fifty-five and this year it is fifty-eight, yet the increase in salaries is over $11,000.

Mr. BURRELL: Which branch?

Mr. CARVELL: Two A.

Mr. BURRELL: That is a mistake; last year there were forty-seven and there are fifty-eight this year.

Mr. McKENZIE: Did any clerks get into the department during the past year except by virtue of passing the competitive examination qualifying them for the positions which they occupy?

Mr. BURRELL: No. We do receive temporary clerks without examination but when they enter the service permanently they have to pass an examination.

Mr. LEMIEUX: Temporary clerks, I understand can only be employed for four months.

Mr. BURRELL: Six months.

Mr. SINCLAIR: I see that the minister has fourteen messengers. Are all these messengers employed in Ottawa?

Mr. BURRELL: Yes, they are all in the inside service.

Mr. LEMIEUX: My hon. friend always has his staff of lecturers going about?

Mr. BURRELL: Yes.

Mr. LEMIEUX: How many are there?

Mr. BURRELL: It would be impossible for me to say because a great many of our men that we use on that kind of work are permanent officers in the inside service who are detailed for that duty.

Legislation—printing, printing paper and binding, $200,000.

Mr. PERLEY: That is the usual vote in connection with the Parliamentary Committee on printing.

Mr. LEMIEUX: Are any of the lists being printed just now?

Mr. REID: No.

Mr. CODERRE: Some of them are typewritten for the benefit of a few members. About five requests have been received from members on both sides and one from an ex-member of the House, that the lists in force should be typewritten. Mr. Foley has been ordered to do that as soon as possible.

Mr. PARDEE: Can any member have the list printed by merely making a request to the Secretary of State?

Mr. CODERRE: The list should be printed every year; but, as a general election is not expected this year, of course we shall have to abide by the custom, which is that, if a member needs a list, it can be typewritten by order given to Mr. Foley.

Mr. BELAND: Would it be the list of one county or the whole list?

Mr. CODERRE: One county.

Mr. BELAND: Do I understand that any member, who asks for a copy of the list for his constituency may get it now or hereafter?

Mr. CODERRE: If we knew beforehand that every member will ask for a list, and then it would be better to have the whole list printed. That is not what I said. I said that a few members had asked for lists, and the department had decided not to have them printed, as that would be too costly, but to have them typewritten.

Mr. SINCLAIR: It would be very convenient for members, who are sending out literature to their constituents, to have a printed list, instead of going to the county, getting it printed and paying for it. I was not aware that you could get a list unless in such years as the department had decided to print the whole list.

Mr. PERLEY: The hon. gentleman is quite right. It has not been the custom to print the whole list except in the event of a general election.

Mr. CARVELL: As I understand the minister, all a member has to do is to apply to the Clerk of the Crown in Chancery for a list and it is typewritten. I pre-

sume that is news to many members of this House.

Mr. CODERRE: The country will understand that to have a list printed would cost some $75,000. It has always been the custom not to print it, except of course when a general or bye-election is expected. I do not wish to mention names, but Mr. Fisher, for instance, has asked for a copy of the list. I have been allowed to request Mr. Foley to have the list typewritten for this gentleman. There are two or three others that I could name.

Mr. VERVILLE: Has the Government received lists of different cities which are supposed to be in force on the first of April next?

Mr. CODERRE: I could not answer that question just now. They must be here, because the clerk of Montreal, for instance, was obliged according to law to send his list as soon as possible after the coming into force of the list. I could inquire, and give an answer later.

Mr. VERVILLE: If I was to ask the Secretary of State to-morrow for a list of the 40,000 electors in my riding, would he be good enough to give it to me, as he has done to other members? If so, I shall ask him for it now.

Mr. CODERRE: The hon. member had better see me.

Legislation—House of Commons, $460,320.

Mr. PERLEY: In reference to item 39, in connection with the Banking and Commerce Committee, there will be some expense of witnesses coming here and appearing before that committee, and also expenses of other committees. I think it might be as well if we could pass item 39, or part of it at all events, for the purpose of providing for that expense. This item is simply for the expenses of the House of Commons—the salary of the Deputy Speaker, expenses of committees, and publishing the Debates. If this item were passed, I think it would be in the public interest.

Mr. LEMIEUX: I would agree to that, with the understanding that we may come back to it.

Progress reported.

On motion of Mr. Perley, House adjourned at 12.37 a.m., Saturday.

HOUSE OF COMMONS.

MONDAY, March 31, 1913.

The SPEAKER took the Chair at three o'clock.

Mr. CARVELL.

APPOINTMENTS TO HOUSE STAFF.

Mr. SPEAKER: I have the honour to inform the House that I have directed the clerk to lay on the table particulars in reference to the appointment of Mr. Ernest Harman as Speaker's steward and of Mr. F. C. B. Greer as night watchman.

QUEBEC HARBOUR COMMISSIONERS ACT, 1899.

Hon. J. D. HAZEN (Minister of Marine and Fisheries) moved for leave to introduce Bill No. 161, to amend the Quebec Harbour Commissioners Act, 1899. He said: This Bill is a very simple one. The Quebec Harbour Commissioners Act, of 1899, provides that the Quebec Harbour Commissioners may 'maintain harbour tracks and harbour lines. They have always considered that this authorization enabled them to operate shunting engines within the limits of the harbour yard, and they have so acted. The object of the Bill is to remove any doubt on the point. An exactly similar Bill, relating to the Harbour of Montreal, was introduced by Mr. Brodeur, when Minister of Marine and Fisheries, on April 23, 1909, and was passed by this House.

Motion agreed to, and Bill read the first time.

PRIVATE BILLS.

FIRST READINGS.

Bill No. 157, respecting the Hudson Bay, Peace River and Pacific Railway Company.—Mr. Beattie.

Bill No. 158, respecting the Alberta Inter-Urban Railway Company.—Mr. Aikins.

Bill No. 159, respecting the Brantford and Hamilton Electric Railway Company.—Mr. Barker.

Bill No. 160, respecting Ottawa and Montreal Transmission Company, Limited.—Mr. Fripp.

CONSIDERED IN COMMITTEE—REPORTED.

Bill No. 30, to consolidate and amend the Acts relating to the Supreme Court of the Independent Order of Foresters, and to change its name to The Independent Order of Foresters.—Mr. Macdonell.

Bill No. 114, respecting the Port Nelson Company, Limited, and to change its name to the Port Nelson Corporation, Limited.—Mr. Beattie.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill No. 145, for the relief of Mabel Lacey.—Mr. Fripp.

Bill No. 85, respecting the Board of Management of the Church and Manse Building

Fund of the Presbyterian Church in Canada, for Manitoba and the Northwest, and to change its name to The Church and Manse Board.—Mr. Sharpe, (Lisgar).

Bill No. 123, for the relief of Alfred Milton Durnan.—Mr. Oliver.

Bill No. 121, for the relief of Beatrice Emma Mayers.—Mr. Wallace.

Bill No. 124, for the relief of Minnie K. Clappison.—Mr. Ross.

Bill No. 125, for the relief of George G. McDonald.—Mr. Bristol.

Bill No. 126, for the relief of Frederick F. Saunders.—Mr. Wallace.

Bill No. 127, for the relief of Elizabeth Adelaide Rayner.—Mr. Richards.

Bill No. 128, for the relief of Mary Susan Marlatt.—Mr. Marshall.

Bill No. 129, for the relief of Frances Legora Anderson.—Mr. Buchanan.

Bill No. 130, for the relief of Ruby Christina Foy.—Mr. Douglas.

Bill No. 131, for the relief of Malcolm Smith.—Mr. Fripp.

Bill No. 132, for the relief of John Caldwell Richards.—Mr. MacNutt.

Bill No. 133, for the relief of George Daniel Ingleby.—Mr. McCraney.

Bill No. 134, for the relief of Walter Wargraves Hughes.—Mr. Northrup.

Bill No. 139, for the relief of William Froste.—Mr. Bennett (Calgary).

Bill No. 140, for the relief of William Monds.—Mr. Pardee.

Bill No. 141, for the relief of Charles Frederick Tarling.—Mr. Wallace.

Bill No. 142, for the relief of Jesse Wilbert Hearnes.—Mr. Morrison.

Bill No. 143, for the relief of Louise Marguriette Ruth Ridge.—Mr. Carvell.

Bill No. 144, for the relief of Edward MacKay Creighton.—Mr. MacNutt.

Bill No. 146, for the relief of Nathan Louis Nathanson.—Mr. Northrup.

Bill No. 138, for the relief of Isabella Lee Brewster.—Mr. Northrup.

DEATH OF FIELD MARSHAL VISCOUNT WOLSELEY.

On the Orders of the Day being called:

Rt. Hon. R. L. BORDEN (Prime Minister): Mr. Speaker, I take advantage of this opportunity to make a brief reference to the death of Field Marshal Lord Wolseley. The funeral, I think, takes place to-day. We all know that Lord Wolseley had a very long and very distinguished career in the service of the Empire. He served first, I think, in the Burmese war, then in the Crimea, afterwards during the Indian Mutiny, subsequently in China, in Egypt and in Ashantee. His name is associated with the early history of this country, inasmuch as he commanded the Red River Expedition in 1870. His services to the Empire have been so great, and they have had such intimate association with the early history of this Dominion, that it seems only proper that a reference should be made to him to-day and that we should express our appreciation of the distinguished services this great soldier rendered to the Empire in so many ways, and our sorrow at the loss the Empire has sustained in his death.

The Rt. Hon. Sir WILFRID LAURIER: The remarks which have fallen from my right hon. friend the Prime Minister are most timely and undoubtedly express the views entertained on the loss which the British Empire has suffered in the death of Field Marshal Viscount Wolseley. I am old enough to remember the early days of Viscount Wolseley, when, as a young officer in the Crimean war, he gave the first evidence of the courage and ability which marked his career. And, of course, I cannot fail to remember that he was long associated with Canada as one of the permanent officers in the garrison stationed, I think, in Montreal, and afterwards at Ottawa. He took an important part in the Red River expedition, when it was his privilege and his work to establish peace and harmony in that then distracted part of our country. The services he rendered to the British Empire in different parts of the world made his name known to all who appreciate courage and British valour, of which he was one of the most prominent examples during the last century. He was not only a great soldier but a distinguished man of letters, and, in his personal relations with all who came in contact with him, a perfect gentleman.

THE FARMERS' BANK.

Mr. MACLEAN (Halifax): May I ask if the report of Chief Justice Meredith in regard to the Farmers' Bank is being printed, and if so when will it be available for distribution?

Mr. WHITE (Minister of Finance): The House, two or three weeks ago, on my motion, ordered that the report with the evidence and the exhibits should all be printed. I am glad my hon. friend has brought the matter to my attention, because it transpires that it will take two or three months to have the evidence and the exhibits translated. I consulted with some members on this side whose consituencies were more particularly interested in this matter, and with one or more of members on the other side of the House, and they stated that they would be

quite content with the report itself, without the Government incurring the expense, which would be very considerable, of printing the evidence and the exhibits. If any considerable number of members of the House desire that the evidence and the exhibits should be printed in full, of course, I shall be glad to have the order of the House carried out; otherwise it was my intention to move that the order of the House be rescinded in so far as regards the publication of the evidence and the exhibits. I understand the report has been printed and distributed. Whether my hon. friend has obtained a copy, I do not know.

Mr. NESBITT: I have had a copy for some time.

Mr. WHITE: The report is printed, and I think I had better allow the matter to stand for a day or so to hear from gentlemen who may be interested in having the evidence and exhibits printed. So far as I have been able to gather, the opinion of those who are interested in the matter is that they do not think the evidence and the exhibit should be printed, having regard to the delay that would take place by reason of the necessity for translation, and the very heavy expense.

WEST INDIAN STEAMSHIP SERVICE.

Mr. MACLEAN (Halifax): I noticed a statement in the press to the effect that a contract has been made with Messrs. Pickford and Black for a West Indian steamship service. If this is correct, I would ask the acting Minister of Trade and Commerce if he would be good enough to lay on the table of the House at a very early day a copy of the order in council awarding that contract.

Mr. PERLEY: The report is incorrect. The matter has not yet been decided, and is still under consideration.

EAST RIVER IMPROVEMENTS.

Mr. MACDONALD: I noticed a statement in the press that the Department of Public Works have awarded the contract for the improvements in the East river. Might I ask the minister if that statement is correct?

Mr. ROGERS: The report is correct.

BRITISH COLUMBIA CLAIMS.

Mr. MACDONALD: I have noticed a statement in the press to the effect that an order in council has been passed providing for the settlement of certain claims made by the province of British Columbia against the Dominion with regard to the matter of increased subsidies, and I would like to ask the minister if that statement is correct. If so, is this inquiry to be held under the authority of any particular statute? If not, what is the nature of the inquiry and the terms under which the matter is to be considered, and who are the gentlemen composing the board authorized to inquire into the matter?

Mr. SPEAKER: I have noticed lately an increased desire on the part of hon. members to ask a great many questions which, according to the rules, cannot be asked when the Orders of the Day are called. They are such as to cause the ministers to enter into long explanations in regard to them, and frequently a discussion across the floor of the House takes place. This, in my judgment, is improper; these questions should be put on the Order Paper. It is quite proper, of course, to make inquiries with regard to papers which have been moved for and have not been brought down, but it seems to me that inquiries of such a nature as those asked to-day should not be brought up on the Orders of the Day.

Mr. BORDEN: I can answer in a very few words the inquiry of the hon. member for Pictou. An Order in Council has been issued under the Inquiries Act, constituting a commission which is to consist of Mr. Z. A. Lash, K.C., of Toronto, and Mr. E. F. Bodwell, K.C., of Victoria. A third commissioner is to be appointed by agreement of these two, and, failing their agreement, by the Secretary of State for the Colonies. I shall bring down to-morrow a copy of the Order in Council.

Sir WILFRID LAURIER: Aside from the Order in Council, there must be a lot of correspondence which ought to be brought down.

Mr. BORDEN: I think the right hon. gentleman will find that this covers everything that is material, but if there is any further correspondence I shall have it brought down.

DISMISSAL OF MARTIN LANIGAN.

Mr. EMMERSON: I would like to ask the Prime Minister whether or not it would be possible to resurrect the motion for the papers relating to the dismissal of Martin Lanigan. I think my rt. hon. friend will appreciate the fact that I am simply desirous of having the motion go through in order that the papers can be brought down. I spoke to the hon. member for Kent, and he raised no objection whatever.

Mr. BORDEN: I have not yet spoken to the hon. member for Kent (Mr. Robidoux) in regard to the matter.

ESTABLISHMENT OF DIVORCE COURT.

Mr. SCHAFFNER moved the third reading of Bill No. 147, for the relief of Fanny Maria Gogarty.

Mr. W. F. MACLEAN (South York): We have just passed twenty-two divorce Bills, nine for the relief of women and thirteen for the relief of men. I hope that before long the laws of this country will be changed so that divorce will not be tried in Parliament, but that another means of trying them will be found. In England a royal commission has recently been investigating the question of divorce. That commission has made a report and has widened the reasons for divorce. When the legislation dealing with divorce is passed in the Imperial Parliament, this Parliament should consider the whole question and act along the same lines. It is becoming rather a scandal the way that divorces are being tried in Parliament here. The trial of them ought to be taken out of Parliament. The reasons for divorce should be carefully thought out and accurately defined, and the procedure to be followed in investigating these cases should be the subject of most careful consideration. Once a rule and practice is fixed, it ought to be most carefully observed. If we are to have divorce under carefully prepared rules, then it ought to be a simple matter if the law is absolutely complied with. The costs should be such that the poor as well as the rich might avail themselves of this relief. The number of divorce cases before Parliament is increasing every year, but of course the population is also increasing, and we are in some of the provinces trying divorce suits in the courts. A great many persons go to the United States and elsewhere in order to get a divorce, which should not be the case. Parliament is responsible for that condition of things and ought to find a way of dealing with it. This question has been discussed here before; and I trust that after this report is presented in England, we will have some guidance as to a better way of dealing with divorce and of avoiding having the reflection made that the Canadian Parliament seems to be able to do more in the divorce line than in anything else, and that the crop of divorces in one day in this House is twenty-two. I do not think any Canadian is proud of that condition of affairs. I hope that at an early date some way will be found to take these cases out of the jurisdiction of Parliament.

Mr. F. B. CARVELL (Carleton, N.B.): I agree with my hon. friend from South York in a good many of his statements, but I desire to take exception to his idea that we should follow the line of the Parliamentary Committee now investigating this matter in England.

Mr. MACLEAN (South York): All I wished to say is that we might get some guidance therein in dealing with the question. I do not propose to follow along the same lines.

Mr. CARVELL: My hon. friend comes to the conclusion that the reasons for granting divorce should be accurately defined. I think the reasons are sufficiently defined in Canada to-day. I should be sorry to see the reasons extended. For my part, I see only one reason for granting divorce. One only has to live along the American boundary, as I do, to see how divorces are granted there for any conceivable reason.

Mr. MACLEAN (South York): Canadians are going over there.

Mr. CARVELL: We cannot help that. My friend is perhaps not aware that the courts of New Brunswick and I think of some other provinces try divorce cases. Although Canadians go over to the United States for the distinct purpose of obtaining divorces, our courts are not willing to recognize those divorces. All that has to be done is to prove that one or other of the parties was actuated by improper motives, or that there was collusion in going to the United States and residing there for sufficient time to bring them under the jurisdiction of the American courts, and our Canadian courts refuse to recognize such divorces. In my judgment the causes for divorce are now sufficiently broad. I think this Parliament should divest itself of the right to try these cases and should hand them over to the ordinary courts. In the provinces of New Brunswick, Nova Scotia, Prince Edward Island and I believe British Columbia divorce courts existed prior to 1867, and by the British North America Act those courts continue to exist until such time as this Parliament sees fit to abolish them. I hope Parliament will never take such a step. Although the Senate is carrying out the functions assigned to it in as proper a manner as possible, yet it is impossible for any committee or legislative body to so effectually and fairly try a divorce case as a court can, where gentlemen learned in the law are there to see that the case is properly tried. In the province of New Brunswick, the hardest case to win is the undefended one, for the simple reason that the assumption is raised in the mind of the court that there is collusion and that probably both parties are interested in obtaining a divorce. Under such circumstances it becomes the duty of the judge to act almost as counsel for the defence.

Another great objection which I have to the present method is the matter of expense. Once the law is laid down that divorce is right, provided the necessary grounds are proved, then that law ought to be put within the power of the poor man or woman as well as of the rich. Divorce can

not be cheapened by coming to the Senate or to Parliament as at present. I do not want to see the grounds for divorce extended, but I do want to see this matter taken out of the hands of Parliament and the proper tribunal found.

Motion agreed to, and Bill read the third time, and passed.

UNOPPOSED AND UNDISCUSSED MOTIONS.

For a copy of all charges, correspondence, letters, telegrams and other documents relative to the dismissal of Rod McLeod, boatman in the customs service at Big Bras d'Or, North Cape Breton and Victoria, N.S., and of the evidence taken and of reports of the investigation held by H. P. Duchemin, in regard to the same, with a detailed statement of expenses of such investigation.—Mr. McKenzie.

For a copy of all charges, correspondence, letters, telegrams and other documents relative to the dismissal of D. J. Morrison, boatman in the customs service at Big Bras d'Or, North Cape Breton and Victoria, N.S., and of the evidence taken and of reports of the investigation held by H. P. Duchemin, in regard to the same, with a detailed statement of expenses of such investigation.—Mr. McKenzie

For a copy of all letters, telegrams and documents in connection with the dismissal of James Bain, from the postmastership of Ninga post office, Ninga, Manitoba—Mr. Turriff.

For a copy of all charges, correspondence, letters, telegrams and other documents relating to the dismissal of M. J. McKennon from the customs office at Glace Bay, Cape Breton South, N.S., and of evidence taken and reports of investigation held by H. P. Duchemin, in regard to the same.—Mr. Carroll.

For a copy of all charges, correspondence, letters, telegrams and other documents relating to the dismissal of Captain J. P. Wilcox from the customs office at Louisburg, Cape Breton South, N.S., and of evidence taken and reports of investigations held by H. P. Duchemin, in regard to the same.—Mr. Carroll.

For a copy of all papers, documents, correspondence, &c., relating to requests for the temporary suspension of the application of the dumping clause of the Customs Tariff Act in reference to wire rods or any other products or articles, made to Department of Customs, or the Department of Finance, since November 1, 1911—Mr. McLean (Halifax).

For a copy of all papers, documents, petitions, letters, telegrams, Orders in Council and other papers and documents in possession of the Department of Customs, relating to the duty payable on twine used for fishing purposes, and especially relating to the construction placed upon item 682 of the Customs Tariff.—Mr. Sinclair.

For a copy of all correspondence, claims and reports with reference to compensation claimed by owners of horses attached to the 10th Field Battery at Camp Petawawa in the summer of 1912, by reason of damage or disease contracted while in the service; also of all such claims paid, the amounts in each case, and the persons to whom paid.—Mr. Carvell.

For a copy of all complaints and charges against James Falconer, of Newcastle, county of Northumberland, N.B., as correspondent of the Labour Gazette at Newcastle, and of all letters, telegrams and other correspondence relating in any way to his dismissal and the appointment of a successor.—Mr. Loggie.

For a copy of all complaints and charges against Mr. B. W. Smith, fishery overseer at Bayside, Northumberland county, N.B., and of all letters and correspondence relating in any way to his dismissal and the appointment of a successor.—Mr. Loggie.

For a copy of all papers, documents, letters, contracts, accounts, vouchers, correspondence, &c., relating to the repairs of the H.M.C.S. Niobe.—Mr. Maclean (Halifax).

For a copy of all letters, documents, correspondence, representations, &c., relating to the purchase of land at Digby, Nova Scotia, for the purpose of a site for a public wharf.—Mr. Maclean (Halifax).

For a copy of all letters, telegrams and petitions concerning the closing of the Moulin Bazinet post office, parish of St. Jean de Matha, county of Joliette.—Mr. Lemieux.

For a copy of all charges, evidence, correspondence, letters and telegrams in the Department of Railways and Canals since the 21st day of September, 1911, relating to the dismissal of Alexander E. Morrison, Point Tupper, N.S., from the service of the Intercolonial railway, and of all recommendations for the appointment of his successor.—Mr. Kyte.

For a copy of all letters, memorials, petitions, correspondence, reports and other documents in the Department of the Postmaster General, or on file therein, relating or in anywise appertaining to the inauguration or establishing of railway mail facilities between Moncton, N.B., westward over the Intercolonial railway towards St. John, in the morning, so as to furnish, among other things, opportunities for the transmission of newspapers and other mail matter, along said railway, to make morning connection with the railway mail facilities afforded by the railway from Salisbury, Westmorland county, N.B., running into Albert county, N.B., and also relating to the establishment of railway mail facilities on each week day evening between Moncton eastward over the said railway by train known as number 84, running between Moncton, N.B., and Springhill junction, Nova Scotia, thus affording direct mail connection for newspapers and other mail matter each evening from Moncton to Shediac, Memramcook, Dorchester, Sackville, Amherst, and intermediate points east of Moncton; together with a statement showing what, if any, such railway mail facilities, either by locked bag or otherwise, were established or furnished over either of the said routes, and stating the respective dates when the same were so established or furnished generally, or in relation to any one of the newspapers published in Moncton, either in the morning or in the evening.—Mr. Emmerson.

For a copy of all correspondence in the possession of the Government concerning the various purchases of Ross Rifles made by the Department of Militia and Defence since the

1st of November, 1911, until the 1st of March, 1913, inclusively.—Mr. Lemieux.

For a copy of all correspondence concerning the purchase of new locks for mail bags by the Post Office Department from the Ontario Equipment Company, Ottawa, Ont.—Mr. Carvell.

For a copy of all correspondence, letters, telegrams, reports, recommendations, certificates, and of all other documents relating to the appointment of Mr. J. S. Jackson as superintendent of the Government shipyards at St. Joseph de Sorel.

For a copy of all letters, papers and other documents relating to the claim for damages for the death of the young son of Thomas Hoare, who was killed at a crossing of the Intercolonial railway in the town of Stellarton in the summer of 1912, and of all petitions, letters, and other papers asking for the placing of gates or other protection at said crossing.—Mr. Macdonald.

For a copy of all papers, documents, correspondence, &c., relating to the purchase of a property at Centreville, Shelburne county, N.S., as a site for a public wharf, and in connection with any monies expended on the McCray property at Centreville, upon the public wharf.—Mr. Kyte.

For a copy of all papers, telegrams, applications and other documents regarding the S.W. ¼, 28-20-21, West 2nd M., N.W.H.B., patented March 1, 1909, as assignee of Norbert Bellehumeur; and the West ½ of S.E. ¼, 32-20-21, West 2nd M., N.W.H.B., patented March 1, 1909, as assignee of Norbert Bellehumeur; and and of all papers in connection with any claims by Norman McKenzie or others against the Government in connection with these lands.—Mr. Bradbury.

For a copy of all papers, telegrams, applications, and other documents in connection with the S.W. 2-19-20, West 2nd M. Homestead, patented June 3, 1892; the S. ½ of N.E. 20-20-21, West 2nd M., patented October 11, 1904, N.W.H.B., as assignee of Edward Boucher; the S.E. ¼ of 22-20-21, West 2nd M., N.W.H.B., patented September 22, 1900, as assignee of Louis McGillies; the S.E., ¼ of 28-20-21, West 2nd M., N.W.H.B., patented August 26, 1901, as assignee of J. Bte. Fagant, Jr.; and the East ½ of S.E. ¼ of 32-20-21, West 2nd M., N.W.H.B., patented September 11, 1901, as assignee of Jos. Alexander; and of all papers in connection with any claims of G. W. Brown or others in connection with these lands.—Mr. Bradbury.

For a copy of all tenders received and of all letters, telegrams, papers and other documents relating to the mail contract between Tatamagouche and Brulé shore Colchester county, during the present year.—Mr. Macdonald.

For a copy of all charges, correspondence, letters, telegrams and other documents relative to the dismissal of H. G. McKay, Lighthouse keeper at Bird Island, Big Bras D'or, North Cape Breton and Victoria, and of the evidence taken, and of reports of the investigation held by H. P. Duchemin, in regard to the same, with a detailed statement of expenses of such investigation.—Mr. McKenzie.

Names and home addresses of the stenographers employed in the House of Commons for the use of the members?—Mr. Martin (Regina).

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

PUBLIC BUILDING AT DISRAELI.

* Mr. TOBIN:

1. Has the Government received an offer with relation to the sale of a building to be used as a public building at Disraeli?

2. If so, (a) from whom did the offer come, (b) what is the description of the property offered, (c) the price asked for same, (d) and the name of the owner?

Mr. ROGERS:

1. Yes.

2. (a) La Compagnie, (b) a triangular piece of land, with building thereon on Church and Circulaire streets, (c) $5,500, (d) La Compagnie Champoux.

GRAND TRUNK PACIFIC—BRIDGE AT RIVERSIDE, SASKATCHEWAN.

Mr. KNOWLES:

1. Has the Government entered into any arrangement with the Grand Trunk Pacific Railway Company whereby the Government has agreed to pay the said railway company the difference in cost between a bridge on the Saskatchewan river at Riverside, and one at Elbow, province of Saskatchewan?

2. Has the Government agreed to give the said railway company any assistance towards the construction of a bridge across the Saskatchewan river at Riverside? If so, what assistance?

Mr. CODERRE:

1. The Government has no information on this subject.

2. Answered by No. 1.

LOCKS FOR MAIL BAGS.

Mr. CARVELL:

1. Has the Post Office Department recently purchased new locks for mail bags?

2. If so, how many, at what price, from whom, and when?

3. Who is the inventor of said lock?

4. Is there any royalty paid to the inventor? If so, what is the amount of the royalty so paid?

5. Were any tenders invited? If so, in what papers were such tenders advertised, and at what date in each case?

Mr. PELLETIER:

1 and 3. The Post Office Department has been continuously purchasing locks for mail bags for a great number of years. The previous lock having proved unsatisfactory, the department last year asked the contractor to supply a better one, and in the month of October last, he undertook to provide a much better one for four years. This lock is patented under number 142,823.

2. (a) A great many of these locks are needed. According to an estimate made by

the assistant deputy minister, it is probable that 350,000 will be needed in the course of the four years above mentioned; (b) eighty cents for the lock and twenty cents for the key, which is the same as previously paid by the late Government, since 1907; (c) the Ontario Equipment Company; (d) answered by (a).

4. The department has continued and will continued to pay one dollar for the lock and key, which is the price fixed in 1907 by the Hon. Rodolphe Lemieux, then Postmaster General and the same price is now paid by the present Postmaster General is for a much better lock and key. The department has not agreed to pay any royalty, has paid none in the past, and will pay none in the future.

5. On the 19th day of March, when this matter was incidently referred to in this House, the Postmaster General was under the impression, which had been conveyed to him by the assistant deputy minister, that the contractors were the lowest tenderers. An examination of the files has corrected that erroneous impression. There have been no tenders asked for the last eighteen years, and the present Government has, in that respect, continued the policy of the last Government, who invited no tenders when the article required was patented.

DREDGE RESTIGOUCHE.

Mr. TURGEON:

Is it the intention of the Minister of Public Works to equip the dredge Restigouche with scows and tug-boat, so as to facilitate and expedite her operations in Bathurst harbour, N.B.?

Mr. ROGERS: The matter is under consideration.

QUEBEC PILOTS—EYESIGHT TEST.

Mr. LEMIEUX:

1. Has the Department of Marine and Fisheries appointed an oculist to examine the sight of the pilots of Quebec?

2. By whom has the examination been made this year?

Mr. HAZEN:

1. The three commissioners appointed to conduct the investigation into pilotage matters unanimously recommended the appointment of an oculist either from Ontario or the maritime provinces who would be 'absolutely clear of local influence.' An oculist conforming to the terms of the recommendation, was appointed.

2. Examinations were held last week by Dr. H. D. Fritz and Captain H. St. G. Lindsay.

QUEBEC AND ORIENTAL AND ATLANTIC, QUEBEC AND WESTERN RAILWAYS.

Mr. MARCIL:

1. Has the Government received resolutions adopted by the county councils of Gaspé and Bonaventure, asking it to take over the Quebec and Oriental and the Atlantic, Quebec and Western railways, and incorporate them into the Government railway system of Canada, on the grounds that the said lines are not being operated in a manner to fully serve the interests of the counties through which they run?

2. Does the Government intend to take any action to meet the wishes of the people of these counties, or has any action been taken? If so, what is the action?

Mr. CODERRE:

1. Yes, by the Department of Railways and Canals.

2. The resolution will receive consideration.

WEIGHTS AND MEASURES APPOINTMENTS, BONAVENTURE.

Mr. MARCIL:

1. Who recommended the appointment of two officials, Messrs. Gabriel Myles, of Pabos, Gaspé county, and Hormisdas Desjardins, of Sayabec, Rimouski county, to replace one official, Mr. J. F. Bugeaud, of Bonaventure, Quebec, assistant inspector of weights and measures, for the district of Quebec, dismissed on the grounds of alleged active political partisanship?

2. What were the grounds set forth for the appointment of two officials to replace one?

3. Were any persons recommended for such an office from Bonaventure county, who were they, by whom were they recommended, and why were they not appointed?

4. Have the salaries of Messrs. Myles and Desjardins been increased since their appointment, and what district has been assigned to each respectively?

5. Is A. B. Caldwell, assistant temporary inspector of weights and measures, of New Carlisle, Quebec, appointed jointly with J. F. Bugeaud, still in the employ of the Department of Inland Revenue? If so, at what salary and in what district?

6. Was the removal of Mr. A. B. Caldwell also asked of the department? If so, by whom and why was it not granted?

7. Were any investigations held in these cases, or was the dismissed official given an opportunity of meeting the charges made against him?

Mr. NANTEL:

1. Dr. L. P. Gauthier, M.P., H. Boulay, M.P.

2. Better efficiency of the service.

3. Mr. J. T. Daignault has also been recommended by reliable parties from the riding, but as he was living in the county of Bonaventure, he was not appointed, for the reasons given in answer to question No. 2.

4. Each appointed at $200. They have received no increases. They were appointed as assistant inspectors of weights and measures for the weights and measures district of Quebec.

5. Yes, $450 per annum. District of Quebec.

6. Yes. By reliable parties from the riding, but no others.
7. No. Mr. Caldwell is still in office.

AVIGNON POSTMASTER.

Mr. MARCIL:

1. Has a postmaster been appointed to replace Mr. Octave Martin, at Avignon, Quebec, who resigned?
2. On whose recommendation has this new appointment been made, if any, and has any petition been received on the subject?
3. Has the new postmaster been authorized to appoint any assistant or assistants, and who are they?
4. Does the new postmaster keep his office on his own premises? If not, where?

Mr. PELLETIER:

1. and 2. Yes. By direction of the Postmaster General. No petition was received on the subject.
3. No.
4. Yes.

MIDDLETON—PORT GEORGE MAIL SERVICE.

Mr. MACLEAN (Halifax):

1. Were tenders recently asked for the carriage of mails from Middleton to Port George, Annapolis county, N.S.?
2. If so, what are the names of the persons who tendered and the amount of each tender?

Mr. PELLETIER: 1. and 2. Tenders have not been invited. Authority has been given to renew the contract of William Mosher for a further period of four years, dating from 1st April, 1913, on the existing terms and conditions.

RIGAUD POST OFFICE—COAL CONTRACT.

Mr. BOYER:

1. Who has been granted the contract for providing the coal for the post office at Rigaud?
2. How many tons have been delivered, and what is the price paid per ton?
3. What are the names of the different tenderers, and what is the price per ton asked by each of them?

Mr. PELLETIER:

1. Chevrier Frères.
2. About thirty-six and a half tons at $8 a ton.
3. Only one tender received, from Chevrier Frère.

DISMISSALS.

Mr. DELISLE:

1. Has the Government received a petition signed by the electors of Grondines, county of Portneuf, asking for the dismissal of J. O. Paradis and Laurent Paradis, operators of the marine telephone of the said parish?
2. If so, has the Government dismissed the said persons, or does it intend to dismiss them?
3. Who recommended the appointment of the said J. O. Paradis and Laurent Paradis?

Mr. HAZEN:

1. Yes.
2. These operators are employed only during the season of open navigation. Mr. J. O. Paradis resumed work about two weeks ago, in order to report the movements of the ice-breakers. It is the intention of the department to continue his services, as he is reported competent to discharge the duties of the office. When the time comes for the engagement of a night operator, the question of employing Laurent Paradis will be considered.
3. Persons in whom the Minister of Marine and Fisheries has confidence.

DISMISSAL OF G. M. ULLYOT.

On the motion for Committee of Supply:

Mr. G. E. McCRANEY (Saskatoon)): I would call the attention of the acting Minister of Interior (Hon. T. W. Crothers) to an answer which was given by him to a question of mine, reported on page 6411 of the Unrevised 'Hansard,' with regard to the case of G. M. Ullyot, clerk in the Dominion Lands office at Saskatoon. The letter addressed to Mr. Ullyot embodying his dismissal was as follows:

I beg to inform you that it has been decided to dispense with your services as senior assistant in the Dominion Lands office at Saskatoon, to take effect at once.

Writing to the Department of Interior, Mr. M. A. MacInnes, the agent of the Dominion Lands office in Saskatoon, said:

Department of the Interior,
Saskatchewan, June 5, 1912.
Dominion Lands and Crown Timber Office.

Sir,—I beg to inform you that Mr. George M. Ullyot's resignation took effect on the 25th ultimo and he discontinued work on that date.

Your obedient servant,
(Sgd.) J. A. MacInnes,
Agent, Dominion Lands.

The Secretary,
Department of the Interior,
Ottawa, Ont.

This was the first intimation I had that Mr. Ullyot had resigned, and I put a question on the Order Paper as follows:

Mr. McCraney:

1. Referring to the return recently laid on the table of the House of Commons regarding the dismissal of G. M. Ullyot, clerk in the Dominion Lands office at Saskatoon, on what grounds was the said G. M. Ullyot dismissed, and by whom was such dismissal recommended?
2. Did the said G. M. Ullyot resign, as stated in the letter of Mr. MacInnes contained in the said return?
3. If so, was said resignation in writing or oral, and what were the terms of said resignation?

To that the acting minister replied:

Mr. Crothers:

1. Political partisanship.

2 and 3. No official record of such resignation except the reference contained in the letter from Mr. MacInnes, local agent of Dominion lands.

The point I want to make is, that if Mr. Ullyot had resigned and was not dismissed, there was no occasion for bringing down any return and I would not have asked for any. It is important to know whether Mr. Ullyot had resigned or not, and if he did resign there should be a copy of his resignation on the file. I would like to have had that copy produced from Mr. MacInnes, if there is such a copy. Mr. MacInnes was the Conservative candidate in 1908 in the riding of Saskatoon. He is a city alderman and knows the uses of the English language. Mr. Ullyot, I understand, denies that there was any political partisanship. I would like the minister to communicate with the agent of Dominion lands at Saskatoon, and ask him to send a copy of the resignation of Mr. Ullyot, or to explain his language. If it turns out that there was no political partisanship on the part of Mr. Ullyot, as I understand is claimed by him, and that this letter was written to give the idea that there was a resignation, then I think it is the conduct of the agent of Dominion lands at Saskatoon that is to be investigated rather than that of Mr. Ullyot.

Mr. ROGERS: Having had charge of the Department of the Interior at the time the dismissal my hon. friend refers to took place, I may be able to throw some light upon the subject. As far as the action of the department and myself in connection with the matter was concerned, there is certainly nothing to shield. As I understand it, Mr. Ullyot was dismissed by reason of the fact that he was known and recognized as a political partisan. I hold in my hand a copy of a statement, most of which I understand is written by Mr. Ullyot himself in his own handwriting, and part of which is printed. It says:

Elections are never won by platform speaking or by sitting around talking in offices. The winning party is always the working party. In the interests of the province as well as in his own interest every Liberal should be prepared to do his utmost. If he does he may be sure of victory. Make up your mind that your division will return a Liberal majority, then start out to get it.

I turn the page and I find written in Mr. Ullyot's own handwriting, a list of the several polling divisions in the constituency and the names of the persons who are to undertake the work in the different polling divisions.

I turn another page and I find, in the handwriting of Mr. Ullyot, evidence of the fact that he was not alone a political partisan, but also, evidently, secretary-treasurer of the Liberal campaign fund in this constituency.

Sir WILFRID LAURIER: That was a sinecure——

Mr. ROGERS: I find here, in what appears to be his own handwriting, a statement after the names of the gentlemen to whom he had allocated the work, as follows:

Gave T. H., Garry the sum of $412.00.

If my hon. friend requires any further information, of course we will be delighted to supply it, in the case of Mr. Ullyot, or any other dismissal we have made for political partisanship in western Canada.

Hon. FRANK OLIVER: I would like very much if my hon. friend would lay on the table the document from which he has read.

Mr. ROGERS: I shall do so.

Mr. OLIVER: A remarkable fact in this connection is that a return was tabled in the House or an answer was made to a question, stating that Mr. Ullyot had resigned, while my hon. friend has the evidence under his hand, as he shows, giving the cause for Mr. Ullyot's dismissal, and he says, as a matter of fact, that he was dismissed. While we do not want to raise any question about trivial matters, we want to know definitely, whether, when a return is made to this House or a question is answered, we can depend on the good faith of the Government in making the answer or in producing the return. I think my hon. friend will agree to that proposition and will agree also that it is not in accordance with good parliamentary procedure to take the action that has been taken in this case. As to the matter of Mr. Ullyot's merits or demerits, I must say that I have acquaintance with Mr. Ullyot, and I am more than surprised at the allegation made by the Minister of Public Works. That is why I am very anxious to probe it to the bottom. If such a state of facts existed within the knowledge of the Department of the Interior, there was certainly no justification for the answer that was made to the question.

PURCHASE OF MAIL BAG LOCKS.

Hon. RODOLPHE LEMIEUX (Rouville): I rise to a question of privilege. The other day while we were discussing estimates, I happened to ask the Postmaster General if new locks had been bought by the Post Office Department for the mail bags, and I received the information that 350,000 new locks had been pur-

chased by him recently at a price of one dollar per lock. A series of questions was put by the hon. member for Carleton (Mr. Carvell) concerning that extraordinary purchase and the answer has just been given by the Postmaster General. One of these questions was:

Mr. Carvell:
1. Has the Post Office Department recently purchased new locks for mail bags?
2. If so, how many, at what price, from whom, and when?
3. Who is the inventor of said lock?
4. Is there any royalty paid to the inventor? If so, what is the amount of the royalty so paid?
5. Were any tenders invited? If so, in what papers were such tenders advertised, and at what date in each case?

I see by the answer of Postmaster General that he introduces the name of his predecessor to justify his action. His answer to question 4, is:

The department has continued and will continue to pay one dollar for the lock and key, which is the price fixed in 1907 by the Hon. R. Lemieux, then Postmaster General, and the same price now paid by the present Postmaster General is for a much better lock and key. The department has not agreed to pay any royalty, has paid none in the past, and will pay none in the future.

I beg to say that the late Postmaster General never fixed the price for locks and keys. When he took over the department he found conditions under which such things were purchased at the lowest price possible; the Postmaster General of that day would never have purchased such a large quantity of locks without calling for tenders. The impression my hon. friend the Postmaster General tries to convey is that he has followed the principle adopted by his predecessor. I repeat, first, I never fixed the price for locks and keys, and secondly I never purchased such an extraordinary quantity of locks as 350,000, at one dollar each. I do not know why my hon. friend has introduced my name in the answer he has given to the House. I think he should see that his answers are better prepared. However, I am glad to note that the hon. gentleman tries to correct the impression which he sought to convey, that tenders had been called for. He has admitted now that no tenders were called for this very large quantity of locks.

Hon. L. P. PELLETIER (Postmaster General): Instructions seem to have been given in the province of Quebec to send abroad, and to repeat day by day, the statement that the Postmaster General had bought locks at a terribly high price. Day after day the Grit papers in Quebec have been repeating that statement. A question was put in the House on the subject, and I have stated in my answer that the price we now pay for the locks is the one which was fixed by the preceding Postmaster General, and that statement is true. Previous to 1907, a different price was paid, but in 1907 it was raised by the orders and instructions of the hon. member for Rouville (Mr. Lemieux). These are the facts as they are to be found in the papers on the official file. I myself saw this morning, letters written by the contractor asking for an increase of the price, and the decision of the hon. member for Rouville, fixing the price at eighty cents each for the locks, and twenty cents each for the keys.

Mr. LEMIEUX: What were the quantities?

Mr. PELLETIER: The quantities which were wanted by the department. My hon. friend has tried to raise a scandal in the province of Quebec; he has his answer to-day, and it is no wonder that he is not satisfied with it. For days I have been told in the province of Quebec that it was a shame to buy locks at that price. My answer simply shows that I have continued to pay the price fixed five years ago by the hon. member for Rouville.

Mr. CARVELL: Is it the same kind of lock?

Mr. PELLETIER: It is a much better lock for which we pay the same price. Of course I understand that it is somewhat of a disappointment to my hon. friend (Mr. Lemieux) that this big scandal has disappeared. He says that I have tried to justify my action by using his name. I have done so because I was told that we were paying more for this lock than we should, when, as a matter of fact we are simply paying the price which was fixed by my hon. friend from Rouville. I thought it was only fair after what has been stated in the newspapers regarding a big scandal in connection with the purchase of those locks that in answer to the question put by my hon. friend from Carleton (Mr. Carvell) I should state the facts as they are. This question came up when we were passing the estimates for 1912-13 on the evening before the Easter adjournment. We were considering another matter when my hon. friend from Rouville (Mr. Lemieux), no doubt in good faith, put a question about those locks. The assistant deputy minister was sitting beside me at the time and I made inquiry of him, and he gave me the information, being himself under an erroneous impression that tenders had been called for. Of course tenders cannot be asked for a patented article. That is the rule which was followed by my hon. friend from Rouville. Mr. Verret gave me the information on the spur of the moment and made a mistake, and I repeated it to the House. To-day I am putting the facts as they are. As to the quantity, the principle which has been followed for the

last eighteen years is, that these locks should be purchased as required year by year by the department.

Mr. LEMIEUX: How many by the year?

Mr. PELLETIER: My answer is there. We have an estimate made. We do not know exactly what the quantity required will be, but the assistant deputy minister made an estimate, which he handed over to me, that for the next four years the number required would be 350,000.

Mr. LEMIEUX: How many were used last year?

Mr. PELLETIER: I do not know.

Mr. LEMIEUX: How many for the last five years? I venture to say that for the last twenty years we have not used 350,000 locks.

Mr. PELLETIER: Does my hon. friend think that we buy locks to store them in the department? We buy them from the manufacturer as they are required.

Mr. CARVELL: Do you buy them for a century?

Mr. PELLETIER: That might be the policy of my hon. friend if he was administering the department, but it is not mine. We buy them as we want them. The contract says that the man who manufactures those locks will supply them as wanted, and as notice is sent to him from month to month. That is all there is in this big scandal.

Mr. LEMIEUX: I beg to reiterate what I said when I rose to a question of privlege. First of all, I never fixed the price for the locks when I was at the head of the department. For the few dozen locks which were bought yearly, I daresay the price, even at one dollar each, was a fair price, but we never thought of buying 350,0000 at one dollar each without calling for tenders.

Mr. PELLETIER: The papers can be brought down to show you.

Mr. BELAND: Who is the inventor of this new patent lock?

Mr. PELLETIER: The number of the patent is given in the answer to the question.

Mr. LEMIEUX: But what is the name of the inventor?

Mr. PELLETIER: We have a contract. I have given the information as the officers of the department have found it in the papers.

Mr. LEMIEUX: Who is the contractor?

Mr. PELLETIER: The Ontario Equipment Company are the contractors.

Mr. LEMIEUX: When was that contract signed?

Mr. PELLETIER: Some time in September or October, 1912, but I would not like to be too sure without the papers before me.

DISMISSAL OF DIDSBURY POSTMASTER.

Mr. CLARK (Red Deer): Mr. Speaker, I should like to give notice to my hon. friend the Postmaster General that, on some early occasion convenient to himself, I shall ask him the reasons for the dismissal of Mr. David Shantz, postmaster of Didsbury in the Red Deer district. He was dismissed from the post-office, and the information I get is that he was dismissed without any charge and therefore without any examination into the circumstances. I should like, at an early date, to have the information upon this subject.

Mr. PELLETIER: I will see that the papers shall be brought here so that the hon. gentleman will have them before him when he comes to deal with the matter.

SUPPLY.

House in Committee of Supply.

Mr. EMMERSON: I do not know what matters are to be brought before the Committee, but on Friday night it was stated that civil government would be dealt with. I have just learned that we are likely to take up the estimates in connection with the Intercolonial railway.

Mr. BORDEN: It is only in connection with one particular item as to which hon. gentlemen on the other side of the House required some information in view of the vote of one-sixth on account.

Mr. EMMERSON: By the usage of this House, the Minister of Railways, before his estimates are considered, is expected to make a general statement with reference to the Intercolonial railway, dealing with the accounts of the past year and foreshadowing the requirements of the year that is to come.

Mr. BORDEN: I do not think my hon. friend quite understands the situation. He knows that very often a vote on account has to be taken. It has been taken for a great many years in the past and it has been taken long before the Minister of Railways makes his statement. That has been done over and over again. He undoubtedly makes a statement on his estimates, but, in the meantime, the vote on account is taken. It was the desire of hon. gentlemen that an explanation should be given in respect to certain items before the vote on account was taken. These explanations now will not take away the

necessity of making any statement that is usual or desirable. It does not interfere with the ordinary course of affairs at all.

Mr. EMMERSON: I do not think my position is altered by the explanation of my right hon. friend. I understand nothing about any percentage to be voted or anything of the sort. I do not know whether there is any understanding as to that. I asked as to whether it was proposed to deal with the estimates of the Railway Department in connection with the Intercolonial railway. I think that I, as a member of this House representing a constituency which is very deeply interested in the Intercolonial railway, have a right to ask that the practice of past years be continued and that before one-sixth, or even one dollar, is voted in connection with the Intercolonial railway, we should have a statement reviewing the situation and foreshadowing the events of the current fiscal year. It has been the practice for the last thirty years to require the Minister of Railways to make such a statement. It does not alter it in any way whether you are asking for the whole of the appropriation or only for a fraction of it. There are a great many subjects involved, and I think the members of this House are entitled to a general statement before even one item is taken up.

Mr. BORDEN: My hon. friend is entirely mistaken in supposing that the statement of the Minister of Railways has usually been given before a vote on account is taken. A vote on account has frequently been given before any such statement has been made. However, my hon. friend the Minister of Railways and Canals (Mr. Cochrane) may be prepared to give it; I do not know.

Mr. COCHRANE: I can give the committee a short synopsis of the past year's operations. The estimated surplus is between $900,000 and $1,000,000. It has been a pretty successful year, the revenue being the largest in the history of the road. The estimated reveenue is $12,000,000. In comparison with the last three years the results show up remarkably well. The revenue for the last three years was as follows:

1911-12	$10,593,785
1910-11	9,863,783
1909-10	9,268,234

A large amount has been spent upon equipment. If I offered any criticism at all with reference to the management of the road in the past it would be that the equipment has not been kept up with the increased business from year to year. The following amounts have been taken out during the year and charged to working expenses: Rail renewals, $100,000; fire renewals, $60,000; equipment renewals, $300,000. The average price of coal for the year just closed was twelve cents per ton higher than the previous year, involving an extra outlay of some $85,000. This year I think the increase will be twenty-five cents a ton. The amount paid in wages for handling the year's business is about $350,000 in excess of the previous year. Contracts have been let for rolling stock during the current fiscal year for over $3,000,000 worth, as follows:

		Delivered.
45	Consolidated freight engines	15
5	Pacific type passenger engines	none
9	Switching engines	"
1,423	Steel frame box cars	623
150	Wooden box cars	150
200	Steel under frame platform cars	100
20	Steel frame stock cars	20
100	Hart Otis coal cars	50
35	Refrigerator cars	50
100	Hart convertible dump cars	none
1	Snow plough	1
1	tank car	1
7	Sleeping cars	4
4	Dining cars	2
7	First class cars	6
3	Baggage cars	none

Mr. EMMERSON: What proportion of those are to be paid for out of revenue?

Mr. COCHRANE: All of it will be paid out of this year's and last year's revenue with the exception of $1,000,000 which is in this year's estimates. In addition to the above the following cars are under construction in the Moncton shops: One hundred and fifty wooden box cars; eighteen conductors vans; three colonist cars; one flanger. The reports of the traffic offices show that there will be increased business for the coming year and every effort is being made to have the rolling stock ordered and delivered in time to handle the increased business.

Mr. EMMERSON: I should like to have a little more in detail the proportion which is to be paid for out of revenue. My hon. friend says that they are all paid for out of revenue excepting $1,000,000 worth which is to be voted this year. Am I correct in concluding that he has purchased this rolling stock during the past year and that a million dollars is to be added out of the estimates of the coming year?

Mr. COCHRANE: Out of the profits of 1911-12, 1912-13, and 1913-14, with a million dollars additional, we expect to be able to pay for the equipment, which amounts, if I remember rightly, to about $4,000,000.

Mr. EMMERSON: I can quite appreciate the fact that the revenue of the railway has very largely increased during the past year, about $1,500,000 in excess of the preceding year. In 1911-12, the revenue increased about $750,000 over the preceding year. The greatest proportion of increase in the revenue of the road has therefore occurred during the last year. With regard to the

Intercolonial railway, my hon. friend has mentioned the fact that he has purchased all this rolling stock, and that he has contracted for certain additional rolling stock which is to be delivered in the coming autumn. Can he give me a statement of the total cost of what is yet to be delivered?

Mr. COCHRANE: I can get that for my hon. friend and bring it down later on.

Mr. EMMERSON: In connection with the Intercolonial railway, a very large sum was expended on capital account some years ago in the construction and establishment of railway shops at the city of Moncton. Very complete works were established, and a very large amount of money was asked of Parliament for that purpose. That was during the period when I had the honour of presiding over that department.

Mr. BORDEN: I understood from my right hon. friend (Sir Wilfrid Laurier) that before one-sixth should be voted of the Intercolonial railway items, he and some hon. gentlemen opposite would like to have explanations with regard to the $2,500,000 item for the terminals at Halifax and also the $160,000 item for improvements at Lévis. If my hon. friend from Westmorland will delay his remarks a little those explanations can be given.

Sir WILFRID LAURIER: My hon. friend the Minister of Railways has given his explanation in regard to the Intercolonial railway. We can take that question up now.

Mr. EMMERSON: I certainly misapprehended what was in the mind of my right hon. friend. I thought we were going on with the estimates of the Railway Department.

Mr. BORDEN: When a vote on account is granted, there usually is no discussion, because a discussion on the one-sixth would take up just as much time as on the whole item. Before coming down with the proposal to ask for a sixth, I merely wished to give some information which hon. gentlemen desired.

Mr. EMMERSON: My hon. friend the Minister of Railways has made a statement with respect to the Intercolonial railway, which is very brief and not very illuminative.

Mr. COCHRANE: If I had your flow of language, I could spend a half hour on it.

Mr. EMMERSON: The hon. gentleman prides himself on his brevity; and if it be true that brevity is the soul of wit, the hon. gentleman is the wittiest man in the House. I was saying that the country had spent a large sum of money on the Intercolonial railway establishment at Moncton; but the ideas upon which that expense was made have not been carried out. It was the intention of the department to utilize these shops and that machinery to build all the rolling stock, including locomotives, to be paid for out of current revenue. Otherwise we could not have fairly asked Parliament to spend such large sums in providing these facilities. But not a single locomotive has been constructed there.

Mr. HAZEN: In what year was the vote?

Mr. EMMERSON: In 1906, I think. Before the fire the shops were of a character that could only be called hodgepodge. They had been commenced in 1875, or even before that time, and additions had been made as deemed necessary, so that at the time of the fire they were not only inadequate but inconvenient, and work was carried on at a disadvantage and at excessive cost. The shops were practically wholly destroyed in the fire. It was determined that a new site should be selected and modern shops constructed. In asking for the vote, I explained the policy of the department to be the providing of shops which would not only do all the necessary work of repairs to rolling stock, but that would have facilities for construction as I have explained. The money was voted and the shops constructed, and I think I can fairly state that the facilities afforded at these shops are equal to those of any similar establishment in Canada. Perhaps these shops may not be so extensive as the Angus shops in Montreal, but in other respects they are quite equal to the Angus shops. The work of rolling stock repairs has been carried on in these new shops at much less cost than in the old establishment. A car to be repaired is taken in at one of the shops and turned out, completely repaired, at the other. In the old shops the car had to be moved to one place and to another at great loss of time; the machinery was not up to date and modern requirements generally were not met, whereas today, work is carried on at a great advantage, and consequently at reduced cost.

But the intention to have rolling stock constructed in these shops out of revenue has not been carried out because the minister's statement shows that contracts have been let outside this year for many of the cars and all the locomotives. I should not complain if all these purchases were confined to the rolling stock to be paid for out of capital. I can well understand, for instance, that Pullman cars can be constructed to greater advantage in shops where special facilities for such work are provided. But I must guard against being misapprehended in this regard. I think the shops at Moncton are so perfectly equipped that there is no class of rolling stock for the use of the Intercolonial railway that could not be properly constructed

there. In regard to the locomotives, no one will deny that the equipment at Moncton is adequate for the construction of locomotives of the highest standard of Canadian manufacture. I could go further and say that in years past the locomotives constructed at Moncton have not had their equal anywhere in Canada. I think the men on the Intercolonial railway, both the locomotive engineers and mechanics will bear testimony to the fact that the locomotives constructed at Moncton in years past were superior to, certainly equal to any imported from the United States or Scotland or to any manufactured elsewhere in Canada. What I have to complain of is that the present facilities for the construction of locomotives are not being utilized. In my judgment they could, from an economic standpoint, be utilized to the advantage of the Intercolonial railway; it seems to me to be a sheer waste of money to have facilities for the purpose and not utilize them. I want to congratulate my hon. friend on the surplus of about a million dollars he mentioned as having attained during the past fiscal year. I do think, however, that, had he taken the course which I have outlined, and had he required his managing board to have many of these cars constructed at Moncton, his surplus would have been larger, and the railway itself would have been greatly benefited. There has been one constant cry for the past eighteen months—certainly for the past year—all along the line of the Intercolonial railway to the effect that shipments were delayed, and that the export and general trade of that section of Canada was being hampered by the fact that the Intercolonial could not furnish the necessary cars. I admit that is true in respect of other railways and with regard to other sections of Canada, and I am not saying that point is to be emphasized any more in connection with the Intercolonial than with other railways. Complaint has been made that a great many Intercolonial cars have been seized and held by United States railways. I do not wish to dwell upon that at this moment, but my hon. friend furnished a return showing the number of cars of the Intercolonial which were in use or held on other railways in the United States and Canada, and also a return showing that the Intercolonial had a very large percentage of United States cars, as well as those of other Canadian railways. I venture to say that a careful study of this return will disclose the fact that although Intercolonial cars of all classes and descriptions are to be found elsewhere in Canada and in the United States, the Intercolonial has more than compensated itself in that regard by using United States and other cars which are running on its lines. I have seen within the last few months—indeed, during the whole of the past season—complete trains pass over the Intercolonial between Montreal and Halifax, not more than two per cent of the cars being those of the Intercolonial. There were cars from the railways of even remote parts of the southern United States; from the railways of the New England States, from the farther west, from the southern Pacific, and from the railways on the western coast of the United States. The percentage of cars of other railways on the Intercolonial during the past year has been, in my judgment, larger than the percentage of Intercolonial cars held by the railways in the United States.

Mr. COCHRANE: I think the percentage is against the Intercolonial.

Mr. EMMERSON: My hon. friend may think so, but, after studying the situation, I have been led to form a different conclusion. The point I desire to make is that to my knowledge there have been a large number of disabled cars in the sheds and yards at Moncton, and on sidings of the Intercolonial, which should have been repaired at Moncton. I know my hon. friend will say that the managing board furnishes him with reports to the contrary; but the managing board are not in a position to deny the fact that miles of sidings have been covered with disabled cars, which could very well have been repaired and put in use. In the early part of last season there were in the Moncton yards alone hundreds of cars, and yet the outcry was heard from shippers on all sides that they could not get rolling stock to meet their requirements. I think my hon. friend will himself bear testimony to the fact that in distributing his orders among the car companies of Canada he is not given prompt delivery, and has been subjected to delay whereas had he, in addition, had a sufficient number of workmen at Moncton utilizing the machinery that was idle there, he should have very readily, or at least, measurably, met the difficulty of furnishing additional cars. The surplus was large, but, in my judgment it might have been larger had a proper policy been adopted in connection with the car situation. More than that, had the motive power on the Intercolonial been up to the requirements during the past year, there would have been a very much larger and quicker movement in freight traffic. In my own experience I have known a train of cars to remain at Painsec Junction for four days because of the absence of power to move it. My hon. friend the Minister of Railways is, perhaps, not personally conversant with those conditions; I admit he is responsible, but he is not personally conversant——

Mr. COCHRANE: I am not responsible.

Mr. EMMERSON: Perhaps my hon. friend can escape the responsibility in that regard. I have felt that the managing board was created for the purpose of relieving the ministers of responsibility, but I never could understand how they could be thus relieved.

Mr. COCHRANE: They did not have the funds to buy with; the House had to give the money.

Mr. EMMERSON: They should have had the funds, and there is no excuse for their not. Is that the reason why my hon. friend did not provide the facilities which should have been afforded a year ago last spring or last winter? During last summer, the passenger and express trains, even the Ocean Limited, had to be hauled between Moncton and Montreal by freight engines time and again. I am not speaking from hearsay, I am speaking of what I actually know to be the fact. The excuse offered was that they had not the locomotive power. Does my hon. friend say that this was because they did not have funds? If they did not have the funds they should have had them, because it is inexcusable to advertise over this continent that you are going to run fast trains, such as the Maritime Express and the Ocean Limited, and have those trains hauled by freight engines. It seems to me an intolerable condition of things and one that certainly does not reflect credit upon the board of management. If the Intercolonial railway had had the necessary motive power and the necessary rolling stock, the increase in the gross earnings of the railway would have been very much greater. I would hope that if my hon. friend advances as an excuse for his past action the lack of funds, he will see that it does not occur again.

Mr. COCHRANE: I said that in defence of the managing board who could not take the money. That was for the minister, the House, and the Government to deal with.

Mr. EMMERSON: Parliament was not asked for the money and so it was not furnished. Then I suppose the Department of Railways and Canals and not the managing board is to be condemned, and my hon. friend will have to be responsible personally for that as minister. If that condition has been the result of a lack of funds, I hope my hon. friend will see that there shall be no such excuse offered during the present fiscal year. Of course there always will be complaints with regard to the operation of the Intercolonial, but very serious complaints are made to-day and have been made during the past winter. This has been an exceptionally favourable winter for the operation of trains over the Intercolonial, but still there has been great delay, and time and again they have had to cancel trains. Some trains ceased to be regular trains before reaching their destination and became special trains simply because they lacked locomotives even to haul the ordinary passenger trains from one end of the line to the other. There has hardly been a day, and I make the statement challenging successful contradiction, there has not been a day since the 1st of January on which the trains operating between Halifax and Montreal were not late. Perhaps that is almost too sweeping a statement for me to make, not having been personally on the ground, but so far as the operation of these trains has come under my personal observation, there has not been a single train run on time. The local trains between Springhill junction and Moncton and various other points, on the Intercolonial, have caught the contagion and they cannot apparently be run on time. This reflects upon the railway and injures the traffic of the road. My hon. friend wisely, in my judgment, continued the operation of the Ocean Limited, in competition with the Canadian Pacific railway between Montreal and Halifax, but the fact that he did not have sufficient locomotive power lost to him a very large percentage of the through traffic. I have known passengers, I would almost say by the score, who, in going East, have gone as far as Montreal with the intention of travelling the balance of the way over the Intercolonial, by the Ocean Limited, but who, on reaching Montreal, because of locomotive conditions on the Intercolonial, were constrained to go to eastern points by the Canadian Pacific railway. I can quite appreciate the desirability of going east from Montreal via St. John when you are travelling to a point west of Moncton, but ordinarily speaking any traveller would prefer to go by the Intercolonial to points other than St. John or to points between Moncton and St. John. I think they show good judgment in preferring the Intercolonial railway, but under the conditions prevailing during the past season they have not been able to avail themselves of it. I have no desire to carp at the Intercolonial. I know the difficulties my hon. friend experiences. I have had the same experience, and I know that there is too great a tendency to complain, simply for the sake of complaining. Then there are other complaints in connection with the operation of the Intercolonial, that I think are vital, and certainly have a bearing upon the proper operation of the road. I believe in economy, but I do not believe that the Intercolonial should exercise an economy that means the cutting off of lights at stations, except just for the time when trains are entering the

station or lying at it. It is a common complaint throughout the maritime provinces, that at stations all along the line, at Campbellton, Newcastle wherever they have electric lights, the lights at the stations are not put on until the train is rolling into the station, and they are shut off immediately after the train has left. Lives have been lost as a result of that. The life of a very prominent man, a New Brunswicker, was unfortunately lost at Compbellton, as a result of the shutting off of light and not having the yard properly lighted. When people have to remain around a station in darkness, waiting for delayed trains, it is not treating the travelling public as they should be treated. It is an economy which cannot in common sense be justified. Hon. gentlemen opposite, who have had experience along the Intercolonial, can bear testimony to the truth of what I am saying. At Sackville, which is as we all know a university town, where there are many students passing to and fro, I had occasion to observe these conditions during the Christmas vacation, and they were a disgrace to the Intercolonial, and entailed great inconvenience to the people using that station. The attention of the managing board should be called by the Minister of Railways to this.

I should have liked if, in his explanation of the financial conditions which have prevailed during the past year, and which he anticipates during the current year, my hon. friend had taken us into his confidence in relation to the operation of the connecting railways. I am not going to deal with the subject of branch lines, but I do think that my hon. friend might properly and advantageously have taken us into his confidence as to whether he anticipated taking action during this fiscal year to have any of those railways harnessed up to the government line.

Mr. COCHRANE: That question will come up on its merits.

Mr. EMMERSON: It is a financial feature in connection with the Intercolonial, which might very properly have been referred to by my hon. friend when he asked for a vote in connection with the main line. The traffic receipts of the Intercolonial could be substantially increased by proper train connections with the connecting branches, even without acquiring some of these. As a matter of fact, a great proportion of the traffic, passenger as well as express, and indeed freight too, is assembled at Intercolonial railway stations by the branch railways. Too large a proportion of that traffic goes over the Canadian Pacific railway to Montreal and points west; it could go over the Intercolonial to Montreal if proper connections were arranged. My hon. friend has made an arrangement with the Dominion Express Company which is going to prove disadvantageous from the financial standpoint.

Mr. COCHRANE: It is not proving so.

Mr. EMMERSON: It has only been in operation for a month or two, and I do not think my hon. friend is in a position to contradict what I have said. I am for the Intercolonial, and anything that will contribute to its advantage I shall favour at all times. I have feared that the permission given to the Dominion Express Company to utilize the Intercolonial would prove a very great disadvantage to the Intercolonial from a financial standpoint.

Mr. RHODES: What about the public?

Mr. EMMERSON: I do not think it will be an additional convenience to the public, but I put it this way, if it is a right proposition from a railway standpoint, why is it that the Canadian Pacific railway will not permit any other express company, except its own, to utilize its line?

Mr. RHODES: I am speaking for the public.

Mr. EMMERSON: I am speaking of the disadvantage to the railway. My hon. friend proves my case. I am speaking from the standpoint of the Intercolonial, and stating that it is a disadvantage to the Intercolonial to permit the Dominion Express Company to operate over its line. My hon. friend says it is a convenience to the public.

Mr. RHODES: I put the case in all fairness. I was not attempting in the slightest degree to make political capital. My idea is to give an express service, and I think that is an advantage to the public. Even if it were a disadvantage to the Intercolonial itself, but an advantage to the public, we should stand for it. I beg to assure my hon. friend that I was not attempting to make the slightest political capital out ot this small matter.

Mr. EMMERSON: I appreciate what my hon. friend says. In my judgment and admittedly in his, it is not an advantage to the railway.

Mr. RHODES: I do not know that.

Mr. EMMERSON: Otherwise, the Canadian Pacific railway would afford to the Canadian Express Company, and to other express companies, the same privileges which they afford to the Dominion Express Company. I hold that it is not an advantage to the public, and anyone who knows practically anything about the matter knows that it is not. The express rates are common to all the companies.

Mr. RHODES: It is not a question of rates. Supposing that a man in one of the maritime provinces wants an express parcel which must of necessity come by the Dominion Express Company; if he can get that parcel by one of the Intercolonial railway trains so that it can reach its destination several hours earlier than if it were to wait for the Canadian Pacific railway train, surely that is an advantage.

Mr. EMMERSON: Such a train of circumstances might be possible.

Mr. RHODES: It occurs every day.

Mr. EMMERSON: It is not at all probable. In the matter of rates there is no difference. However, assuming that to be the case—the Government is responsible for the operation of its trains, and for its arrangement with the Dominion Express Company—and, they might very well have said to the Canadian Pacific railway: We are willing and anxious to have you operate on our trains because it will afford additional advantages to the public; you are operating your lines for, and solely in connection with the Dominion Express Company; it would be an advantage to have your railway open to the Canadian Express Company because it would afford additional advantages to the public. My hon. friend should have insisted upon that action being taken. I remember some years ago when a similar application was made by, and on behalf of, the Dominion Express Company, to have these privileges accorded them over the Intercolonial railway, I at once took the ground: we will be quite willing to do that if you, the Canadian Pacific railway are willing to afford the same privileges and advantages to the public in connection with other express business. It is on that account that I particularly condemn this arrangement. The arrangement will not increase the revenue of the Intercolonial railway but it will incur additional expense. On the north shore there is only a certain amount of traffic to go in and to come out. If you have one company operating you do not have to furnish any additional facilities for express companies, but where you have more than one express company, each company has certain claims to be satisfied and the additional expense to the Intercolonial railway, by reason of the agreement with the Dominion Express Company, will be very considerable during the present year, while I venture to assert, there will not be any addition to the earning power of the road by reason of this express traffic. The minister has not acted wisely in entering into that arrangement from the standpoint either of the public or of the railway itself. If he had considered the interests of the railway solely—and he might have been justified in doing that—he would not have entered into the arrangement. If he had considered the interests of the general public he would have insisted upon a reciprocal arrangement whereby the public would have had the advantatge of two companies instead of one over the lines of the Canadian Pacific railway. The business in the western section of New Brunswick is entirely under the control of the Canadian Pacific railway, which has a monopoly of the whole of the western traffic in New Brunswick. The interests of the public in that section of the Dominion, as well as on the northern and eastern shores of New Brunswick, and in the province of Nova Scotia, should be guarded in this respect. If the revenues have increased during the past year, they might have increased in a greater ratio had that improvident contract not been entered into.

At six o'clock, House resumed and then took recess.

After Recess.

House resumed at eight o'clock and again went into Committee of Supply.

Mr. EMMERSON: At six o'clock I was pointing out some matters in connection with opportunities for saving on the Intercolonial which had not been taken advantage of by the department. I wish to congratulate my hon. friend on his statement, that he has been able to add to the vote for wages which I presume means increasing the pay of the employees of the road to the extent of about $350,000 last year.

Mr. CROTHERS: There is another increase on the 1st of April.

Mr. EMMERSON: As the railway is in a position to give these men adequate wages, my hon. friend, as minister, is justified in sharing with the men the success of the road. The employees of the Intercolonial are as of high a grade and standard as the employees of any road in America and are worthy of the fullest consideration.

I would call the attention of my hon. friend to a condition that has prevailed for a long time on the Intercolonial. Trainmen, machinists, carmen and all those who are associated directly with brotherhoods are in a position to agitate and to bring their requirements and grievances to the notice of the minister. There is a class of employees, however, who are not thus organized and whose conditions are not brought prominently to the notice of the minister, nor indeed always to the notice of the managing board. I refer particularly to police officers, baggagemen, and employees around the stations, who have been overlooked in the past. Their condition is worthy of the consideration of the

minister, as some of them do not get even a living wage.

Anyone travelling over the Intercolonial during the past year must have been struck with the deterioration in the character of the cars, for instance on the Ocean Limited, which have been very shabby. The road bed also has not been kept up. I am not mentioning this as a complaint against my hon. friend or the department; I am speaking of it as a fact. When the managing board was created, there was impressed upon them the absolute necessity of cutting everything down as fine as possible. The managing board in that regard have faithfully observed their instructions, but, in my judgment, to the detriment of the roadbed and the train service. The dining car service in the opinion of the large majority of the travelling public, including people from the United States is steadily deteriorating.

The Ocean Limited was inaugurated as a through limited train and was not to be considered in any sense as an accommodation train. When it was started originally, the stops between Montreal and Halifax were less than twenty, being arranged on the principle that the train was to stop at certain divisional points, at centres, and at junction points. That rule was observed strictly for a few years, but when the road came under the management of the so-called management board, there was a laxity. I think it is a shame and a disgrace that the Ocean Limited should be put to the use to which it is put in connection with the transportation of private cars, not only the official cars of the managers, but other cars. I have travelled on the Ocean Limited when two private cars of the managing board have been attached to the train, and many passengers have complained owing to delays on this account. A rule is in force which has not been cancelled, as I have been given to understand, to the effect that no private or official car shall be carried on that train, but the managing board official cars, as well as the official cars of other railways are hauled over the line on that train. This is said to be an exchange for courtesies but the same courtesies are not extended to the Intercolonial railway. If the minister wants to take his car over any other road in Canada he is limited as to trains, and while the car of the President of the Pennsylvania railway or the New York Central, on any of these other railways, is transported over the Intercolonial railway on any train, the like courtesy is not shown the Intercolonial. That rule should be enforced on the Intercolonial railway because these cars, coming as they do at unexpected times, cannot be attached to any fast train without interfering with the running. Complaints are made by the travelling public of delay thus caused and the prestige of the railway is lowered.

There is a feeling in New Brunswick and Nova Scotia that the managing board owns the Intercolonial railway and that it is run for their special benefit. And I think that what largely gave rise to this opinion is, perhaps, the treatment of individual members of the public by the board. These are not idle rumours, they are based on the judgment of business men throughout the provinces who make these complaints seriously and perhaps with too great reason. Speaking for myself, I have no complaint at all with respect to the board, individually or collectively; but I am giving utterance to expressions that are very widespread among men of prominence; not men in any way associated with politics but men connected with the business interests of the country.

My right hon friend made some reference to giving information with respect to the terminals, which I judge from the plans on the table, are in contemplation. I know nothing whatever of the changes proposed. I can only say, from my study of the situation in connection with the Halifax terminals, that there surely must be great advantages to justify an expenditure of $30,000,000. We have some $90,000,000 invested in the Intercolonial from its very inception to the present time. If it is proposed now to expend $30,000,000 on the Halifax terminals, I contend that the end will not justify the means. If the railway, as indicated by the map, is to be taken away in by the Northwest Arm and new terminals and stations created down at Point Pleasant, the work will be done at an expenditure that will be out of all proportions to the advantages to be afforded by the terminals. I should have thought there would be deeper water and better facilities afforded at the mouth of Bedford basin. However, all the proposals, no doubt, are based upon reports of engineers who have inquired into the subject, and my judgment may ultimately be guided by these reports. But it seems to me that, under present conditions, my hon. friend would be better advised if he would devote that money to double-tracking the railway between St. John and Halifax, or even portions of that road. I believe that would be more in the interest of the railway and more in the interest of the city of Halifax. The facilities at Halifax are very fair under present conditions. They have met so far, the requirements, and I think they could be made to meet the needs by a much smaller expenditure. I do not know whether it is proposed to discontinue running into Halifax by way of Richmond and to discontinue the new roundhouse and other works at that end of the

city. In connection with the proposed works at Halifax, I can understand that a very large expense would be incurred for rights of way. That is a developed section of the city of Halifax, and properties are held at a very high figure there. However, I am not speaking in any carping spirit, and if the minister can justify the proposal it will have my hearty approval. I believe in the Intercolonial railway furnishing the best possible facilities, not only for the trade around the shores of Nova Scotia, but also for the export trade which must seek an outlet through the port of Halifax and as well through other eastern ports.

The double-tracking of the Intercolonial railway is, in my judgment, of insistent importance. I am sure my hon. friend has realized that the small amount of double-tracking that has been done between Moncton and Halifax has been of inestimable advantage in the operation of the road, tending as it does, to lessen in a great degree the cost of operation; and the greater extent to which that double-tracking can be carried on, the more advantageous it will be to the railway, as well from the standpoint of earning power as of lessened operating expenses. Many accidents have occurred by reason of the penny wise and pound foolish policy of closing certain operating stations, and I know that the discontinuance of the services of an operator at Evans' siding, between Dorchester and Sackville in Westmorland county, has resulted in at least two or three accidents. More than that, I venture to say that it has cost the railway in detention wage more in one year than would pay the salary of three operators at that point. The detention wage resulting from the delay of trains at Dorchester and Sackville, are much higher than the ordinary wages of the ordinary train crews. The detention wage expended on the Intercolonial is a very large item, and any step which could be taken to avoid it would be of great advantage to the railway's financial standing. In this connection I think the terrible accident that occurred at Nash's creek might have been avoided had the railway authorities continued to incur the expense of an operator at one of the stations near Jacquet river. The amount of that operator's salary was saved to the railway company, but damage to the extent of thousands of dollars resulted and, worse than that, lives were lost. Another accident near Dorchester, and sull another at Sackville, were the result of what I conceive to be unwise economy in connection with the discontinuance of the services of operators at certain stations, which is sometimes criminal.

I was opposed, in the first instance, to the appointment of a board of management—not on account of the personnel, because I declared against the principle before I heard the names of any of the gentlemen who would be connected with that board—but I was opposed to it in principle, for I felt it would be better to have one manager and place upon him the entire responsibility. It may be said that the judgment of one man is not so good as the judgment of three or four or five men. I dispute it. Where you have a board of four or five men, there are divisions of opinion and delays, and just as many errors will occur in the one case as in the other. But the worst feature is the divided responsibility, and consequent temptation on the part of the individual members of the board to shirk responsibility. I was opposed to the change when it was first brought to the attention of Parliament, and I so expressed myself. Later events have confirmed my judgment, and I think that a fatal mistake was made in connection with the operation of the Intercolonial railway in that regard. It may be said that my own friends did that, but it seems to me that has nothing to do with the case. The former Minister of Railways and Canals (Mr. Graham) was convinced that it was the proper course, and he took it, although I could not agree with him. On that occasion, I gave expression to my views; I repeat them now, and with greater emphasis, because I think the circumstances and conditions during the intervening period have justified the opinion which I then formed, and I am sure that many difficulties that have arisen and are arising to-day have been caused by this condition.

I will admit that I have not emulated my hon. friend (Mr. Cochrane) as far as brevity is concerned; in fact, I sometimes think he is somewhat curt in his expressions in Parliament. I can testify to his courtesy out of Parliament and in connection with his department, and, if he appears to be curt in his statements made from his seat in the House, I am sure he does not intend them to be so, and that he desires to give us the fullest possible information, although he evidently believes in the motto, multum in parvo. I hope that before his estimates are put through, he will from time to time favour us with some additional explanations with respect to his department and the expenditures which he proposes to make during the current year.

Mr. E. M. MACDONALD (Pictou): As I have frequently stated in the House during previous years I see no reason why any special congratulations should be extended to the minister because he has a surplus of $900,000, as that large amount simply indicates that the minister is taking from the people along this great transportation route that extra amount of money in freight charges. We have often heard comparisons made with other railways in regard to freight tariffs, but, living as I do in one of the most active business centres touched by

the Intercolonial, I am in a position to say that the local freight charges are very onerous indeed, and if the minister would devote his attention to reducing these charges upon people who do business in that part of the country, I am quite sure the country as a whole would be as well satisfied as if they had this nominal surplus from year to year. This remark which I now make in regard to the surplus is not a new one, I made it when the hon. member for Renfrew (Mr. Graham) was Minister of Railways, and I do not know what virtue there can be in government ownership if under the method under which the Intercolonial is run we have so much—

Mr. COCHRANE: Is it not a misnomer to call it a surplus at all?

Mr. MACDONALD: It simply means that by the method of book-keeping it is indicated that there is much more money than was necessary to carry on the railway from a revenue basis. I am quite well aware that there are capital charges which, if taken into consideration, might do away with the surplus, so that the minister would be right, but still there has always been a theory that when a minister could show a surplus on the Intercolonial he was accompliishing some great feat. It is, of course, the balance of accounts between revenue and expenditure in that particular year, and that is all there is to it, and if in operating a public utility the public are not to have the advantage of cheap rates and cheap accommodation when conditions warrant it, I do not know what advantage those who advocate public ownership can see in it. The complaint in regard to local rates is very general and has a substantial basis and to it there is no real answer. I trust the minister will endeavour, by the reduction of local rates, to gratify the desires of the people along the road.

I am sorry the estimates do not disclose any intention on the part of the minister to deal with the question of the construction of any branch lines, other than that which runs through the constituency of the right hon. the Prime Minister. The minister has entirely forgotten the Guysborough road. Although these two propositions run side by side, although the late Government provided for the construction of both of them in the estimates of 1911 and the contracts for both were let at the same time, the Minister of Railways has accepted one of these propositions but discarded the other. I hope the minister will be able to assure us at some early date during the discussion of these railway estimates that he is prepared to give the accommodation which the people of that part of our province desire and so much need. If the minister is not prepared to give to the districts in the maritime prrovinces, which have no railway communication the connection they desire, he should allow the Transcontinental system to go into the province, so that we might be connected with the transportation system of the whole country and have that competition which the different systems will afford. People could then go to any one of these Transcontinental railways and, if they were able to make out a case which would indicate that their proposition was a good one and that a railway should be constructed, secure that railway. Hon. gentlemen living in other parts of the Dominion, having the advantage of the three great transcontinental systems in their territory, know that where accommodation is desired, if it is not obtainable from one of these railway companies, overtures can be made to another of them or to some other railway company operating in the vicinity. But it is not so in our province and we are told that the luxury and advantage and glory of having a Government-owned railway is so great that we ought to be content with it; an argument which to my mind has no weight. We are tied up so that where accommodation is necessary and ought to be had it is impossible to get it unless we get it from the Government. Hence it is, that if the minister cannot see his way clear to build this line of railway which has been so often referred to in this House, he should give to the transcontinental systems running rights over the Intercolonial railway, so that we would be able to get connections with other railways.

Let me call attention to the importance of his taking over, anticipatory of any other action he may take in regard to general branch lines, the railway from New Glasgow to Thorburn, a railway, as the minister knows, which can be taken over without costing the country a cent. This would give to a very thriving and important mining community the advantage of passenger and freight accommodation which they do not now enjoy. As a matter of fact, the line of rails, six miles in length, now comes into the town and those rails are used for no other purpose than the haulage of coal by the company operating the mines. I do not want to discuss the branch line proposition. generally it is bristling with difficulties and there are problems to be considered in connection with it. The merits of this proposition were passed on by my hon. friend from Renfrew (Mr. Graham) when he was Minister of Railways. An agreement was then arrived at with the company own-

ing the mines and the railway, in regard to the operation, and the minister could now take up the problem without fear as to the result of the operation of the line, because it is in the centre of the most prosperous industrial community in eastern Nova Scotia. The possibilities of the great development of coal and other industries along the line are so great that they are hardly to be classed as possibilities but as certainties. The minister has told us that he proposes to give us along the line of railway more accommodation in the matter of motive power. That is something that has been long desired. The state of the Intercolonial railway for some months past has been really a disgrace. Anyone who has had occasion to use it to any extent in the last year knows that it has been a continued record of engines breaking down and trains not making time and the impossibility of making connections. Anyone who has gone from here to St. John over the Canadian Pacific railway and has arrived there sharply on time, and has had occasion to use the Intercolonial from St. John has found that within an hour or half an hour of their leaving St. John, although the engine had just come out of the shop, it would not make steam and the train lost time. I do not know who is responsible for this, I do not blame the minister altogether, but that has been the condition during the last year and I am glad to know that he will try to remedy it. He cannot remedy it any too soon. I do not know to whom the blame should be assigned for failing to provide for this contingency. The House has always shown a disposition to comply with the requirements of the Intercolonial, and there seems to be something wrong with the managerial part of the road that has to do with motive power.

Another grievance in connection with motive power is the supply of cars and particularly of coal cars. Time and again within the last two years, the mines in Nova Scotia have been compelled to stop work for two or three days at a time on account of the impossibility of getting cars. This is a serious proposition. The operation of a coal mine requires a great deal of care; there are difficulties connected with it which do not exist in the cases of ordinary manufacturing enterprises. I know that during the past year the old six-ton cars have been done away with and have been replaced by fifty-ton cars. I do not think the minister has provided enough of those cars, having in view the great increase of coal production in Nova Scotia. It must be remembered that we have the only coal that is to be found in eastern Canada, and the demands for it are becoming greater and the necessity for its transportation more urgent every year, particularly in the autumn months. One thing I would like the minister to remember is that by providing fifty-ton cars he is not solving the problem of transportation in the maritime provinces. A certain number of the smaller cars will always remain an essential feature of transportation in that part of the country. If my hon. friend does away with the small cars altogether, he will greatly hamper the small manufacturer and the householder, who in the autumn and winter months desire so much coal and no more. That difficulty was found to arise during the last autumn, and there is no reason why a stated number of cars of the smaller capacity should not be retained and utilized in that particular part of the country. The minister must remember that many of these large cars have been used at Riviere du Loup, Lévis and other places on the most distant portion of the Intercolonial, in connection with the distribution of coal during the summer months. My hon. friend should remember that the cars that are used in the transportation of coal in Quebec should not be taken into consideration in regard to the demands of the coal trade in Nova Scotia. I trust my hon. friend will not forget that. He has not by any means provided the number of cars that are necessary for the coal in eastern Nova Scotia, and I hope he will provide for additions in that respect.

I should like to call the minister's attention to the desirability of utilizing in a more practical way as part of the operating system of the Intercolonial railway, the short line of railway from New Glasgow to Oxford in the county of Cumberland. This line was built in 1887 and 1890, after considerable discussion in this House, at the instance of Sir Charles Tupper when he was Minister of Railways, and upon the theory that it was to form a short line in connection with the industrial portion of the Intercolonial in eastern Nova Scotia. That was the avowed object for which Parliament granted the money, but notwithstanding that, and notwithstanding the fact that over this piece of road there are lower grades, and less transportation difficulties, and that it is altogether in a more satisfactory condition for operation, than the main line between Oxford Junction and Truro, this short line of railway has never been taken advantage of. The ministers who have had charge of the Intercolonial have allowed the freight to be hauled up the grade on the Folleigh line, when the addition of a small piece of road or by dispensing with one particular grade approaching the short line but not on it, all the traffic could be hauled over the short line. The same remark applies to the traffic which comes from the West to my county and to the county of Cape Breton which are the greatest industrial counties of the

province. All the freight that comes to these counties, instead of being hauled over the short line, which would save something like twenty miles, is taken to Truro, up and down over the grades on that route.

Another problem is in regard to the grades on the eastern extension portion of the Intercolonial, which are very great. I understand the minister has in contemplation the removing of those difficulties, but I would like to impress upon him in the strongest possible way the necessity of utilizing the short line of railway for the purpose of getting better transportation of the products that go to and from eastern Nova Scotia. We have had discussions in regard to duplicating the main line to Halifax, but to-day the freight producing portion of the Intercolonial railway is not at the city of Halifax, unless you take into consideration the freight that goes there in the winter months, which is largely passenger traffic on account of the fact that the steamers stop there. I venture to say that the returns before the minister would show that the real freight producing portion of the Intercolonial railway is that line which runs through the county of Pictou and on to Cape Breton, where the great steel and coal and other industries are. Therefore, when he proposes to double track on the main line to Halifax, he is leaving the real freight producing part of the railway neglected. If the minister would proceed to utilize the short line of railway by making a shorter crossing of the harbour in the county of Pictou, and by connecting it with the eastern extension line, he would be rid of the necessity of duplicating the main line and would deal with the problem in a more satisfactory way. I hope the minister will deal with that eastern extension proposition and I trust he will seriously take up the question of utilizing the short line of railway. We have had desultory discussions of one or two matters connected with the Intercolonial this session. The question of the operation of the Intercolonial railway, and matters pertaining thereto, are of vital interest to the people of that portion of the country. Complaints have been made as to the extent to which these questions are discussed by hon. members from that part of the country, but I am quite sure that if hon. gentlemen who come from other parts of Canada realized the problems affecting transportation in the eastern provinces, they would be more sympathetic, and would have no fault to find with hon. members from that part of Canada dealing with them in the way they do. It is impossible to deal with these problems fully in the short time that has been given to us this session, on account of the important question which has been discussed more or less continuously.

There is another matter in connection with which I moved for papers, and which is, I think, of sufficient importance to be dealt with. In the town of Stellarton in my constituency, the railway runs across one of the main streets which is lined with houses occupied by miners, and there is no protection whatever at the crossing on what is called River street. There are gates, and there is a gatekeeper at another crossing on the main street, but on this street which leads from the main street down to the river, which is populated every bit of the way, and over which dozens of trains pass in the day, there is no protection. Last August a little child, the son of a very worthy man, Mr. Thomas Hoare, who had been playing with the children of a neighbouring family, came running home to his supper in the evening The train, coming on the double track at that point in New Glasgow, could not be seen owing to the adjoining houses which offer an obstruction, and the life was crushed out of the poor little fellow. There was no guard. no man on the crossing, no protection of any kind. Under the law in regard to company roads in other parts of Canada, the accident would never have occurred because the company would have been bound, by the order of the Board of Railway Commissioners, to have had the crossing protected. But in any event, the father would be entitled to some compensation. I know the difficulties which attend a proceeding in the Exchequer Court against the Crown and the various pleas which can be put forward by the Crown in regard to negligence. The gross negligence of the Crown in this particular case was that they had no protection of that crowded street. There are two things in this connection that I want the minister to look into sympathetically. First, I think it is absolutely essential that he should place gates at that point with a keeper in charge and, in the next place, having regard to the fact that, if a company were operating the road some compensation would have to be given in this case as a matter of law and as a matter of right, he should give compensation to the father of this child.

Mr. COCHRANE: I will be glad to go into both of those matters.

Mr. MACDONALD: There is just one other matter that I would like to mention. I called the minister's attention early in the session to the desirability of his bringing the freights on what is known as the Sunnybrae branch of the Intercolonial railway down to the same rates as those which exist on the main line. I must remind the minister that the Sunnybrae road is a part of this Guysborough railway which he has not yet built and I think the least he could do would be to see that the people who have to use that portion of the line are given the same rates as they would pay if they were

on the main line. They feel that this theory about government ownership has not much virtue in it if the Government does not, with a surplus of $900,000, give them any consideration whatever but charges them arbitrary freights in the same way as company roads are sometimes accused of doing.

Mr. COCHRANE: The only objection I have to the hon. gentleman's statement is that, already we are making the people on other parts of the road pay for the loss on this Sunnybrae road, because it takes a hundred per cent of the receipts we get from that branch to pay the cost of running the road.

Mr. MACDONALD: If my hon. friend takes the line of railway which is known as the Oxford and New Glasgow division, he will find that he makes more money out of that division than out of any other division of the road. My hon. friend should not localize this question to such a small degree. I hope my hon. friend is not going to take every mile or portion of the road and deal with it on that basis; that would be a parsimony of which he would not surely be guilty. I would ask him to take a broader view of it. That whole district produces a very great portion of the surplus of the road. As long as he has not built that Guysborough railway, he should treat the people decently who have to use that accommodation that he has already provided until he does complete the road. I hope the minister will give the question his consideration and I again press upon him the desirability of proceeding with the line of railway between Thornburn and New Glasgow because this is a railway which will serve a large number of people.

Mr. J. H. SINCLAIR (Guysborough): Mr. Chairman, I do not wish to take up very much time this evening, but I think I should not allow this opportunity to pass without referring to the situation in regard to the proposed branch line into my constituency. I understand that the Government are now engaged in preparing the supplementary estimates and my chief reason for bringing this matter up is that it may not be forgotten when the supplementary estimates are brought down. It will be a good opportunity for the right hon. Prime Minister (Mr. Borden) to implement his pre-election promise in regard to this branch line. On former occasions I have made inquiries about this matter and I have been told by the hon. Minister of Railways and Canals (Mr. Cochrane) that it was under consideration. That gives me some hope that the intention is at some time to bring this consideration to an issue and deal with the question. It would be satisfactory to the people in my riding if some definite answer were given in regard to the matter. The replies I have received so far have not been very definite or satisfactory. For example, at the last session of the House, I asked the following question:

Mr. Sinclair: Will provision be made in the supplementary estimates for a branch line from Sunnybrae to Guysborough?

The answer given to me by the Minister of Railways and Canals on March 20, 1912, was this:

Mr. Cochrane: There is provision made for a survey. I have told the hon. gentleman twice that we intend to investigate this matter during the coming summer.

As far as I can learn, there was no investigation during last summer. The summer passed away and winter came and the money that was said to be provided for the survey evidently was not expended in making the proposed investigation. Then, at the opening of the present session, I put the following question on the Order-Paper:

Mr. Sinclair:

1. Referring to the following question and answer, as reported on page 5729 of 'Hansard,' on March 20, 1912, namely:

Mr. Sinclair:

Will provision be made in the supplementary estimates for a branch line from Sunnybrae to Guysborough?

Mr. Cochrane:

There is provision made for a survey. I have told the hon. member twice that we intend to investigate this matter during the coming summer.

2. If no survey of this proposed branch was made during the past season, why was it not made?

Mr. Cochrane: The Minister of Railways and Canals investigated this matter of the branch line from Sunnybrae to Guysborough, and after discussing it fully with the engineers it was ascertained that the preliminary surveys were sufficiently complete to determine the feasibility of the line and that no further surveys would be required until it was decided by the Government that the line should be constructed. This matter is still under consideration.

During the subsequent discussion, on the resolution of my hon. friend from North Cape Breton (Mr. Mackenzie), this matter was referred to by the Prime Minister and, in giving an explanation as to why nothing has been done, he used the following language:

As the Minister of Railways has pointed out, there were not in addition to the other difficulties, very great divergence of opinion, as to the best route that could be selected, particularly in regard to the extension into the county of Guysborough. The Minister of Railways did not feel himself possessed of the information necessary to enable him to come to a conclusion with regard to these matters, and they stood over.

You will see that these two reasons are inconsistent. The Minister of Railways says that he has made the investigation, that he has consulted with his engineers and that he is of the opinion that no survey is re-

quired in order to reach a decision. The Prime Minister tells us that there is a difference of opinion as to the route into the county of Guysborough, and that the minister has not been able to overtake the matter owing to pressure of other business. These reasons have not been regarded as very satisfactory. A little later on, in a discussion which took place in this House, in which this matter was pressed on the attention of the Government, the discussion ended by the Government putting up the member for Cumberland (Mr. Rhodes) to move an amendment to the resolution of my hon. fried from North Cape Breton (Mr. McKenzie) which required that some action should be taken in regard to the proposed construction of branch lines in the county of Victoria and Guysborough. The amendment is a follows:

That all the words after the word 'that' in the proposed motion be struck out and the following substituted therefor:

The House desires to record its appreciation of the action of the Government in extending the Intercolonial railway in portions of the province of Nova Scotia which have hitherto been without railway facilities and its further appreciation of the comprehensive scheme of development at present under way to develop the port of Halifax as one of the national ports of Canada.

You will notice that we in Guysborough are asked by the hon. member for Cumberland to express our appreciation that the present Administration had undertaken to extend the Intercolonial railway into those portions of Nova Scotia where no railway existed before, and therefore his amendment can have reference only to the railway in the county of my right hon. friend (Mr. Borden), which was provided for by the old Administration. Therefore, I do not think that the present Administration can claim very much credit for that branch line. So far as the county of Guysborough is concerned, we are asked to express our gratitude that a large sum of money is to be expended in the development of the port of Halifax. I shall find it difficult to satisfy the people, whom I represent, by telling them that they are to get nothing at all in the way of railway development which has been promised for so many years, but that they are to be thankful for a large amount which will be spent in the constituency of my right hon. friend. I submit that this proposal only adds to our present feelings of injustice. I wish to impress upon the Minister of Railways the importance of doing something in regard to this very urgent question. Now that the supplementary estimates are being made up for the coming year, I trust that something will be done; otherwise it will be necessary for us to enter into a more lengthy discussion at some subsequent sitting of the House in order to point out the importance of railway development in that part of Nova Scotia.

Mr. D. D. McKENZIE (North Cape Breton): Allow me to congratulate the hon. minister upon being able to come down to the House with such a splendid surplus as something over a million dollars for the year which I understand closed to-day. The Intercolonial has seen less prosperous days. We must, however, give credit to the Intercolonial for having done good work for Canada east and west and particularly for the maritime provinces. Coming from that section of the country which has given the minister a surplus, I have a right to point out what we are entitled to receive in return. Before the railway found its way into the island of Cape Breton and down to the great centres of industry in the eastern part of the island, its surpluses were few and far between. In the last few years, as the industries in the eastern and southern parts of Cape Breton have increased, so have the surpluses of the Intercolonial. The hon. member for Pictou (Mr. Macdonald) pointed out that we do not have the kind of locomotives on the eastern part of the Intercolonial that we should have. I think during this session I pointed out to the minister that, throughout the months of September, October, November and December, the service was very poor as the trains were not running on time. On the Cape Breton end of the Intercolonial, trains were getting in four or five hours late, which for the comparatively short distance between Point Tupper and North Sydney is far too much, particularly when we find it is almost invariably due to a breakdown in the locomotive. I am glad, however, to hear the minister state to-day that he is building new locomotives. I trust he will put some of them on the Cape Breton end and that better time will be made, so that the great streams of traffic through different points of Cape Breton will receive the treatment which their importance deserves.

I should like to draw the attention of the minister to one other point. The fishing industry is a most important one in that Island. During the months of October and November, we ship large quantities of fish to Boston and other parts of the United States. Last year I had occasion to write to the minister at Ottawa to complain that we could not get cars to carry away this fish. The officials answered that fish that was not perfectly dry spoiled the car. I for one do not accept that as a good reason why the sort of car that is necessary to carry the half-dried fish cannot be supplied—that forsooth it might be spoiled for some other purpose. I do not see how it could be

spoiled. It would, of course, have a strong odour of the fish and of this pickle, but is it too much to expect that half a dozen cars or so would be supplied, if necessary, for this particular business? A rough car is all that is necessary, not an expensive car; and even if three or four of them were kept conveying fish from the eastern ports of the province to centres where that fish could be sold, I do not think it would be asking too much. The result of it all was that the parties in Boston who were getting their fish supply had to go to the great trouble of sending schooners, late in the season. I am not so much concerned about the difficulties that the people of Boston have in getting the fish as I am about the people of my own constituency being able to sell their fish profitably and at the proper time. I had a letter from the deputy minister telling me he was going to deal with this matter, but I have heard nothing further from him. This year when we look for cars for the purpose of carrying fish, I hope we shall not be met with the same difficulty as last year.

Reverting for a moment to the surplus and the earnings of the road, I may say I had not made any inquiry about any particular source of income during the past year, but two years ago I made inquiry as to what money the Intercolonial railway received from two companies in the county of Cape Breton. I found on that occasion that the Dominion Steel and Coal Company paid to the Intercolonial railway in freight $750,000, and that the Nova Scotia Coal and Steel Company paid in freight $250.-000. These are two customers of the Intercolonial in the county of Cape Breton. Together with that in the county of Cape Breton is the enormous revenue of the Intercolonial railway from the Newfoundland traffic. I am sure that if the minister will look into the matter, he will find that the outgoing and incoming traffic in connection with Newfoundland is a very big item towards the surplus of the road. That being the case, I am encouraged to join my hon. friends from Pictou and Guysborough in asking the minister to gird his loins, to take courage and to extend the Intercolonial railway further east and in different sections of the East. I fear I weary the minister by repeatedy talking about this matter, but we are encouraged by knowing that there was once a poor woman who by her persistency convinced an unrighteous judge. I am willing to be the poor woman for that occasion. That is not saying that the Minister of Railways is necessarily unrighteous. I believe he will prove a righteous man, and, rather than be bored and bothered will do justice to the part of the country from which I come, and give us the treatment we deserve. There is an old story about a woman who was seven years without a pot and continually borrowing from her neighbours; at the end of that time she got a new pot of her own, and then she said she would have nothing to do with the other women—she would neither borrow nor lend. There was a time when several of us needed to borrow pots in this matter of building railways. One of these was the Prime Minister himself. Now that he has got his railway in Halifax county built or nearly so, I hope he will not be like the woman with the new pot and say he will have nothing to do with the rest of us. We helped him to get his road in the county of Halifax and I hope that when he gets his road built, he will think of his friends in adversity and will come to our assistance and help the Minister of Railways to extend the road in the island of Cape Breton. There is no use of beating about the bush as to what we want in the county of Cape Breton. There are only a few miles, comparatively speaking, wanted, and then the needs of the people of the island of Cape Breton will be supplied. For my part I can assure the Minister of Railways that if the people of Victoria and Cape Breton continue to send me here, I will continue to agitate until the great necessities of the people there have been satisfied. Our case in this matter is a strong one. In the first place, as I have frequently pointed out to the minister, and as the minister, who has gone through the island of Cape Breton knows, it is impossible to supply the needs of that island with one railway. It is cut into by a great sea in some places twenty or twenty-five miles wide. The Intercolonial is in the best place in what it could be for a single railway, but we must have a road on the south. We must build from St. Peters to Louisbourg to serve that section of the island; then we must have the McKenzie and Mann road extended to the north of Inverness. We need also to build the Orangedale and St. Rose line, and then build the Estmere road to Baddeck and extended it to Ste. Ann's and along to the northern part of Victoria county. Complete these and you have the lines for island of Cape Breton, that will next present necessity. Until such time as this is done, the Government is simply playing with the situation in not giving to the people of that section of the country the accommodation which they require. Under these circumstances, it is needless for the right hon. Prime Minister or anybody else to go down to that part of the country and say: We have not got the money. You have the money and you are showing a disposition to spend it in other ways which, to my mind, are not based upon needs as urgent as the necessities of the people of Cape

Breton. I have pointed out the great necessity for these roads, and I have endeavoured to show that the Government is in a position to build them. I would like to point out also that roads are being built to-day in Nova Scotia which are not so greatly needed as are railways in those sections of my constituency to which I have referred. I would again submit to the Prime Minister that the people of eastern Nova Scotia are loooking to him to carry out what they conceived to be his opinion when in opposition, as to the necessity and desirability of building these roads; now that he is in power, they look to him to implement what they regarded as his promise at that time. Without taking up any more of the time of the House, I think I have, as honestly and as clearly as I can, put this case before the Prime Minister and the Government in such a way as to cause them to realize that the honest needs of the people of Cape Breton should be promptly attended to. I have said that the business is there; I will go further and say that, whether the business is there or not, we have contributed enough money towards the development of other parts of Canada to entitle us to the building of these roads and to the benefits of the accommodation which they would supply. We are one of the oldest settlements of this Dominion. From the very moment that Canada became a dominion we began contributing to her development and her progress. We contributed our portion of the amount that was paid for the purchase of the Northwest Territories; we have paid, with every other province in Canada, our contribution towards the construction of the Canadian Pacific railway; we have contributed our share to the building of the Grand Trunk Pacific, the maintaining of our canals, and all other works of a public character in this country. I appeal to the premier as a Nova Scotian, who knows the conditions of which I speak, to remove the stigma which is upon the province of Cape Breton in respect of its lack of railway accommodation, and the inconvenience resulting from the fact that we are more or less ostracized from the outside and active world. That stigma should no longer attach to the people of Nova Scotia, and every part of it, from side to side and from end to end, should have the same accommodation and privileges as are enjoyed by the other provinces of Canada. I trust I am fully and clearly understoood as making these statements not in a carping or faultfinding manner. The Prime Minister knows that while I was supporting the late Government I was for many years putting forward strenuous arguments in support of this contention. The necessity is growing stronger in my mind, and in the minds of the people of Cape Breton, and I hope they will not be obliged to wait very much longer for the remedy to which my constituents are so clearly entitled.

Mr. G. W. KYTE (Richmond, N.S.): I am somewhat encouraged by the statement made by the hon. Minister of Railways to-night that a considerable sum of money is to be spent for the purpose of increasing the motive power of the Intercolonial railway. I should judge that the Intercolonial railway during the last six months has been thoroughly in need of some such increased motive power. During the last four or five months I have had occasion to travel over the railway some seven or eight times between Truro and Montreal, and the trains have invariably been from three to nine hours late in making that journey. I was informed that the delay was due to the fact that the engines are not of sufficient capacity to haul the trains. The consequence of these delays has, to my certain knowledge, been that a considerable portion of the traffic that should ordinarily go over the Intercolonial has been diverted to the Canadian Pacific railway. This is a matter of very serious complaint on the part of the people of Nova Scotia, and, in fact, on the part of all who have occasion to travel over that railway between Montreal and Truro. Last year there was a very serious fire at Point Tupper and much property of the Intercolonial railway was destroyed. The officials of the Intercolonial railway made a visit to that point a short time afterwards, and they recommended certain changes, which they were pleased to call improvements, in the arrangements of the facilities at that point. The railway station which, before the fire, was situated a very short distance from the wharf where the ss. Scotia lands on the Point Tupper side, has been located nearly half a mile further along the line of the Intercolonial railway, the consequence being that a very serious inconvenience will be occasioned to the people who have freight to be transhipped from the station at Point Tupper. The railway station is now situated nearly half a mile from the terminus at Point Tupper, and the consequence will, as I have said, be a very great inconvenience to all people having to transport freight from the freight house to the new station from which the trains take their departure. To Point Tupper a number of steamers carry freight from day to day. All the passengers coming from Boston on the steamer Halifax are landed at Port Hawkesbury, and they with their baggage are transferred to the Intercolonial railway at Point Tupper by boat. All freight and baggage is taken off the steamer at Point Tupper and put into the freight shed near the wharf, and when it becomes necessary to tranship that freight by the Intercolonial railway it will be necessary for them to secure the services of a carter

to convey that freight from the shed to the station. I do think, from the point of view of a person who is not by any means an expert in these matters, that the convenience of the public would be very much better served if the freight shed were built near the railway station so that all steamers transporting freight from Mulgrave, Arichat, Hawkesbury and other points on the strait of Canso which furnish freight for the Intercolonial railway, could land at that wharf and conveniently tranship it to the cars on the Intercolonial railway.

There is another point upon which I wish to dwell, and that is that the dock used by the old ferry steamer Mulgrave, when the Scotia is laid up for repairs, was totally destroyed by fire, and instead of rebuilding that dock for the purpose of receiving freight cars carried across the strait on barges as heretofore the whole plant has been cleared away and the machinery for lifting the apron transferred from Point Tupper to New Glasgow, the consequence being that if an accident should happen to the Scotia, or if the Scotia should be laid up for any time, it would be absolutely impossible to tranship a single car of freight across the strait of Canso, no matter how pressing might the need be for transporting that freight. I understand that it is the intention of the hon. minister to have another steamer corresponding with the Scotia built in the near future.

Mr. COCHRANE: It is in the estimates now.

Mr. KYTE: But the minister must remember it will take a considerable time before the ship is built and in a position to take the place of the Scotia. I do not know if the contract has been let for the construction of the ship, but I fancy it will be two years before she is in commission. During that time, if any accident should happen to the Scotia, on account of the absence of the dock and apron that was formerly there, it will be impossible for the Mulgave to tranship a barge with freight cars across the straits and not one pound of freight can be transhipped across the strait. The minister should also, I think, ask for money to construct a new wharf in the neighbourhood of the new station at which freight and passengers might be landed from the different steamers frequenting the strait to the Intercolonial at Port Tupper.

With reference to the increased surplus which the minister announced has been earned by the Intercolonial during the year, the hon. member for Pictou (Mr. Macdonald) pointed out that the minister ought not to take too much credit on account of the increased surplus which was largely derived from the increased freight rate on the Intercolonial under his administration.

There is one other source of revenue which ought to have very materially increased the surplus, that is the dining-car service. I am not aware to what branches of the service this increased surplus may be credited, but I do know that a very substantial increase has been made in the cost of the dining service to people who patronize the Intercolonial. Up to nearly a year ago meals on the Intercolonial were served table d'hote, and were furnished at a very reasonable price. Breakfast could be had for seventy-five cents, luncheon for seventy-five cents, and dinner for one dollar. Within the last year a new system has been inaugurated—the à la carte system—and the consequence is that a very considerable increase in the earnings of the Intercolonial ought to be attributed to the change. I take the menu cards of the Intercolonial which are at present in force, and I figure out what the meals we formerly got at seventy-five cents, seventy-five cents and a dollar, respectively, now cost. If a person travelling on the Intercolonial is obliged to order breakfast on the dining car at present, this is what he pays: sliced orange, ten cents; baked apple, fifteen cents; oatmeal, twenty cents; fresh fish, fifty cents; baken potatoes, ten cents. If he desires toast, white bread or hot rolls, it is ten cents more; marmalade, twenty-five cents; pot of tea, ten cents. The total cost of his breakfast would be $1.50, compared with seventy-five cents a year ago.

Mr. FRIPP: Do they eat all that?

Mr. KYTE: I do not refer to those gentlemen of leisure whose want of physical activity deteriorates their appetites. I speak largely of the needs of the working people and their families who are blessed with good digestion, and whose interests ought to be as well served by this Government as the interest of the hon. member for the city of Ottawa and others of his class.

If the traveller on the Intercolonial desires lunch, he has to pay: soup, fifteen cents; boiled cod, roast beef or corned beef, fifty cents; apple fritters, twenty-five cents; potatoes, ten cents; turnips, fifteen cents; apple-dumpling, fifteen cents; a total of one dollar and ninety cents. Should he desire to wash down his lunch with a pot of tea, it costs him ten cents, and if he wished for jelly it would cost him twenty-five cents more, bringing it up to one dollar and sixty-five cents. Should he desire fruit, and fruit is not a luxury to the people of Nova Scotia, it would cost him twenty-five cents more, and the sum total which he would contribute to the Minister of Railways for his lunch would be one dollar and ninety cents.

Should he desire to order dinner it costs him: soup, fifteen cents; fish, fifty cents;

meat, roast or boiled, fifty cents; boiled potatoes, ten cents; parsnips, fifteen cents; peas, fifteen cents; plum pudding, twenty-five cents; tea or coffee, ten cents; a total of one dollar and eighty-five cents. Should he desire a little celery to aid his digestion, he would pay twenty-five cents; ice-cream and cake, twenty-five cents more; fruit, twenty-five cents; or a total cost for his dinner of two dollars and sixty cents.

Mr. EMMERSON: They would give three smelts for fifty cents.

Mr. KYTE: Three very attenuated ones. It would cost two dollars and sixty cents for dinner, as compared with one dollar, previous to June last. I desire to quote the current market prices of some of these things which appear upon the bill of fare, to give the committee some idea of the amount of profit which the Minister of Railways is making out of these transactions. The bills of fare which I have quoted are those on the Intercolonial on the 1st of November last. At that time, potatoes were thirty cents a bushel in my own town and that was the prevailing price throughout Nova Scotia. The Intercolonial retails them for ten cents per half pound, and that is a pretty generous order, so that the minister is getting twelve dollars a bushel for potatoes which he buys for thirty cents in that province. Turnips cost twenty-five cents a bushel, but the Intercolonial is selling them to the public, who patronize the road, at the rate of eighteen dollars a bushel. Fresh fish—and Nova Scotia is the place where fresh fish is in abundance—the fishermen who catch the fish, according to the prices in the monthly bulletin of fishery statistics issued by the Department of Marine and Fisheries, were getting in November last one and a half cent per pound for codfish and haddock. This fish is sold to the patrons of the Intercolonial at a rate which nets to the Intercolonial two dollars for what the fishermen sells for three cents.

There is complaint throughout the country of the increased cost of living, and the Minister of Labour seems to be bestowing some attention to the causes that have resulted in this increased cost to the people of Canada. I should say that the standard which has been set by the Intercolonial is not calculated to reduce the cost of living throughout the country. If it is desirable that the cost of living should be reduced it would be well for the colleague of the hon. Minister of Labour to begin by reducing the high cost of living which he is imposing on the patrons of the Intercolonial railway in connection with its dining service.

Mr. VERVILLE: Have they increased the wages of the men employed in that service, in proportion?

Mr. KYTE: I understand that the wages of the men who are concerned with the cooking and serving of the meals on the Intercolonial dining cars have not been increased, and I gather this from the circumstance that the waiters are just as anxious to get tips from the overtaxed consumer travelling on the Intercolonial as they were when the Government were only charging seventy-five cents and one dollar respectively for the meals.

Mr. LEMIEUX: What is the price to-day?

Mr. KYTE: For breakfast, $1.50; for lunch, $1.90; and for dinner, $2.60, as compared with seventy-five cents and one dollar which were charged under the late Government.

Mr. SHARPE (North Ontario): How do those charges compare with the charges on other railways?

Mr. KYTE: Other railways are not owned by the Government, and hon. gentlemen opposite are fond of emphasizing the advantages of government ownership. I do not care what the charges are on other railways; but I believe that on the Intercolonial railway they are considerably in excess of the charges on the Grand Trunk railway, Canadian Pacific railway, and other railways at the present time. My hon. friend opposite is inclined to treat lightly the criticism which I am directing against the minister in respect of this matter, but unless the general public in the province of Nova Scotia patronized the Intercolonial, the hon. minister cannot hope to have the surplus which he disclosed to the House this evening.

Mr. EMMERSON: What is the character of the dining car service on the Intercolonial compared with what it was a few years ago?

Mr. KYTE: I can assure my hon. friend that it has not improved at all. That is perfectly manifest to every person who patronizes the Intercolonial railway to-day, and who patronized it a few years ago. I am not going to say it is worse.

Mr. LAW: It is worse.

Mr. KYTE: Perhaps my hon. friend from Yarmouth is correct when he says it is worse. At any rate there is no improvement in the service. The meals are not better, and the prices charged are out of proportion to the service which the general public receive. There are two classes of people who patronize this road. There are the gentlemen of leisure with large incomes, to whom I referred a moment ago. It is quite possible that that class do not object to the prices charged for meals on the Intercolonial, as they can afford to

pay, but that class comprises a very small proportion of the people who patronize the railway. We must have some regard for the great body of people who are obliged to travel over that railway from time to time. It is the only road from Sydney to Halifax in the province of Nova Scotia, on which the public can travel. If they were situated as hon. gentlemen from the province of Ontario, for instance, or from the province of New Brunswick are, they could have their choice as to which railway they would patronize. The competition in these provinces is a guarantee that excessive charges will not be made, or inferior accommodation provided. But in the province of Nova Scotia, we are obliged to travel by the Intercolonial railway. To the labouring man who is earning a dollar and a half or two dollars a day, and who is obliged to travel from Sydney to Halifax, or his wife and family, the prices which are charged in the dining service of the Intercolonial railway are absolutely prohibitive, and those people are not able to get the accommodation to which they are entitled or ought to enjoy. I think that the hon. Minister of Railways or the board of management, or whoever are responsible for it, ought to be censured very severely for the change which they inaugurated in respect to this service. When the hon. minister boasts of a surplus, it should not be forgotten that a considerable portion of that surplus is being wrung out of the pockets of the people of Nova Scotia, who earn small wages, under very unpleasant and hard conditions. I do not know whether the observations I have made tonight will have the result of reducing the high cost of living which the Minister of Railways has set on the Intercolonial railway, or whether his example will be followed by other corporations and dealers in food products throughout the Dominion, but I regard it as my bounden duty to bring this matter to the attention of the public so that the people of Nova Scotia and of the maritime provinces generally, will know what it means to them when the hon. Minister of Railways boasts of a surplus of $900,000 in connection with the operation of the Intercolonial this year.

Mr. W. F. CARROLL (Cape Breton, South): My observations will be very brief at this stage. The last time the Intercolonial railway was discussed, in connection with the question of branch lines, I brought to the notice of the Minister of Railways the fact that comparatively speaking, the division of the Intercolonial railway extending to Sydney had greater earning power than that to Halifax and St. John, and almost as much earning power as the line to Montreal, while the cost of maintenance was very much smaller. That being the case, one would suppose that the people at the Sydney terminus of the Intercolonial railway would get facilities in conformity with the needs of that growing city. When the Minister of Railways visited the city of Sydney last year, perhaps he thought that he saw all the people who were being catered to by the Intercolonial railway in that city, but I would like to point out to him that there is a large population beyond Sydney which is catered to by the Intercolonial railway, and I wish to bring to the attention of the hon. minister the fact that the facilities for handling freight at Sydney are not what they should be. Some time ago an order of the House passed for the production of papers in connection with this matter, but unfortunately for myself, those papers have not been brought down by the Department of Railways and Canals and for that reason I am not in a position to discuss as fully as I shall, when the papers are brought down, the need for greater freight facilities at Sydney. One thing which my hon. friend the minister did as the result of his trip to Sydney last summer was to increase the demurrage rates 100 per cent. The merchants of Sydney are at the present time paying 100 per cent higher demurrage rates than before the visit of the hon. Minister of Railways last summer. The Sydney Board of Trade has been in correspondence with the Railway Department for some time asking for better freight facilities. The freight sheds there are some distance from the freight station and they are too small. A greater quantity of freight comes into Sydney than many people imagine, because all the freight for the outlying districts, for the town of Glace Bay with its population of 19,000, and for the mining districts with populations of from 20,000 to 25,000 goes through the freight station at Sydney. The minister visited Sydney last year and I am sure he will agree with me when I say that the facilities for handling freight are far inferior to what they should be. I am in hopes that, perhaps when the supplementary estimates come down, something will appear for increased freight facilities in the city of Sydney.

There is one other matter to which I wish to draw the attention of the hon. Minister of Railways and Canals and the Prime Minister. It is known that for many years the Dominion Steel Company have had some special freight arrangement with the Intercolonial railway. I do not say that the Dominion Steel corporation are entitled to anything over and above what an ordinary individual or a company in Canada is entitled to, but I do say that, having been given certain fixed schedules some years

ago by the late Government, these schedules should not be changed. I do not say that they have been changed, and I hope they will not be. Any move in that direction by the minister or his deputies would be a false step and would prove in the end to be false economy. The great majority of the people in that district are dependent on the Dominion Steel and Coal Company for their living and anything which would be injurious to them would be equally injurious to the people of the county of Cape Breton. I hope that no such change, if contemplated, will take place. I hope that serious consideration will be given to the matter, and I know that if so no change will be made.

I do not think that, on the Halifax and Sydney division of the Intercolonial railway, we are being treated in the matter of passenger cars as well as other sections of the road. When one gets off the Montreal train and gets on the Sydney train there is a notable change in the style of cars. The cars on the train between Halifax and Sydney are much inferior to those which are used on the Montreal-Halifax route. I would not complain of an odd car being inferior, but I do complain, and the public complain, that every passenger car that runs between Sydney and Halifax is very much inferior to the cars making up the train between Montreal and Halifax. We are at least entitled to some of the first-class cars which are now run between Halifax and Montreal. In 1911 the Sydney division was the best paying division on the road, according to the statistics, and I believe it is to-day.

Some weeks ago an order of this House was passed for the production of certain correspondence which had passed between the department and the board of trade at Sydney. These papers have not been brought down and I would ask the minister to be kind enough to have them brought down as early as possible.

Right Hon. R. L. BORDEN: We have had a very long discussion, which, I think, might very profitably have been postponed until the occasion I suggested to my hon. friend from Wesmorland (Mr. Emmerson), particularly as an arrangement had been made to give certain information this afternoon which was necessary in order that a vote on account might be passed in time to enable the workmen employed on the Intercolonial railway itself to be paid. The result of the unnecessary discussion which has taken place—I say unnecessary at the present time because there would have been a full opportunity afterwards—will be to inconvenience probably a great many of the men for whom my hon. friends opposite are so exceedingly solicitous. However, although I made the suggestion to the hon. member (Mr. Emmerson) that an arrangement has been made to give certain information on stated items he seemed determined to proceed with a discussion which might very well have been deferred. The result will be that which I have indicated. I had made an arrangement with hon. gentlemen on the other side of the House, particularly with my right hon. friend (Sir Wilfrid Laurier), and the hon. member for Halifax (Mr. Maclean), that certain information should be given in regard to the item of $2,500,000, which is to be found in the estimates at page 52, for the purpose of providing terminals at Halifax. Everyone, who has been at all familiar with the development of business at Halifax during the past four or five years, is aware that the business of the port in recent years has very much outrun the terminal accommodation. I have had, and I have no doubt that the right hon. leader of the Opposition and my colleague from Halifax have had, a great many representations on the point, both oral and otherwise, from the Board of Trade of Halifax during the past six years. One of these memorials, I recollect, brought to my attention the fact that during the winter season of 1910-11, the freight business of Halifax was one hundred per cent larger than in the previous year, and, the development has gone on, I think, in equal measure since. There have been as many as six, or seven, or eight steamships at one time waiting in the harbour to secure berths. The question of development attracted the attention of the late Government and a commencement was made, I think, about three years ago by the letting of a contract for the construction of pier No. 2, which is in the vicinity of what is known as the deepwater terminus. That pier is still under construction and has not yet been completed. When the present Government came into power the representations that had been made for a long time previously continued to be made and, during the spring of 1912, my hon. friend the Minister of Railways and Canals (Mr. Cochrane), who had had his attention very forcibly attracted to the necessity for the development of the terminus at Halifax on a comprehensive scale, such as would meet the necessities for many years in the future, instructed certain engineers to make a thorough survey, and to report to him, as to the best method by which the necessary terminal development might be secured. Amongst other engineers who examined this question and who reported upon it was Mr. Gutelius, formerly of the Canadian Pacific railway, and Mr. Cowie, the chief engineer of the Montreal Harbour Commission who has had charge of the development of the port of Montreal for some years. Both these gentlemen have great experience in the solving of such problems and together with a large staff of engineers unde-

them, they have given special and particular attention to the needs of the harbour of Halifax and have arrived at certain conclusions with regard thereto. These conclusions were in some measure announced to the citizens of Halifax and the country by my colleague the Minister of Railways and Canals last autumn. As this item is submitted to Parliament for the purpose of carrying out proposals of a somewhat definite character, it is only proper at the present time that a fuller statement should be made. The information, with which I think the committee should be seized, has been put in a condensed but I think in a very clear and lucid form in the shape of a report which embodies the views of the engineers who have had this matter in charge. Early this afternoon I handed to my hon. friend and colleague from Halifax (Mr. Maclean) and to my right hon. friend the leader of the Opposition a copy of this memorandum in order that they might have necessary information upon this subject. Perhaps it would be desirable that I should read this statement without further delay, as it embodies the essential part of the information which it will be necessary for the committee to have in order to consider this vote:

$2,500,000 for the new Halifax Ocean Terminals.

The necessity for increased ocean terminal facilities at Halifax is of prime importance. The trade of the port has so greatly increased that at present as many as nine ocean steamships have been held out at one time at anchor awaiting docking accommodation.

The question as to whether the proposition of the late Government to build two new 800-foot piers at the deep water terminals of the Intercolonial railway was sufficient for the expected growth of business was discussed by us at length. We arrived at the unanimous conclusion that any plan which could not be extended to provide docking facilities for at least thirty-two large ocean steamships within ten years would not be sufficiently comprehensive. As these old plans provided only an ultimate capacity of eleven berths of from 300 to 800 feet in length, they were obviously insufficient and had to be abandoned; and as the site for these piers was incapable of being extended to more than an ultimate capacity of fourteen large ships by utilizing the entire water front from the present deep water terminals to the graving dock, it had also to be abandoned for that reason and for the following reasons:—

The contour of the shore and the depth of water is such that the outer ends of piers of sufficient length to accommodate two vessels would be in water of excessive depth, while the inner ends of the slips would require rock excavation. The piers, therefore, except at an impossible cost, could only be made of sufficient length to accommodate one vessel.

To provide suitable accommodation for tracks and roadways between the city and slips would have required the excavation of the rocky hillside to an extent considered impracticable, especially in the vicinity of the dockyard.

To provide the necessary additional accommodation would have required the expropriation of a portion of the water front now used for local shipping business.

To provide track room, driveways, freight sheds and elevator sites would have encroached upon a strip two blocks wide of the business portion of the city.

The docks ultimately would then have occupied the entire water front and local shipping would have been forced into some other locality, a condition which was considered very undesirable and even impracticable. Besides, it would have involved a length of water front for which it would be difficult, if not impossible, to provide proper railway and grain elevator accommodation.

The cost of the dock properties along the water front and of the downtown business properties, the rock excavation and the deep water pier construction made this location for either the limited or extended scheme prohibitive.

It thus became necessary to consider another location. Studies were made of Bedford basin and of Dartmouth but these locations were abandoned because of their not fulfilling the required conditions. The objections to Bedford basin were its distance from the centre of population in the city, the high winds at times, the navigation of the Narrows, the possible necessity of a bridge at the Narrows and the character of the shore line involving great expense in construction. It would also have been impossible to combine the passenger terminal with that for the city. The best site in Dartmouth did not offer sufficient opportunities for necessary extension, and it also was distant from the centre of population so that a combined passenger terminal there was impracticable. The new Halifax Ocean Terminals' site situated in the southern part of the city just opposite to George's island provides, however, all the necessary conditions of the larger scheme. The proposed construction of a railway approach from Three-Mile House on the Intercolonial railway, along the North West Arm, to the site in question, leaves to the city of Halifax unimpaired its present railway dockage and business facilities.

The new proposal contemplates the completion of pier No. 2 which is now in course of construction, and that it shall be used in connection with local business for the city of Halifax. The shed accommodation will so be rearranged as to provide the required facilities therefor.

The special advantages of the new Halifax Ocean Terminals site are as follows:

The depth of the water is perfect for dock construction.

It permits 40 feet depth of water without encountering rock.

It utilizes the lumber yard (government property) with 700 feet of water front.

It provides ideal foundations for pier construction.

It has easy grade approaches on the city streets.

It provides a location for a union passenger railway station at the Ocean Terminal which will be one mile nearer to the centre of the city than the present Intercolonial railway station.

It utilizes a portion of the city which has

long been neglected and which will become we believe a hive of transportation industry.

The proposed terminal will consist of a landing stage or bulkhead wharf 2,000 feet in length at which three of the largest ocean vessels can dock in safety without tug assistance; a wharf building the whole length of the bulkhead pier; the first floor of which will be for freight and the second floor for passengers and immigration quarters, and a union passenger station of suitable architectural design and of capacity for the increased business which is expected to come with the necessary tracks and facilities usual at terminal stations of this character.

This scheme of development provides for the construction of six freight piers 300 feet in width and 1,250 feet in length which will be equipped with necessary wharf freight sheds and railway tracks.

It provides the necessary yards for the storage and shunting of cars.

It provides for the construction of an elevator which will permit of grain being loaded into ships at each of the 32 berths.

It provides an enginehouse for the care of passenger locomotives and switch engines.

It provides a breakwater from Point Pleasant park to the Reid rock buoy.

It is reached by a double track railway about five miles in length which leaves the main line of the Intercolonial railway at Three Mile House, passes through the low divide between Bedford Basin and the Northwest Arm, skirts the North West Arm and reaches the new terminals through a deep cutting under the lower end of Young Avenue.

This railway for the greater portion of the distance will be in deep cuttings so as not to mar the beauty of that portion of the city of Halifax. All streets and roads will be carried over or under so that there will be no level crossings in connection therewith. The material removed from those cuttings will be utilized in filling in the piers and approaches thereto.

To relieve the present congestion in the Halifax freight terminals, it is proposed that the material from the cuttings at the north end of the railway will be utilized in filling a sufficient width of that portion of Bedford basin which lies between Rockingham and Three Mile House for a freight terminal yard with all the necessary accessories. The water is shallow for some distance out from the shore.

It is proposed that the first unit will consist of a bulkhead pier, the freight and immigration sheds, passenger station, one slip and one freight pier equipped with sheds and tracks together with the necessary accessories, which will provide accommodation for eight of the largest ocean steamships. As soon as business warrants it, two more piers will be constructed, giving an additional capacity for eight such steamships; and in five or six years or sooner if necessary, upon the opening of the Quebec bridge, provision will be made for a further accommodation of eight such steamships. As the business develops and the demands of trade necessitate, the two southerly piers will be constructed, thus completing the scheme.

It is proposed also in the early stages of the work to construct the Point Pleasant breakwater.

The Government having approved of this general plan, ordered the engineers to proceed with the preparation of detail plans which are not yet complete. We proceeded to purchase such properties as could be secured cheaply and are now committed to an expenditure on this account of between $400,000 and $500,000. It is proposed to proceed with the purchase of the remaining right of way and water frontage the plans for which were filed recently.

The expenditure is estimated as follows:—

For the first unit, including the five miles of double track railway between $5,000,000 and $6,000,000; for the completed scheme about $12,000,000.

It is proposed during the coming summer to proceed with the construction of the quay walls and of the railway, and with the dock and yard filling, the construction of the necessary overhead bridges and such other works as may be found economically convenient in connection therewith, for all of which we estimate $2,500,000 will be required during the approaching fiscal year.

In a city situated as Halifax is, in order to provide terminals of the character now contemplated, it was obviously necessary to interfere very considerably either with the shipping and business portion of the city or to adopt some plan of this kind which does in a certain measure interfere with a portion of the residential part of the city. The northern part of the business portion of Halifax is very peculiarly situated. The water is very deep close in to the shore, the shore is rocky and the hill rises very abruptly from the shore. In order, therefore, to obtain any considerable space immediately adjoining the harbour, it is necessary to spend enormous sums of money in excavating the hillside. On the other hand, in building out to the harbour you are confronted with the difficulty that in building out to the requisite distance for slips of this kind, the water is so deep that the construction becomes very expensive indeed. Further than that, under these conditions, even in incurring a very great expenditure to build slips at considerable distance into the harbour and to excavate the hillside, you are still confronted with the fact that the terminals would be very much elongated, and you would not have a very satisfactory condition, as the engineers reported. In addition, you would necessarily drive the business which is located along that water front to some other portion of the city. I think it is estimated that two or three blocks might be required to be taken. Therefore, it is perfectly obvious that it would be necessary either to interfere considerably with the business part of the city or to interfere in a very much less degree with the residential part of the city. And if you drove the business interests out of that part of the city they would have to locate somewhere, and the strong prob-

ability is that they would be driven in their turn to invade the residential part of the city; and therefore any detriment to the residential part of the city which it is thought would ensue from this scheme would in the end ensue even under any such alternative proposals as those which have been suggested. I do not profess to be an expert with regard to railway terminals, but I have discussed these proposals with the engineers a great many times. The engineers say that it is absolutely astonishing that this scheme, which seems so simple and so comparatively inexpensive, should not have been thought of before. They say something more about it, and that is, that the scheme which is now proposed offers a lay out, as they term it, the equal of which is not to be found on the North American continent for ocean terminals. The grades are easy, the opportunity for development is open, and all the conditions seem to be exceedingly favourable. The Minister of Railways, when these proposals were laid before him by the engineers whom he had appointed for the purpose of investigating the matter, came to the conclusion, notwithstanding certain interference with a certain portion of the residential part of the city which will be minimized to the greatest possible extent, that this is really the only possible scheme for extended development which could be found on the peninsula of Halifax under conditions as they now exist. Not only is this scheme feasible, but it offers opportunities which are certainly not surpassed, and perhaps are not equalled anywhere else on the North American continent. We are therefore asking the authority of Parliament to sanction the proposals, and we believe that if they are carried out, the opportunities they afford for the increasing development of business will result in a very speedy increase of the development in the future. We believe that even with all the efforts the Government may be able to make to carry out this scheme, we shall not be much in advance of the business development, if indeed we are able to keep pace with it. We submit, therefore, the proposal to the committee, in the confident hope that it will meet with their approval, to the end that the work may be undertaken with the least possible delay, because even before this first unit is completed it is obvious the business will have grown immensely beyond the facilities which are provided for the port at present. Hon. gentlemen will have observed that a map or plan has been laid upon the table of the House upon which are shown the existing terminals, including pier No. 2 which is marked in red, and also that portion of the line leading in from Three Mile house to the proposed terminals, and also a sketch of these terminals as they will be when fully completed. The portion marked red on the north side is the bulkhead two thousand feet long which is being constructed, adjoining the slip or pier twelve hundred and fifty feet long which together with the bulkhead will constitute the first unit. The other piers are eventually to be built as the requirements of business may demand. Under present conditions, it looks as if this unit would have to be hurried to completion at the earliest opportunity.

Mr. SINCLAIR: When the Minister of Railways visited Halifax last fall it was announced in the press that the Government proposed to spend $35,000,000, and I understand the minister to say that the scheme now proposed involves the expenditure of about $12,000,000. Has any change taken place in the plans of the Government to account for the very great change in the proposed expenditure?

Mr. COCHRANE: At the time I made the announcement in Halifax, I did not say what the cost would be.

Mr. SINCLAIR: Then the statement in the Halifax Herald was unauthorized?

Mr. COCHRANE: I did not authorize any such statement.

Mr. BORDEN: I think the estimates to which my hon. friend refers were outside estimates. The estimate of the engineer as given in his report is between five and six million dollars for the railway, bulkhead and pier, which go to make up the first unit, and, for the completed scheme, about $12,000,000.

Mr. MACLEAN (Halifax): The minister has stated that the cost of the first unit, including the construction of five miles of double track railway, will be between five and six million dollars. Do I understand that this is inclusive of the cost of right of way?

Mr. BORDEN: I so understand it.

Mr. MACLEAN: And inclusive also of overhead bridges, where the right of way will intersect streets?

Mr. BORDEN: I understand they are included.

Mr. MACLEAN: What will be the approximate cost of the additional right of way required, and which has not yet been purchased or arranged for?

Mr. COCHRANE: That is rather hard to answer, because there are a few cases, I think, which will have to go to the Exchequer Court. We now have valuators going over the portions that have not been bought, with a view to coming to a conclusion with regard to making these people an offer. If an agreement cannot be come to the cases must be submitted to the

Exchequer Court. It would be impracticable to state what definite amount will be paid. With what we have already purchased, and what we have to purchase, I would imagine that the right of way will cost about half a million dollars, but included in that will be a lot of property that we will not need, as we have to buy a lot of property in order to get what we want, but this can ultimately be disposed of.

Mr. MACLEAN: Does the minister propose to proceed with the work by tender or by contract?

Mr. COCHRANE: As to the railway, I think, yes; as to the piers, a full conclusion has not yet been reached. Quite a number who have been discussing the matter say it can be done much safer and quicker by the Government. With regard to the Montreal docks, for instance, the harbour board there has given up letting contracts for docks; they have their own plants, and find the method much more satisfactory and considerably cheaper. While it is not fully decided that it will be carried out in that way, it would appear, from the information we have, that this plan is more feasible and much better.

Mr. MACLEAN: That will hardly be decided upon before you ask the committee for the balance of the vote?

Mr. COCHRANE: It is needed so badly that I would like to proceed with the work and take advantage, as much as possible, of the favourable season. I would not like to delay too long. The plans are not complete with regard to the letting of the contract, but we hope that they will be so in the next few days.

Mr. MACLEAN: Have the engineers reported to the minister as to the probable cost of operation of this new terminal, say from the three-mile house down to the proposed ocean terminal, and if he proposes to operate it electrically, or by steam or otherwise.

Mr. COCHRANE: In making the announcement in Halifax last fall, I said that the Government would certainly undertake to improve the facilities in that way. One reason for this was because of the fact that the route goes through the residential portion of Halifax, and the language I used was that the utilization of coke, oil or electricity had made such wonderful advances that we would do our utmost to make any possible nuisance as slight as possible. I propose to carry that out to the letter.

Mr. MACLEAN: Is it likely that the piers to be constructed within a reasonable number of years will be very close to Point Pleasant park, and has there been any change made in the location of the plant?

Mr. COCHRANE: No, we go up to the line, that is all.

Mr. MACLEAN: When can we expect the final plans and reports of the engineers on this matter? May we expect them shortly?

Mr. COCHRANE: Yes.

Mr. MACLEAN: Within what length of time?

Mr. COCHRANE: In a week or ten days.

Mr. MACLEAN: Then I am to understand that the total estimated cost for the whole plant as outlined in this statement, and as originally outlined by the minister in his announcement at Halifax last October, will be within or about $12,000,000. That is inclusive of the breakwater?

Mr. COCHRANE: Yes.

Mr. MACLEAN: How long will this breakwater be?

Mr. COCHRANE: I have not that in mind.

Mr. MACLEAN: Has the minister any idea of its probable cost?

Mr. COCHRANE: No.

Mr. MACLEAN: It will be commenced at once?

Mr. COCHRANE: It will be one of the first.

Mr. MACLEAN: Is the breakwater to be constructed by tender and contract?

Mr. COCHRANE: It is not decided whether the Government will do it or whether it will be done by contract. Judging from the opinions of those who have had experience, the most effective and the cheapest work is done by the departments having their own plant and running it themselves.

Mr. MACLEAN: Assuming that the Railway Department perform the work, how would you proceed with the work?

Mr. COCHRANE: The Montreal people, in building their docks, form a crib built out of timber, sink it and then fill in with stone and build on top of that, but at Halifax the torredo worm is so much in evidence that it may be impossible to do that. The engineer has been giving a great deal of consideration to the matter, and advises the making of a crib out of concrete on land, sinking it, and filling up with concrete. No coffer dams are necessary. In other places that has been found to work satisfactorily, and it is much cheaper than to construct coffer dams, and built up solid.

Mr. MACLEAN: Who in the Department would be placed in charge of this work and would supply such as cement, &c., be purchased by tender?

Mr. COCHRANE: Oh, yes, some competent engineer would have to be selected and it would be placed under his supervision just as is the work of inspection of No. 2 dock to-day. That dock is under Mr. Kennedy of Montreal, who has complete control and any communication in reference to it I address to him. In fact, owing to the slowness of the work in the past year, I have urged him to make more speed, and have told him that we must make some greater efforts; either take it away from the contractor or adopt some other means of securing greater expedition. We would select some practical engineer of experience to be on the ground and supervise the work and as consulting engineer or critic we would still employ the engineer of the Montreal Harbour Commission to go down as often as necessary to offer any criticism or suggestion in regard not only to the carrying out of the work but the style of the work.

Mr. MACLEAN (Halifax): The Prime Minister and the Minister of Railways, I have no doubt, have had requests to have the report of the engineers of the department, upon the project submitted, for re-examination and review by independent engineers and terminal experts. Are such requests to have favourable consideration, and if not upon what ground is the refusal made?

Mr. COCHRANE: We have had individual requests.

Mr. MACLEAN (Halifax): I have often heard that urged myself. I assume then that such request will not be granted, but the report and plans of the departmental engineers will be adhered to.

Mr. COCHRANE: The scheme, as I understand it, was proposed by some individuals of Halifax, that it should be submitted, not as to construction but as to elocation of situation, etc.

Mr. MACLEAN (Halifax): I have just a few remarks to make respecting the matter upon which the Prime Minister has given a statement to the committee. At a later date, when the minister is asking for a further supply with reference to this particular undertaking and when the plans and reports of the engineers of the department have been submitted, I may have occasion to say something further. The proposal to afford improved terminal facilities at Halifax has upon general principles my cordial endorsement. I approve entirely the purpose and intention of the Government to provide such an expenditure of money as shall fully and adequately equip the port of Halifax, not only to meet the traffic demands of the present, but to meet that traffic of the future which undoubtedly will reach very considerable proportions in a few years. At the last session of Parliament I urged upon the Government the desirability of making a careful examination of the needs of Halifax in the way of railway and shipping terminals and reporting upon the same in a very comprehensive way. I am very glad that in accordance with my suggestion the Government have seen fit to make the necessary examination during recess, and have finally reached the conclusion to proceed with the construction of railway terminal facilities such as they think will adequately meet the demands of that port. I do not propose to extend to the members of the committee any personal opinion respecting the general scheme or its details because my opinion would not likely be regarded as of any value. This is a matter entirely for the Government and its engineers to decide upon and of course they must take the responsibility. I have just one word of criticism, and that is, that from the date of the announcement of the Minister of Railways at Halifax last year, until this evening, there has never been given to the citizens of Halifax by the Government any explanations or reasons for the adoption of the projected scheme, and no reasons were ever given why the construction of additional railway terminals within the region of the present terminals and at other parts of Halifax harbour where, naturally, most people would expect the same, was impossible. There may have been a reason for that; I do not presume to know it. I wish to say that in my judgment it would have tended greatly to the elimination of considerable unrest and acrimony during the past few months, if the Minister of Railways had, a few months ago, made a statement similar to that made by the Prime Minister this evening. The public were entitled to receive from the Government the same information they would receive from a railway company projecting the same scheme. It was extremely unfortunate I think that when the announcement of the present project was made, it was not accompanied by the reasons which have been assigned in a general way this evening. I thought myself, when first I heard of the announcement, that it was premature and that it might well have been postponed until the Minister of Railways was in possession of a full and complete report from his engineers. I think that strong and detailed reasons should have been given the public in the first instance as to why this particular scheme was to be adopted and others abandoned.

As the Prime Minister has pointed out, the adoption of this scheme, assuming it

to be the very best and the only scheme possible, means the condemnation of a great deal of property now available for residential and business purposes. A great number of the citizens of Halifax were naturally alarmed at the extent of the property to be expropriated. They were rather disconcerted by the idea of the establishment in a new part of the city of an additional railway and shipping terminal district, and for other considerations, some serious possibly, and others not, there was and is more or less alarm and misgivings on the part of some excellent citizens of Halifax in regard to this project. I merely wish to make the observation that in my judment it was regrettable that the announcement was not postponed until a later day, or better still, until Parliament had met which was only some three or four weeks later, when the announcement could have been accompanied by reasons in support of the project as outlined, which would have been reassuring to the citizens of Halifax. However, I am not inclined to blame the Minister of Railways so much for this, because, I understand, he protested against the politically organized meeting at which his announcement was made and that it was very much against his own judgment that he was ultimately compelled by reason of local political exigencies to make prematurely the announcement.

I wish to express my concurrence in the statement made by the Prime Minister as to the urgent necessity of immediate terminal improvements and extensions in the port of Halifax. The business at that port to-day is not adequately accommodated by the existing terminals. That the business at the port will grow very rapidly in the future is self-evident. The internal development of Canada will necessitate in the future the utilization of our Atlantic ports, such as St. John and Halifax, together with terminal development, to an extent hitherto unknown. The completion of the Grand Trunk Pacific to Moncton, the linking up of the various sections of railways which will constitute the third transcontinental system in this country, the Canadian Northern railway; the utilization of the Intercolonial railway by the three transcontinental lines, together with the general development of the maritime provinces, will result in a very much increased port business at Halifax. Therefore, large expenditures at that point for the construction of such terminals were inevitable. The project, for which the Prime Minister asks of Parliament a sum of money, viz: the equipment of the port of Halifax has, I need hardly say, my sympathy, and will have my cordial endorsation. I trust that when it is completed, it will meet the requirements of the port, and the details of the project will have been proven proper and wise by experience. I am conscious of the fact that there are a great many honest and serious objections raised against the proposed scheme. There would be no dissent to the present project if there prevailed the idea that it was the only feasible one, as well as the best. It was for the purpose of being assured on this point that the advice of additional expert opinion was urged by many citizens. Many did and do now feel that the Government did not take the public sufficiently into its confidence. I do not personally feel the public were afforded the information they were entitled to. The city corporation, representative of the people, was not consulted even. Hostility to the scheme might have been anticipated. Citizens of Halifax wanted done only that which was best in the circumstances. The manner of the announcement, and the dearth of information extended to the public was, I think, unfortunate. The situation was one deserving more serious consideration than was given it by the Government. However, I trust that the project when completed, will meet the demands of the port.

In the construction of the railway along the Northwest Arm, and across the head of the peninsula, I trust the minister will always have in mind the reduction, as far as possible, of damage to private property, and the general appearance of the city. The Government should not hesitate, I think, in asking Parliament for any necessary sum of money which will minimize any disfigurement to that part of the city to be traversed by the railway, and which, let me say, is naturally a matter of great pride to the citizens of Halifax; and to ensure that, in approaching the region of Point Pleasant park, which has long been a pleasant rendez-vous of the citizens of Halifax, as little damage as possible will be done. Perhaps upon reflection and examination of the location, it might be possible to keep the railway tracks even further away than now projected from that delightful spot. I shall doubtless have occasión to refer to this matter later, but will not detain the committee farther for the present.

Mr. H. BOULAY (Rimouski) (Translation): Mr. Speaker, I have a few remarks to make on a very important subject, I mean the speed of the trains on the Intercolonial, in the Metapedia valley, a dangerous section of the railway, as every one knows, owing to the very nature of the road in that valley. Three or four weeks ago an accident happened on that part of the road, and I think it should be ascribed to a change made in the system by Mr. Brady. Formerly, the trains used to follow one another from station to station,

because the road, in that part, is very dangerous. According to the new system inaugurated by Mr. Brady, the trains, today, follow one another from ten minutes to ten minutes. On that section of the railway, from Sainte-Flavie to Métapédia, the curves are very short, which goes to increase the dangers of the new system. Of course, the employees are exposed to great dangers, to begin with, and then the railway itself is exposed to heavy material loss. There is very good ground even for fearing that lives might be lost.

Three or four weeks ago an accident happened at Saint-Moïse. I immediately called the attention of the Minister of Railways to the fact, and nothing has been done. All I got was a letter to the effect that my own letter had been received. Again last night, an accident happened, causing the loss of an engine, and of five or six cars which were burnt. A few employees were crippled, and they were lucky enough not to lose their lives.

For those reasons, I think the Minister of Railways should remedy at once this condition of things and re-establish, without delay, the former system—the block system—for the speed of the trains on that part of the Intercolonial.

I had other observations to make, but I shall reserve them for a later date.

Mr. SINCLAIR: It is gratifying to everybody in Nova Scotia to know that the Government are undertaking to equip the port of Halifax. The principal regret I would express is that it becomes necessary to build a breakwater in order to make a protection for shipping at that port. I have been accustomed to look upon the port of Halifax as one of the greatest harbours in the world and one in which shelter could be obtained without any breakwater for any number of great ships. Georges island being the natural protection, the people of Nova Scotia have been of the opinion that the best shelter has been above that point and not below it. I do not profess to have any engineering knowledge about these matters, but there is a very large stretch of coast above Georges island where wharfs might be built to meet the necessities of the port. Besides, I think it will be found that breakwaters are not very satisfactory, that when a very severe storm comes a breakwater is never found altogether sufficient. The breakwater is a good enough protection for shipping in fine weather, and in case of moderate storms, but I think that the experience throughout the world is that, when breakwaters are depended upon in the case of a very severe storm, they generally fail. Of course, that matter has been considered by the engineers, but as a man outside of the engineering profession, this point is regarded by me as very important. There is a direction from which the sweep of the Atlantic can reach these wharfs, where there will be very little protection for shipping, and I question very much if the owners of ships will feel that this is a safe place to moor their vessels in the fall of the year during stormy weather. In looking at the plan placed on the table I noticed that the breakwater proposed is of about the same length as the wharfs. It would seem to me that it would be necessary to have the breakwater considerably longer than the wharfs in order to furnish the necessary protection. There was one point in the proposal that I was not clear about and it is the reference that is made to the elevators that are proposed to be built. The statement, I see, provides for the construction of an elevator which will permit grain to be loaded into ships at each of the thirty-two berths. Do I understand that that means one elevator?

Mr. BORDEN: Yes.

Mr. COCHRANE: Grain will be run on belts.

Mr. SINCLAIR: I would suppose that one elevator would be sufficient for the shipment of grain at Halifax at the present time. It is unfortunate and a disappointment to the people of eastern Canada that the effort to bring grain over the Intercolonial railway to this port has not yet been a success. A rumour is abroad that changes have been made in the grades of the Transcontinental under the present Administration. I do not think the Minister of Railways has yet given us very clear or distinct information in regard to the matter. If it is be true that the grades originally laid out are not to be maintained, but that we are to have grades on the Transcontinental similar to those of the Intercolonial, it will not be necessary for us to provide very many elevators at the port of Halifax for the shipment of grain. The reason why we have not been able to ship grain there up to this date is that it costs too much to bring it there. Grain will always go by the cheapest route. It is diverted now at Buffalo and at other points along the line. A certain quantity comes to St. John, but almost none to Halifax. The Transcontinental, when projected, was supposed to overcome the difficulty. It was felt, if that road was constructed, tapping the West, and with the grades that were originally provided for, that grain could be shipped at the port of Halifax.

Mr. COCHRANE: Does the hon. gentleman know that there are two pusher grades from Quebec to Moncton that have not been changed?

Mr. SINCLAIR: I am quite well aware of that. I do not think it will interfere with the utilizing of the road for the shipment of grain to have one point where pusher grades are used. If all the rest of the road is maintained at the four-tenths of one per cent, as originally laid out, it would appear that grain could be taken to the port of Halifax from the West as a commercial proposition. If the original grades of the Transcontinental are to be abandoned, I think it is hardly worth while to make this large expenditure at the port of Halifax for the shipment of grain.

In reference to Point Pleasant Park, I am glad to know that the Minister of Railways and the Prime Minister are going to do everything possible to preserve the beauty of that park, which is one of the beauty spots of Canada. It belongs to the Canadian people and is one of their most treasured possessions. I am pleased to hear that the approaches to the park are not to be interfered with by this proposal. I am not altogether clear as to whether the approach to the park along Pleasant street is to be interfered with or not.

Mr. BORDEN: I think on Pleasant street it is interfered with.

Mr. SINCLAIR: Along the shore?

Mr. BORDEN: Yes.

Mr. SINCLAIR: Will the approach be closed along Pleasant street?

Mr. BORDEN: Pleasant street is vacant along there.

Mr. SINCLAIR: I regret to hear that this approach is to be closed. I was hoping for a statement by the Prime Minister that the proposal would be for a tunnel to preserve that approach, because it really is the best approach to Point Pleasant park.

Mr. MACLEAN (Halifax): Can the Minister tell me how far out into the harbour from the present shore line the head of these proposed piers will be? The water now for a considerable distance from the shore, possibly four or five hundred feet or more, is very shallow. Is it proposed to fill in a considerable part of the land near the shore now covered by water and then build the piers from that out?

Mr. COCHRANE: No. I do not know how many feet from the present shore line we shall take in. The idea is to dredge out there down to rock, because we have to start those piers on rock.

Mr. MACLEAN: It is all rock now?

Mr. COCHRANE: Yes, the bottom is, but the dredging will not be expensive. It is an ideal spot for such work. The plans will show the length from the present shore line.

Mr. MACLEAN: Did the minister ever take into consideration a criticism of which he has no doubt heard, and which is frequently made in Halifax, that the erection of this breakwater and these wharfs will be an interference with navigation and possibly in some winter seasons have the effect of causing the harbour to freeze?

Mr. COCHRANE: I have never heard that criticism. I have heard something of what the hon. member for Guysborough (Mr. Sinclair) was saying, but navigators tell me that there is nothing in it. The breakwater will protect the harbour. A breakwater may have to be put out on the other side to some rock that is there now and a lighthouse put on it. There is absolutely no danger from wind. There might possibly be some freezing between the docks in extra cold weather, but a tug would have to be around there to keep the harbour open.

Mr. MACLEAN: Have the plans for the piers and bulkheads ever been submitted to experts outside of the technical offices of the department who have been advising the minister?

Mr. COCHRANE: No, they have not. Similar plans have been approved by people interested in navigation.

Mr. MCLEAN: I have heard that officers navigating trans-Atlantic ships coming into the port of Halifax expressed considerable fear on this score. Personally I do not know whether it is correct or not. I suppose I am correct in assuming that the engineers of the department have taken the trouble of making inquiries among local men as to their views.

Mr. COCHRANE: Yes, local navigators.

Mr. LEMIEUX: I heard some time ago from the hon. Minister of Railways and Canals that he was considering the advisability of acquiring some of the branch lines in connection with the Intercolonial railway main line. I am somewhat interested in that section of the province of Quebec traversed by the Intercolonial railway. I have paid a great deal of attention to the Gaspé line and I have always been more or less interested, as a Quebecker, in the Temiscouata line. I hope that if the minister comes to any conclusion in regard to that policy generally, he will not forget the only two lines that may be available in the province of Quebec. I speak a little feelingly about the Gaspé line because I represented that peninsula for several years with my hon. friend from Bonaventure (Mr. Marcil). Although the railway has been completed from the main line of the Intercolonial railway, from Metapedia up to Gaspé basin,

still the people in these two constituencies are afraid that the company will not be able to operate the line successfully. I received some days ago a resolution adopted by the county council of Gaspé and my hon. friend from Bonaventure has similar communications from the various municipalities in the county of Bonaventure. I sent mine to the Minister of Railways, who, I fancy had received similar ones from the member for Gaspé (Mr. Gauthier). Speaking as a friend of the county I represented for so many years, I wish to say that for my part I would support very cordially any movement on the part of the Government towards acquiring that branch line from Metapedia to Gaspé basin.

Mr. GAUVREAU: I wish to unite my voice with that of the hon. member for Rouville, as to the Temiscouata road, I think the minister will recollect that I asked him some questions about that, and I am told from investigation made of that road that it is one of the best paying branches we have in the province of Quebec connected with the Intercolonial railway. I hope the minister will see his way clear soon to let us know what his intentions are with regard to the Temiscouata line. This is the time to make his position known, because the Quebec Central has been bought by the Canadian Pacific railway, and if the Canadian Pacific gets control of the Temiscouata road, it will divert the traffic from Rivière du Loup: the minister knows this to be a fact.

Hon. Geo. P. GRAHAM: As I understand it the right hon. the Prime Minister is endeavouring to make out a case for this vote of $2,500,000, it being a new work. I will not say, for the moment, whether I think he has made out a case or not; I would like to discuss the situation for a minute or two. As to making announcements to which reference has been made, it is well to leave that alone unless you are compelled to speak. Sometimes, you have to change the trend of the announcement, and the realization is not equal to the anticipation. The newspapers favourable to my right hon. friend said there was to be an expenditure of $35,000,000; now he tells us it is to be $12,000,000. That is only one dreadnought instead of three. I would like to make a suggestion to the minister before he proceeds with this great work. When the Welland canal was constructed, the precaution was taken of having the advice of an expert of the highest standing. If the hon. gentleman will look at the records of that day, he will find some valuable opinions, and I think that the construction was all the better for the advice received. If Halifax harbour was merely being constructed for local purposes or for semi-local purposes, it would not be of such great importance; but this is not a Halifax harbour, this a harbour of Canada; this is to be one of the great gateways of commerce to and from Canada. If any mistakes have been made in the past, now, when an effort is being made to accommodate the great traffic we expect to have in this country, the Government would act wisely in taking every precaution to see that the best possible development is made. I suppose that if we were to send another engineer or two engineers to Halifax harbour to look over these plans, they would have suggestions to make, and that that could be continued for ever. My suggestion is not that, but to discover if possible one of the greatest harbour engineers in the world, one who has made this his life study. When I had my data complete and plans prepared, I would submit all these to him. He possibly would agree, and if he did not agree, possibly his advice would be worth paying something for. If this were a small work, I would not consider it of importance; but this is not a harbour for to-day or for to-morrow; but is a harbour which with expansion is intended to accommodate a large share of the traffic of Canada for many years to come. It does not belong to the maritime provinces; this vote of money we are not taking for a locality, we are voting it for a national undertaking. Here, as on the coast of British Columbia, we ought to make no mistake now. As I have said on previous occasions I look for a great development in the eastern part of Canada within the next few years. On this harbour will depend to a large extent the amount of trade which will come through it from Canada and even from the United States. It would be a protection to the minister and in the interest of the Government and of the whole country if, before he proceeds, when he has his plans completed, he would call in the best harbour engineer he can find in the world and get his advice. With reference to the construction of these works by Government or by contract, that is a question, of course, which is worthy of consideration. The harbour commissioners of Montreal have an organization, I believe through which they do a large part of this class of work. The Minister of Railways and Canals should be careful before he forms an organization for the purpose of carrying on a work of this kind. I suppose it is not going too far to say that the experience of the Government is that they do not employ any more cheaply than a contractor does. In getting the best labour, they sometimes experience difficulties that would not be experienced by contractors. Shut our eyes to it as we will, I am afraid that any organization of this kind, under Government supervision, might be liable to have im-

posed on it very many men who are not expert in their calling, and who would not be engaged by contractors. It will bring a multitude of troubles to my hon. friend if he endeavours to do this work himself, rather than have it done by contract. It would not do for us at this hour of the night to enter into any lengthy discussion as to the necessity for the development of Halifax harbour. Not only does Canada in general need the additional accommodation in the way of docks, but the time is not far distant when in the city of Halifax there must be additional railway terminal accommodation to provide facilities for three or four railways. The Intercolonial during past years has practically had possession of Halifax as a terminal, but it is evident that in the near future the Grand Trunk Pacific, the Canadian Pacific railway and, I think the Canadian Northern, will have to be accommodated in the city of Halifax. If the Government is proposing to lay out terminals to take care of the traffic of these roads, I think it is not acting unwisely, because they will have to be taken care of in some way. The restricted territory in the city of Halifax will not permit of the construction of three or four sets of terminals in that city without doing an injustice to the citizens, both from a residential and a business standpoint. If the matter of terminal accommodation is carefully worked out so that these other roads can be accommodated, the Government will be fully justified in their course, but they will be making a great mistake if they merely provide terminals for the expected business of the Intercolonial, even with the Canadian Pacific railway business thrown in. The Grand Trunk Pacific has running rights, I think, from Moncton to Halifax and, if running rights are to mean anything, the Intercolonial must, in connection with these running rights, provide terminal facilities. The Canadian Pacific Railway Company now have certain rights, and are asking for more. When the Government is prepared to go on with this large scheme of terminals, it ought, I think, to make that scheme so extensive that the result will be the proper accommodation of these various roads. In view of the fact that it is not a local but a national work, and further considering the necessity for providing for the traffic that is ever increasing and that will continue to increase, I feel justified, so far as I am concerned, in saying that one-sixth of this grant ought to be given for this new work.

Mr. MACLEAN (Halifax): Are these piers to be built with concrete?

Mr. COCHRANE: Yes.

Mr. MACLEAN: What is to be the cost of construction?

Mr. COCHRANE: The plan has not yet been drawn. The leader of the Opposition and the hon. member for South Renfrew have asked for a statement in reference to the Transcontinental railway, and although this statement is not just as full as I would like it to be, it is the best I can give in the short time I have had at my disposal. I will give a brief synopsis of how the road stands at the present time. In respect of district A comprising approximately 256 miles from Moncton to the New Brunswick and Quebec boundary, the grading is completed and the track all laid. The telegraph line and about 99 per cent of the bridges have been completed. With regard to district B, comprising a distance of 562.54 miles, fifteen miles of the western end of which have recently been transferred to district C-D, the grading is completed, and the track laid for a distance of 500 miles. The telegraph line is completed for a distance of 357 miles, and 98 per cent of the bridges have been constructed. In these figures I am omitting the fractions. In the next district, C-D, the length of which is 412 miles, the grading has been completed to the extent of 395 miles, or 95 per cent, and 391 miles of track have been laid. On the main line 82·9 per cent of siding and yards have been laid, of the telegraph line, 242 miles, and, in respect of the bridges, 42 per cent have been completed, in district C and 98 per cent in district D. In district E, the length of which is 195 miles, 150 miles of the grading has been completed, and 195 miles of track laid. That is the section between Cochrane and Graham. We have laid the track over that route, but the grading is not fully completed.

Mr. GRAHAM: How far is it from Cochrane to Graham?

Mr. COCHRANE: It is over 400 miles. District F is over 376 miles in length. The grading has been completed, and 382 miles of track have been laid, including double track from Transcona to Winnipeg; 132 miles of sidings have been laid, 304 miles of telegraph lines have been completed, and 93 per cent of the bridges have been constructed. A recapitulation of these figures is as follows: Total length of line from Moncton to Winnipeg, 1,804 miles; grading completed, 1,695 miles, or 94 per cent, in twenty-one contracts; track laid, 1,720 miles; sidings, 383 miles; telegraph lines, 1,170 miles; bridges, 85 per cent completed. It is expected that the road will be running into Quebec before the 1st of September of this year.

Mr. LEMIEUX: What are the intentions of the Government with regard to the terminals in Quebec?

Mr. COCHRANE: This matter has not moved along as fast as we had expected, but I think that before the estimates are dis-

cussed in detail I will be able to make an announcement in this respect.

Mr. LEMIEUX: I understood from a statement made by the Postmaster General the other day that the terminal in Quebec would be located on the site of the present Champlain market.

Mr. COCHRANE: I think what he did say was that we intended to lay track down to the Champlain Market. It will probably be necessary for us to build a small station there. I do not think it is a good place, however, for the main terminal of the road. The means of access to that station are not sufficient for the traffic. The road from Quebec to Moncton will be completed but we will not have the ferry which we have already ordered to take the cars across from Quebec to Lévis, so we cannot run there, I suppose, before spring. We placed an order for a ferry, the most up-to-date one we could get. It has a mechanical contrivance by which the deck on which the cars are can be raised or lowered according to the tide. It is being built in Glasgow.

Mr. LEMIEUX: When do you expect to have it?

Mr. COCHRANE: Early in the spring of next year.

Mr. LEMIEUX: And at Champlain Market there will be only a temporary station?

Mr. COCHRANE: It will be a permanent station, but what I hope to announce shortly will be the terminals for not only the passenger traffic but the local traffic, &c. Of course the through freight will be handled where the railway crosses the bridge, but the commission under whom the building of the Quebec bridge is inform me that it is not possible to have it completed before the end of 1917. Therefore, it was absolutely necessary that we should furnish a ferry in order to handle traffic going to Moncton.

Mr. LEMIEUX: Meanwhile the commission are looking for a suitable site for the terminal, and the site purchased from the corporation of Quebec will be utilized?

Mr. COCHRANE: Yes, practically all the right of way has been purchased, I think think there is one small piece yet that is not. The commission has also bought on the shore between Wolfe's Cove and Champlain Market, some 5,000 feet for deep-water terminals.

Mr. LEMIEUX: Do you expect to build the station at Champlain Market early this year?

Mr. COCHRANE: I think so, yes. It will not be a very expensive station, but it will be neat. Accommodating boats, &c., it will be necessary to have a presentable station.

Mr. SINCLAIR: Has the contract for the car ferry between Mulgrave and Port Tupper been let?

Mr. COCHRANE: No, because we had not a vote for that. It is in the estimates now and I can go on and deal with it; if the one-sixth is given we can then get out the plans and tenders. I agree as to the absolute necessity of having it, in fact I think it should have been ordered before this because the scows, &c., that have been used there when the present ferry is disabled, as it was last year, are very risky and we will certainly push it as fast as we can.

Mr. LEMIEUX: I would remind my hon. friend that when the ferry boats have reached this side of the Atlantic, he should endeavour to make some arrangement in connection with the Intercolonial for the transfer of passengers during the night from Lévis to Quebec.

Mr. COCHRANE: I think there will be no trouble when we get the ferry.

Mr. LEMIEUX: I am sure that he would be entitled to the gratitude of the city and people of Quebec if he could solve that problem. It is a small matter in itself but very important to the citizens of Quebec who happen to arrive at night at Lévis and cannot cross to Quebec.

Mr. GAUVREAU: Not only to Quebec but to the whole district.

Mr. COCHRANE: The piers for this ferry on each side will be constructed right away.

Mr. PELLETIER: The suggestion made by the hon. member for Rouville is one which is so very much to the advantage of the whole district that everyone should take a deep interest in it. The ferry company have now realized that something should be done, pending the arrival of the ferries which the Minister of Railways has ordered, to enable people to cross the river at night, and for the balance of the season the ferry company will take care of that traffic. I may as well state this from my seat in the House so that the people will know that for the balance of the season we will have ferry boats meet the two Ocean Limited trains at Lévis to cross over to Quebec. The president of the ferry company was here a few days ago; the hon. member for Rouville had the pleasure of meeting him, as I did, and the matter has been arranged. On the question of the terminals at Quebec, I would not like my hon. friend from Rouville to be under a false impression as to what I said at Quebec. Several papers were under the same misapprehension as my hon. friend. I did not say that the big station would be built at Champlain Market; I was pru-

dent enough, before leaving Ottawa, to get some information from headquarters, and I did not say that the big station would be built at Champlain Market, as originally proposed by the late Government. I did say, as I was authorized to say by my colleague, that the track should be laid as far as Champlain Market to be utilized for local freight, but that this did not settle the question of the central station.

Mr. LEMIEUX: I understand from the interview given by the hon. gentleman to the Chronicle the other day that the pourparlers with the Canadian Pacific railway with regard to their joining with the other railway companies and the Transcontinental to erect a central station in St. Roch, perhaps at the Palais, had not resulted in any conclusion, and that the Government are contemplating a different site.

Mr. COCHRANE: I would rather leave that until a later date.

Mr. GRAHAM: I understand that the Minister of Railways desires to get an interim vote on the Transcontinental. The understanding was that new work would not be included in the arrangement for an interim vote. It was thought by the Prime Minister that the Halifax work ought to be, and we have decided practically that he made out a case and should get an interim vote on the $2,500,000 work in Halifax. The object of the Minister of Railways in presenting his statement on the Transcontinental at the present time, in response to a request by the right hon. leader of the Opposition, was that it should be given before the interim vote of one-sixth of the Transcontinental estimates was granted. We have not been voting any Intercolonial estimates as yet; we have been on the Intercolonial estimates because of the arrangement mentioned.

Mr. MACDONALD: With reference to the Transcontinental item, I understand that a commission composed of Mr. Gutelius and Mr. Lynch Staunton have been investigating. When does the minister expect the report of that commission to be laid on the table of the House?

Mr. COCHRANE: I cannot say exactly; I understand they are pretty well through with the examination of witnesses and of the work on the line, and that they are now engaged in preparing and editing their report. I do not know just when it will be ready, but it will be placed on the table as early as possible.

Mr. MACDONALD: I understand there have been some delays in the payment of contractors' claims. I have heard in a general way that some sub-contractors have not been able to get a settlement with the department. It is asserted that the commission have held up their money. Has anything of that kind been done in the course of the commission's operations? Occasionally one hears rumours too that the Grand Trunk people are not disposed to carry out their arrangement in regard to the operation of the road. Has there been any proposal to modify the arrangement in that regard in any way?

Mr. COCHRANE: In reference to the contractors, I do not think there can be any legitimate ground for the charge of the kind made by my hon. friend. Their progress estimates have always been paid on the production of the final certificate. These are difficult times for financing, and some contractors have been pressing rather strongly for the ten per cent rebate, and for the payment of security which was put up when the contract was agreed to. The contract usually provides that the security is to remain as long as the commission think necessary, and they have the right to withhold the ten per cent rebate on the estimates month by month. However, I do not think that much time has elapsed after the final certificate has been given in making a settlement. In the case of the contract for work between Graham and Winnipeg, there was a long delay, though not after the final certificate was given. The engineer in charge at Winnipeg, Mr. Poulin, died before the work was completed, and we had to put on a new man there who necessarily took a long time to go through the different items before giving the final certificate.

Mr. MACDONALD: In reference to the terms of the agreement for the operation of the Transcontinental, the Grand Trunk Pacific is to be given running powers over the Intercolonial from Moncton. If, as the minister says, and I trust his expectations will be realized, that in September of this year the Grand Trunk Pacific will be in a position to operate the road from Quebec to Moncton——

Mr. COCHRANE: Of course, the ferry will not be ready this year.

Mr. MACDONALD: I know that, and I suppose some issue may be raised on that point. But has there been any suggestion or arrangement looking towards the Grand Trunk Pacific having running powers from Moncton East, that they shall assume the operation of the road, as I assume they will the moment it is completed, less the ferry?

Mr. COCHRANE: We have not been approached in any way at all, and I am not familiar with that portion of the contract which says they shall have running powers. However, the department would be very glad to meet them on that point, or to meet the Canadian Northern and the Canadian

Pacific railway, so long as we can get what is right or what will be in the interests of the Intercolonial as well.

Mr. MACDONALD: There is a section of the agreement which binds the Government in advance, and which has bound them since 1904. Have there been any overtures to that end?

Mr. COCHRANE: No.

Mr. MACDONALD: In contemplation of the condition of affairs which will exist in September, when, as the minister hopes the line will be ready for operation, with the exception of the bridge, it would be in the interests of the maritime provinces, and particularly in the interests of Nova Scotia, if he would at an early date take up with the Grand Trunk Pacific the question of what their rights are to be, and of whether they are going to exercise them, with the view of settling to what extent they are going to operate over the Intercolonial. In that connection there is a suggestion that the other Transcontinental lines might come in and have running powers. I think that the arrangement with the Grand Trunk Pacific which will naturally become an essential element in the situation next autumn, ought to be dealt with at an early date.

Mr. COCHRANE: I am afraid that it will be very hard to get the Grand Trunk Pacific to take over the operation of the road this fall. There would only be local traffic, and not through traffic, on account of the ferry not being ready, and they would not want to take over the road and work it at a loss. Perhaps I should even qualify the statement about the completion of the road from Quebec. There will be something to do on that road, but by the close of the season of navigation, or by the 1st of January, we should have it in condition so that it can be operated. I would be very glad to get the Grand Trunk to take it over, because we are operating in New Brunswick at a loss, but I am afraid they would seriously kick about assuming the operation of the road in the fall.

Mr. MACDONALD: To what account are you charging the operation of the Grand Trunk Pacific line from Moncton to Edmundston.

Mr. COCHRANE: The contract provides that if they will not take it over, the Government can take it over. It is a capital charge.

Mr. F. B. CARVELL: I do not think my hon. friend the Minister of Railways need be surprised if he is not making any money on the portion of the road between Moncton and Edmundston, if he knows the manner in which it is being operated, though I doubt very much if he does.

Mr. COCHRANE: I have not been down there since the summer.

Mr. CARVELL: He would be surprised if he had any idea of how that portion is being run. There is a superintendent who does not reside in the province, and who goes there once in a while and draws a big salary of several hundred dollars a month. Then he has a son who goes there part of the time and also draws a big salary, and all they have to do is to superintend the operation of a train from Moncton to Edmundston one day, and back to Moncton the next day. Evidently they do not want to do business, because they have refused an enormous amount of business.

Mr. COCHRANE: I would be very glad if the hon. gentleman would give me an instance of that.

Mr. CARVELL: I happen to be the executor of an estate and during the past three or four months I have hauled by team between three and four million feet of lumber a distance of fifteen miles over probably the most hilly road in New Brunswick, to the Canadian Pacific railway. I could have hauled that very same lumber to the Transcontinental railway, a distance of less than five miles, and practically all down grade, between the mill and the railway. The party whom I represented was alive at the time the negotiations started in November, he died in December and since then, as the executor of the estate, I have been carrying on the business. The party himself wrote a letter to the superintendent which I took down to his office personally. I tried to get him to give any kind of a reasonable rate to carry the lumber from this point to Plaster Rock, thirty-two miles away.

Mr. COCHRANE: What is the point you started at?

Mr. CARVELL: It is near Foreston—Juniper I think they call it. The best rate I could get was six cents per one hundred pounds. That rate being out of the question, I went and talked personally to Mr. Macpherson but I might as well have talked to a graven image. I am not finding any fault with him because I presume he was only carrying out the instructions of his superiors. I went into details and explained to him the private transactions of the estate, but that is all I got out of him. It did not make any difference; six cents per one hundred pounds was the best rate I could get.

Mr. SINCLAIR: How much would that be per thousand feet?

Mr. CARVELL: That would be about $1.68 per thousand feet. Dry lumber weighs

two thousand seven hundred or two thousand eight hundred pounds to the thousand feet.

An hon. MEMBER: What kind of lumber?

Mr. CARVELL: Spruce. We got that lumber hauled, during the winter, from Plaster Rock to Boston, six hundred miles, for fifteen cents for one hundred pounds and we are now getting it hauled for thirteen cents. The Transcontinental railway charged us more than one-third as much money to haul that lumber thirty-two miles as the Canadian Pacific railway, the Maine Central and the Boston and Maine charged to haul it six hundred miles and still we wonder why the Transcontinental cannot make any money or do any business. I found that I could not do anything and that possibly it would be necessary for me to get some politician to see if he could do something.

Mr. COCHRANE: Did you not think of giving me a chance?

Mr. CARVELL: I did not. I am giving my hon. friend a chance now.

Mr. COCHRANE: Yes, but after the horse has been stolen.

Mr. CARVELL: I do not know why I should be bound to run to the minister with everything like that. I suppose that when he puts a man down there he has a man who has sufficient judgment to know what to do. It is no wonder the minister cannot make any money with the class of people who are running things for him. If he had men who knew something about the country and its requirements he might make some money.

Mr. MACDONALD: Who is the superintendent?

Mr. CARVELL: I do not know what his name is. I think he lives somewhere west. What is the name of the superintendent?

Mr. COCHRANE: I do not know.

Mr. CARVELL: Well, I do not wonder.

Mr. COCHRANE: I would not recognize him after your statement.

Mr. CARVELL: I did not suppose you would. I am giving you facts. This is not hearsay; I am now talking of my own personal experience. We got all this lumber out, but about 7,000 feet, hauled it fifteen miles, got it on the Canadian Pacific railway, sent it to Boston, sold it for a considerable price and made some money out of it. I know where the difficulty comes in. They have a rate which they say is the same rate as that charged on any other railway and it is the ordinary traffic rate. But it is only a local freight rate. If you want to haul a carload of lumber over the Canadian Pacific railway they will quote you the same rate. But the difficulty with the Transcontinental is that in New Brunswick they will not recognize anything but a local rate; they will not make any arrangement to give you a through rate to Boston, Montreal or anywhere else. They simply say: There is the rate, take it or leave it. Of course, we left it and we saved a dollar a thousand by leaving it. If they had cut that rate down to three or four cents we would have patronized the road, because we could have hauled the lumber very much more easily to the Transcontinental railway and for probably one-third of what it cost us to haul it to Bristol on the Canadian Pacific railway. But we found that we could haul it out, put it on the cars at Bristol and have it carried on the Canadian Pacific railway cheaper than by taking it to the Transcontinental. The result was that the Transcontinental lost the business. No man need tell me that you could not haul lumber for four cents per hundred pounds for thirty-two miles over such a road as the Transcontinental is. I think I know every foot of that line. It is one of the finest roads in America. An ordinary one hundred per cent engine will haul forty cars of lumber, if necessary, and a one hundred and forty per cent engine will haul fifty or sixty. There are no velocity grades.

Mr. COCHRANE: There is a pusher grade.

Mr. CARVELL: The pusher grade is the other way. The pusher grade is going with the road in this particular case; therefore, you would have a 6/10th grade going west for about fifteen miles and then a one per cent grade going down hill for the rest of the distance. There is no excuse whatever why they should not have done this business, and my hon. friend can figure up the business that he has lost in this case. I could give him some other illustrations, although they do not come within my personal knowledge. At Edmundston my hon. friend's man was offered the transportation of 4,000 carloads of logs at a rate which would have well paid him, but he wanted a rate which would amount to eight or nine dollars a thousand for the logs. The people said: It is impossible; we cannot pay it.

Mr. COCHRANE: Can you give me the particulars of this case?

Mr. CARVELL: I am not positive now of the names, but I think it was the St. John Lumber Company, and the offer was to haul out a large amount of logs from a point west of Edmundston to about St.

Leonard. My hon. friend's superintendent will be able to tell him the particulars of this case. The manager of the concern went to this superintendent personally and tried to get some kind of a rate, but there again they quoted him the local rate, and it was a case of take it or leave it, and they left it. The International Railway Company operates the road running from Campbellton over to St. Leonard. If my hon. friend will take the trouble to investigate he will find that 8,000 car loads of logs have been hauled, partly towards St. Leonard and partly towards Campbellton.

Mr. COCHRANE: Was it logs or lumber?

Mr. CARVELL: Round logs, and they went by the International railway at a figure which made money for the railway and for the operators as well. The minister's railroad could have got an equal amount of business and he could have made money for it, but his superintendent would not do business. If my hon. friend wonders why he cannot make money for his railroad, he should investigate a few things like this and he will see why. I saw in one of the St. John papers that the engineer was down there canvassing for business. He gets his name into the newspaper as though he were trying to do some business; but when men who have business to do and the money to do it with come to him, he won't do business with them. I even tried the political end of it. I got the bank, which had some interest in the matter, to take up that end. A gentleman came to Ottawa and made all sorts of representations. I understand that he succeeded in getting the rate reduced to five cents. We were never notified of that. I inquired a good many times, but I have only been told in the last fortnight that finally they did agree to reduce the rate to five cents.

Mr. COCHRANE: I think that particular case occurred two months ago. I had something to do with that.

Mr. CARVELL: We could not do business at five cents, because we can haul it cheaper by teams fifteen miles. These are some of the reasons why my hon. friend has not done any business. There is plenty of business to be done in that country. He could have mills put in all along the road. We have at the present time 2,000,000 feet of lumber, which is to be sawed this summer and shipped next year. It will not be shipped over that road unless we get a reasonable rate. We shall haul it fifteen miles over the mountains and ship it over the Canadian Pacific railway, where we will get a reasonable rate. In one industry, we have twenty or thirty million feet of lumber which we could handle. The mill was built with the intention of shipping the lumber over the Transcontinental, but we cannot get fair rates and we cannot do the business. I know other gentlemen who have tried to do business, but they can only get a local rate. That is all right if you are hauling your produce to point of destination or consumption. There is no point of consumption at Plaster Rock, because that is only a little village in the middle of the county of Victoria. Therefore, the only way that my friend can do business for that road is to give a through rate. If he gets in mills and does business in that way, it brings passenger traffic and express traffic.

Mr. COCHRANE: It is pretty hard to get a through rate with a road that is operated just as a contractor's road, as this practically is. The Canadian Pacific railway have through connections with Boston. It is a little more difficult than it would be if the Grand Trunk was finished. It would then have its own connections.

Mr. CARVELL: I am not a railroad man, but I cannot accept that proposition from my hon. friend.

Mr. COCHRANE: If you inquire further, you will find out.

Mr. CARVELL: If my friend stated that, I would be bound under the rules of the House to accept his statement; but that is the only condition under which I would do so. The Canadian Pacific railway rate from Plaster Rock to Boston is thirteen cents per hundred. All my hon. friend has to do is to cut his rate down to three cents and a half or four cents, and we will do business. Supposing you had to go to them for a rate? Does my hon. friend mean to tell me, if he went to the Canadian Pacific railway and asked them to give him a rate to Boston, that they would not give it? They would certainly give him some sort of a cut. They would put him in a position to do business and divide the profits. Instead of managing the road by a man who resides somewhere around western Ontario, if he will put a real live man in New Brunswick in charge of the road, he will not lose any money.

Mr. COCHRANE: We are operating east and west through Cochrane. There are settlers in there as well as in New Brunswick, and it is necessary for getting in supplies to finish the road both way. It is necessary that he should go from one place to another.

Mr. CARVELL: That is just what I am objecting to.

Mr. PUGSLEY: You might let the Grand Trunk Pacific operate it.

Mr. COCHRANE: They would not.

Mr. CARVELL: If the road is worth operating, it is worth operating as a business proposition. You cannot have a man

three-quarters of the time up at Cochrane and the rest of his time down in New Brunswick trying to run the road by mail. I would suggest to my hon. friend to leave the running of the road to his officials down in New Brunswick. He has a staff of men there who built that road, who know every foot of it and who are practical railroad men. They are not doing much work and are receiving high salaries. They have nothing to do but to operate that road, and they would be glad to do it. If he had left the management of the road to his district engineer and his assistant, he would not have any difficulty. These men are acquainted with business conditions in New Brunswick, and would have been able to do business. They have some pride in the railroad and would like to see it a success. If he cannot trust them, then my next suggestion is to take it out of the hands of a man who resides somewhere around Cochrane and to put it in the hands of a man who resides in New Brunswick and who knows something about local conditions.

Mr. MACDONALD: It seems to me that the wise policy of the minister in regard to that portion of the road would be to impress upon the Grand Trunk Pacific to undertake the operation of it at the earliest possible date. My hon. friend from St. John (Mr. Pugsley) tells me they made an offer to operate it. If so, I am surprised the minister did not accept it. The manifest intention of the whole country, which is behind the construction of the National Transcontinental, is that the Grand Trunk people should operate the whole line at the earliest possible date. In the maritime provinces, we have never had the Grand Trunk people there at all. The purpose of the Act, the intention of Parliament and of the whole country was that they should undertake the operation of the road, and the sooner they get to work the better. Anything in the way of a temporary arrangement which does not promote the forming of alliances and originating of connections with the maritime provinces, militates against the success of the enterprise and against the satisfactory operation for many years to come.

Mr. COCHRANE: I should be very glad to take that matter up.

Mr. MACDONALD: The wise policy would be to insist on the Grand Trunk railway taking care of the road. The minister tells us that the operation is now being carried on on these conditions—that any loss that accrues becomes a part of the cost of the road on which the Grand Trunk people have to pay interest. If that is so, manifestly it is to the interest of the Grand Trunk railway people that they should undertake the operation of the completed portion, because they have to pay interest ultimately upon the total cost of the road, and the greater that becomes the greater will be the interest charged. And it is the theory which has become somewhat general in the country that the Grand Trunk railway are rather laggard in carrying out the terms of the agreement and that is an idea which no Minister of Railways ought to permit them to entertain for a moment.

Mr. COCHRANE: I do not think the hon. gentleman has any authority for making that statement. Certainly, it has never been made by me. I would not like to say to the country that the Grand Trunk are refusing to carry that out. I do not think there is any basis for that statement being made.

Mr. MACDONALD: I am glad to know that there is no foundation for the rumour that the Grand Trunk people have some hesitancy in undertaking the responsibility of this road whenever it is in a position to be operated. But there has been a rumour to that effect in the country. If no proposition to that effect was made to the minister, then the minister is quite right in making his statement. But the rumour has been given currency in the party press of my hon. friend.

Mr. COCHRANE: I am not responsible for the press.

Mr. MACDONALD: I know the hon. gentleman disclaims responsibility. He can get rid personally of the responsibility by saying that his party organs in the country have no responsibility, which is practically what he does say. But the aim and object which this country had in committing to that company the task of dealing with this proposition was that they should operate the whole railway as a Canadian line, and the sooner they begin to do so the better, not only because they might meet cases such as stated by the hon. member for Carleton, but because it is manifestly in their interest that they should begin operation at the earliest day possible to get in touch with maritime provinces conditions, so that, when the Quebec bridge is completed, they may all the sooner deal with the territory in which they have to find the business. I would press upon the minister if he can arrange with the Grand Trunk to operate that road from Moncton to Quebec he should do so; and if, as rumour says, they are willing to undertake it, the minister would be recreant to his duty in not accepting a proposition made on any reasonable terms.

Mr. PUGSLEY: I think the minister ought to favour the committee with some

information on the point raised by the hon. member for Pictou. Because I am able to state that the Grand Trunk Pacific made a definite offer to the late Government, that offer having been made by the late Mr. Hays when president of the company, to enter upon the operation of the section in New Brunswick, and some of the other sections as they were completed for reasonable distances, furnishing their own rolling stock.

Mr COCHRANE: But they forgot to make it to the Government.

Mr. PUGSLEY: They did make it the Government.

Mr COCHRANE: Not to this Government.

Mr. PUGSLEY: They agreed to keep count of their operating expenses, and of the receipts and have accounts submitted to the Government for examination, and whatever deficiency there was should be paid by the Government, and that amount should be added to the cost of the Transcontinental on which the Grand Trunk Pacific should pay interest. Does the hon. minister say he never heard of such an offer?

Mr. COCHRANE: They have not made it to us—not as to New Brunswick.

Mr. PUGSLEY: Would the hon. gentleman say that he has asked the Grand Trunk Pacific to make an offer?

Mr. COCHRANE: I have not, personally.

Mr. PUGSLEY: It seems to me the minister ought to have made inquiry of the Grand Trunk Pacific. I know that on more than one occasion they made definite offers to the late Government. It seems to me all-important that the Grand Trunk Pacific should engage in the operation of the lines in New Brunswick as well as of the other sections. The country cannot expect that gentlemen appointed by the Government to take charge of the temporary operation of the line, knowing that there is to be no permanency in it and that they are not working up business that is to be held for the Government that employs them, but that it will be for the benefit of the Grand Trunk Pacific who are to take over the road ultimately—we cannot expect that they should reach out for business or give the accommodation that would be given by a road that was working up a permanent business for itself. It seems to me that I, as a member of the late Government, having called attention to the fact that the Grand Trunk had made a proposition of this kind——

Mr. HAZEN: How.

Mr. PUGSLEY: In a verbal interview.

Mr. HAZEN: With whom?

Mr. PUGSLEY: With the former Prime Minister (Sir Wilfrid Laurier) the former Minister of Railways (Mr. Graham), Mr. Fielding and myself.

Mr. HAZEN: Was there any memorandum?

Mr. PUGSLEY: I do not know. But since the change of Government I had a conversation with the present president of the Grand Trunk Pacific and I asked him if the company were still willing—and I was interested in the matter as representing St. John—to carry out the offer made to the late Government, and he said it was. It seems to me that if the hon. minister has not heard of this before, now that I, having been a member of the late Government, make the statement here he should make inquiry—

Mr. COCHRANE: I told the hon. member for Pictou I should be glad to take it up and deal with it.

Mr. PUGSLEY: See the position in which the hon. gentleman is placed. There is a road built with the intention of being operated by the Grand Trunk Pacific. My hon. friend, instead of making any inquiry as to whether the company will engage in that operation or not, takes it up as a temporary work and undertakes the operation, and under conditions that cannot give the service that would be given by a company interested in the development of business and in the establishment of industries—and we know how much a railway company can do to build up the industries that would be of profit to the road. Under the offer to which I have referred the Government could not lose anything except interest for a short period, because accountants were to keep track of the earnings and of the operating expenses, and if there was a deficiency it was to be paid by the Government but it was to form part of the cost of the road on which the Grand Trunk Pacific would pay interest. My hon. friend says that, without making any agreement with the company, the Government has the right to operate the road and charge all the losses to capital account. Would he tell us under what section of the statute or agreement that is provided for?

Mr. COCHRANE: I cannot tell my hon. friend now, but I will get the information for him.

Mr. PUGSLEY: I will be glad if my hon. friend will do so. I do not think he will find any autnority in the statute or in the agreement authorizing the Government to charge the loss in operating against capital account. I think that is a matter that

should be subject to agreement between the company and the Government. Section 9 of the Transcontinental Railway Act of 1903 reads in part as follows:

The construction of the eastern division and the operation thereof, until completed and leased to the company pursuant to the provisions of the agreement, shall be under the charge and control of four commissioners to be appointed by the Governor in Council, who shall hold office during pleasure.

And so on. There is no provision that any loss in operating shall be chargeable to capital account.

Mr. LANCASTER: Has the hon. gentleman referred to the statute of 1904?

Mr. PUGSLEY: Yes, I have read it over very carefully on different occasions, and I can assure the hon. member for Lincoln that I have no recollection of any provision in either the statute of 1904 or the supplementary agreement of that year providing that the loss in operating, by the commissioners or by the Government, shall be chargeable to capital account. Without seeing the company or asking them if they would enter into any such agreement, my hon. friend has taken charge of the operation himself, and says——

Mr. COCHRANE: The commission is doing it.

Mr. PUGSLEY: My hon. friend knows that it could not be done without this Government engaging to ask Parliament to vote the necessary money to pay the deficiency; therefore he cannot escape responsibility by making such a statement. The difficulty experienced by the late Government was that the commissioners had not the power to engage in the operation without provision on the part of Parliament for the money to provide for any deficiency. Does my hon. friend say that the commissioners are doing this without any understanding that a special vote should be made by Parliament, and adding the deficiency to the cost of the road under the general vote?

Mr. COCHRANE: I told the hon. gentleman that I would bring down at a future time the authority under which we were operating the road, and I do not wish to retract one iota of that statement. I have not the information here, but I will get it for him.

Mr. PUGSLEY: It does seem to me that, in a most important matter like this—one in which the province of New Brunswick is deeply interested—my hon. friend ought to be able to tell us to-night under what authority this commissioner has undertaken the operation of the road.

Mr. COCHRANE: Does my hon. friend make the absolute statement that he has no authority under the statute or under the agreement?

Mr. PUGSLEY: I make the statement that he has no authority under the statute or the agreement to charge the loss in operation to the cost of the road. If this commissioner has undertaken to operate the road with the idea that he has a right under the law to charge the loss in operation to the cost of the railroad, and is doing that under the general vote for the construction of the Transcontinental railway, I say he is doing that for which he has absolutely no authority under the statute. The only way in which it can be done is by an Act of Parliament or by a special vote authorizing the payment of any deficiency which there might be in the operation of the road. If my hon. friend had approached the Grand Trunk Pacific Railway Company, there is no reason to suppose they would not have carried out the offer they made to the late Government to undertake the operation of the road and to allow any deficiency as between the receipts and expenses to be charged up to capital account, upon which the company would pay interest. On behalf of the constituency which I represent, I desire to say that I think it would be infinitely better that an arrangement should have been made by the Grand Trunk Pacific Railway Company to operate the line. It is indeed unfortunate that an arrangement was not made with the Grand Trunk Pacific railway, as in that case some arrangement for St. John terminals would probably have been made. In St. John, however, nothing is being done by the Grand Trunk Pacific railway; they are excluded from the operation of that portion of the road which has been completed in New Brunswick. Now that my hon. friend's attention has been called to the matter, it would seem to me to be reasonable, that, in the interests of the country, the Grand Trunk Pacific Railway Company should be approached and some arrangement entered into with regard to the matter. I warn the minister to-day, if he has an idea that, under the law, any loss in operating can be charged up to capital account and the Grand Trunk Pacific Railway Company be called upon to pay the interest, he is reckoning without his host, because there is no such authority either in the statute or in the agreement.

Mr. CARVELL: I find that in the month of December last, the St. John Lumber Company of Van Buren, Maine, said they would give a certain amount of lumber during the past winter, and offered the hon. minister a better rate than is being paid to the International road, to which I have already made reference. I find here that the International road were hauling logs at ten dollars per car for fifty-two miles, and eight dollars per car for thirty-two miles, and making money out of it at that.

I come now to the other end of the road at Chipman and Minto. I have been informed that they wanted to send coal to

Fredericton which, I understand is eighty-six miles by the Transcontinental and Intercolonial, and then there would be a haul of a few miles over the New Brunswick Coal and Mining Company's road. They asked two dollars a ton for transporting that coal eighty-six miles over about one-half Transcontinental and one-half Intercolonial, and the shippers found that they could get the coal hauled 320 miles over the New Brunswick Coal and Railway Company, and over the Intercolonial at $1.90, or ten cents a ton less than the Transcontinental wanted to haul it twenty miles. After a great deal of figuring they got the price cut down to $1.81, or nine cents less than the New Brunswick Coal and Mining Company and the Intercolonial would haul it 300 miles around by Chatham Junction. That is the way they are trying to do business in New Brunswick and my friend says that they are losing money. They wanted to haul coal to Grand Falls, 126 miles. There is no outside connection whatever, it is all Transcontinental. Over the finest road in America, with no grade more than six-tenths of one per cent, and the best they would do for a 2,000 lb. ton, a distance of 136 miles, was $1.40 a ton. I find that the Intercolonial are hauling coal from Springhill to St. John, 160 miles, for a dollar a ton. That is, the Intercolonial railway will haul coal for one-half of what the Transcontinental will. Then they wonder why they cannot do business and are losing money. I find another case where a gentleman bought a lot of lumber from the construction camp of Corbett & Flood, contractors on District No. 1, six cars were hauled from Moncton to Chipman, thirteen miles, for $36 and the Transcontinental hauled it eleven miles and charged $96 for the six cars, or $16 a car. Then they wonder why they cannot do business. I could give instances of this kind for two or three hours, showing that they are preventing people from doing business, and unless they change their policy and hand it over to somebody who has an interest in the country, I am afraid they will continue to prevent people from doing business.

Mr. MACDONALD: Will the minister not seriously consider the proposition of having the Grand Trunk Pacific take up the operation of that part of the road so that it will be prepared for the end and purpose for which the road is being built?

Mr. COCHRANE: I say again I will be very glad to take it up. This is the third time I have said so.

Mr. GRAHAM: As I understand this item in reference to the Transcontinental, the Minister of Railways was to make a statement concerning it, and that statement having been made and discussed at some length, it does not prevent the items being discussed when they come up in detail.

Mr. COCHRANE: Not at all.

Mr. GRAHAM: This is simply a discussion so that the one-sixth Transcontinental vote can be put in the Bill.

Mr. CARVELL: I understood the minister to say that there was no difficulty in paying the contractors after they got their final estimates and I think he mentioned a contractor near Cochrane who had got the drawback of ten per cent as well as the deposit.

Mr. COCHRANE: Oh no. I said the contractors had got their progress estimates less than ten per cent and the security which they had put up and the stringency of the money market made it so hard to raise money that they were endeavouring to get the ten per cent and the security. I said that so soon as the final certificate was obtained, there would not be a great deal of difficulty in adjusting the final settlement.

Mr. CARVELL: I quoted the minister correctly. Have any contractors in New Brunswick been able to get the final estimates?

Mr. COCHRANE: I understand one of them did last week.

Mr. CARVELL: I am glad that there is one able to get in on the ground floor. Contract No. 1 has been finished almost two years and so far as I know they have not got their final estimates.

Mr. COCHRANE: We have not been in for two years, why did they not get it before we came in?

Mr. CARVELL: You have been here a year and a half.

Mr. COCHRANE: I know, but you said two years. I only want to be fair, I am not criticising my predecessors, but the final estimate is not as easy a thing, on an undertaking such as this, as you imagine.

Mr. CARVELL: I am not an engineer and not the Minister of Railways, but I have some little knowledge of these things. You had and still have a good force of engineers in New Brunswick. You had a district engineer, an assistant district engineer, a divisional engineer for every fifty miles, and a resident engineer for every ten miles, and the estimates were made every month, checked up, and sent in. I do not think it is such a serious matter to check up these estimates, although I admit it takes some little time to check up the final estimates. Contract No. 2, has been

finished only about a year. Contracts Nos. 3 and 4 were finished early in the summer of 1911, and contract No. 5 was finished in December, 1911.

Mr. COCHRANE: Who said they were finished?

Mr. CARVELL: I say so, and I know what I am talking about.

Mr. COCHRANE: You think so, and we will take your opinion for what it is worth.

Mr. CARVELL: If you look into the matter you will find that I know what I am talking about. Contract No. 6 has not been finished for so long. I am glad to learn that in connection with one of them—the minister does not say which one—the final certificate was given last week. That is the first contract on which there has been a final certificate. It is remarkable that it has taken a year and a half in some cases to get the final estimate. The fact is that my hon. friends opposite thought a big steal was going on on the Transcontinental railway, and when they got into power, the first thing they did was to try to find out all about that supposed steal. I have no fault to find with the commission; I think they were only trying to do their duty. However, they failed to find a steal. They sent one engineer after another; it has been a sort of endless chain for a year and a half, but they could not find anything wrong, and in order to justify their existence they began to cheese-pare the estimates. They took a little slice off one sub-contract and a little slice off another, acting arbitrarily in certain cases. They said that a certain piece of work had been classified as fifty per cent solid rock and fifty per cent loose rock, and they changed that classification to say forty-five per cent solid rock and fifty-five per cent loose rock. It was a case of one man's guess against another. As nearly as I can find out, they hope to take about $100,000 off $12,000,000 worth of work, and I suppose my hon. friends will tell the country what a great thing they have done. They will have taken so much away from the profits of the sub-contractors; that is what it means. My hon. friend the minister might give his personal attention to some of those things. If he will look at the work of his inspecting engineers during the last year and a half he will find the results are just about what I have said they are. When the engineers came to settle up with the man who says he obtained a settlement last week, they lumped the whole thing. They said: you want so much, and we think you are entitled to so much; let us split the difference. It means that the sub-contractors have had their profits reduced in order to put the minister in a position to say that there was something wrong in the construction of this road by the late Government. I think the hon. minister should give this matter his personal attention and see that those sub-contractors are paid the money to which they are entitled. In some cases they have had their money withheld for three years, and the interest which they have lost on their money represents more than their profits. I think it is treating the sub-contractor in a very unfair manner to cut down their accounts three years after the work has been completed. I could take the minister to a place where his inspecting engineers actually found six inches of leaf mould and clay on a big ledge of rock, which was classified as solid rock, and which any engineer would have classified as solid rock, and where they converted that classification into one of six inches of excavation. In other cases they have actually changed quantities. I can understand an engineer saying: In my judgment your classification is not right, but why they should change quantities is something I cannot understand. Moreover they have refused to give the cross-sections, and the data on which they proceeded, to the contractors. They say, take it or leave it; the contractors want their money, and they take what my hon. friend is willing to give them. I think it would be well for my hon. friend to take into consideration the hardships which have been imposed on some of the sub-contractors in that part of the country in order to enable his friends to make a little political capital. I can take you down to a place where a man was put in a mud-hole in the winter time; they agreed to give him a certain price if he would go in there and do that work. He objected very strenuously. They wanted this mud-hole widened out for drainage purposes; he looked at it and finally he agreed to go in and do the work in consideration of the fact that they pay him a certain price. He did the work, and they put him back to the common excavation price. As a result, this man will lose between $4,000 and $5,000. He cannot sue the Government, as he is only a sub-contractor, and the main contractor cannot get this money out of the Government. I think he would be defeated as a matter of law, because he is bound to take the estimates of the engineers in so far as any questions of classification are concerned. These are some of the things which my hon. friend's engineers in New Brunswick have been doing for the last year and a half. I hope the minister will take some pains to see that justice is done in these cases. While this interferes with the contractor somewhat it interferes with the sub-contractor to a greater extent. The sub-contractor gets $1.25 a yard for solid rock, while the main contractor gets $1.50.

The main contractor loses his commission, but the sub-contractor loses two or three years of hard work that he has put in for the Government and for which he will receive nothing. I hope my hon. friend will give this matter his personal consideration and see that justice is done to the people who have done this work for the Government.

Mr. PUGSLEY: I would like to ask the Minister of Railways out of what vote the loss in operating the Transcontinental railway in New Brunswick is being paid ?

Mr. COCHRANE: I said I would bring the information to my hon. friend and I will bring it to-morrow. I do not have it here and I cannot get it to-night.

Mr. PUGSLEY: I do not think we should vote this one-sixth until we know that because there is no other vote than the one for construction. I would ask the hon. Minister of Finance (Mr. White) if the loss in operating can be paid out of construction. I have the section to which the hon. member for Lincoln (Mr. Lancaster) referred. It is in the Act of 1903, and it says that:

The expression 'cost of construction,' in the case of the eastern division, shall mean and include all the cost of material, supplies, wages, services and transportation required for, or entering into, the construction of the said eastern division, and all expenditure for right-of-way and other lands required for the purposes of the railway and for terminal facilities, accommodation works and damages and compensation for injuries to lands and for accidents and casualties; cost of engineering, maintenance, repairs and replacement of works and material during construction, and superintendence, bookkeeping, legal expenses, and, generally, costs and expenses occasioned by the construction of the said division, whether of the same kind as, or differing in kind from, the clauses of expenditure specially mentioned, including interest upon the money expended; the interest upon such outlay in each year shall be capitalized at the end of such year, and interest charged thereon at three per cent per annum until the completion of the work and until the lessees enter into possession under the terms of the said lease; and, for the purposes of this agreement, the amount of such cost of construction, including the principal and all additions for interest, to be ascertained in manner aforesaid, shall, on completion, be finally determined and settled by the Government upon the report of such auditors, accountants, or other officers as may be appointed by the Government for that purpose.

That is what the cost of construction is defined to be.

Mr. COCHRANE: The Auditor General would not pay this money if it were not right to do so.

Mr. PUGSLEY: It is for the committee to say.

Mr. CARVELL.

Mr. COCHRANE: I admit it, but I will bring the information to-morrow.

Mr. WHITE: (Minister of Finance) What is the particular item?

Mr. PUGSLEY: Item 105—National Transcontinental railway construction. We have had a statement from the Minister of Railways and Canals that the road is being operated at a loss.

Mr. COCHRANE: Information was produced some time ago, in answer to a question that was asked by some hon. member on the other side of the House, showing that the road was being operated at a loss. The actual figures were given.

Mr. PUGSLEY: And charged to what vote?

Mr. COCHRANE: That was not asked and therefore not answered.

Mr. WHITE: (Minister of Finance) I have not had an opportunity of looking over this agreemnt. My hon. friend has correctly quoted from the original agreement the definition of the cost of construction and I should imagine it is precisely as he interpreted it in so far as the eastern division is concerned. I understand the Minister of Railways has been operating the line west of Moncton and my hon. friend raises the question as to how the loss in operation will be paid. The only clause I can find having any bearing on the question of operation does not appear to touch that particular point. It appears to be section 3 of the supplementary agreement of February 18, 1904. At the conclusion of that agreement are these words:

Subject always to the paramount right of the said commissioners to use and operate the same without any payment of tolls or other compensation for such purposes as they may deem necessary or expedient in the execution of their commission.

I do not know of any section in any Act that would immediately touch this point but I submit to my hon. friend that it is not necessary for the purpose of voting this particular fraction of the estimates that this should be determined to-night for the reason that, whether this loss is properly charged or not, is a question of law to be determined by an interpretation of the legislation bearing upon it. If, as the Minister of Railways says, it cannot be charged to construction, and I do not see anything here which would authorize it—

Mr. PUGSLEY: The Minister of Railways has not said that it is not being charged to construction. He has led us to believe that it is being charged to construction.

Mr. WHITE: I am not passing on that. If it is not, then, of course, it cannot be, but if it is chargeable, why then it can be. But as far as voting this one-sixth is concerned, I do not see that it should interfere with the vote of one-sixth because the remaining five-sixths will have to be dealt with and, if the loss may not be legally charged to this appropriation, it will not be and, if it can, no question will arise. For the purposes of the discussion of this one-sixth vote, we need not stop to decide what is essentially a legal question.

Mr. PUGSLEY: There is more involved in it than that. Surely the Act of 1904 made provision contemplating that the Grand Trunk Pacific should operate portions of the railway as completed because it says:

Pending the completion of the eastern division by the Government, the company shall be entitled to lease from the commissioners, to be appointed under the said Act, and to operate such portions of the eastern division as may from time to time be completed, but upon such terms as may be agreed upon between the company and the said commissioners.

The company made an offer to the previous Government to operate the road on what I thought were exceedingly fair terms; they would provide the rolling stock, they would keep an accurate account, subject to the supervision of the Government, as to the operating expenses and receipts, and if there was any deficiency, that deficiency should be added to the capital amount. They were willing to agree to that. According to the statement of my hon. friend the Minister of Railways, without making any effort whatever to enter into an agreement with the company under the terms of that section, without asking them if they were willing to operate the section through New Brunswick, as I contend absolutely without authority contained in the agreement or in the statute, and absolutely without any money being voted by Parliament for the purpose, it appears that the Government has undertaken through this gentleman, Mr. Leonard, who has been made the sole commissioner after the other commissioners were dismissed, to operate this road in a manner which is not advantageous to the people of New Brunswick and not one-tenth as advantageous as it would be if it was operated by the Grand Trunk Pacific. It is important for my hon. friend the Minister of Railways to look into the matter. I am fortified in the statement which I make by the fact that the late Minister of Justice thought that there was no authority whatever for the commissioners to operate the road unless Parliament voted the money especially for that purpose. My hon. friend, or his commissioner, Mr. Leonard, seems to have thought that he could go on arbitrarily in defiance of the agreement and of the statute, notwithstanding that there was no vote of Parliament at all for operation, and make the Grand Trunk Pacific pay the interest on it. He has chosen to do that in an illegal and arbitrary manner instead of taking the step which it is pointed out should be taken in the Act of 1904 in the third section, which my hon. friend the Minister of Finance has referred to.

Mr. WHITE (Minister of Finance): The right of the Grand Trunk Pacific to lease a portion or portions of the line is provided by this clause:

Subject to the paramount right of the said commissioners to use and operate the same without any payment—of tolls or other compensation for such purposes as they deem necessary or expedient for the execution of the commission—pending the completion.

What that means in my judgment is that the Grand Trunk Pacific

Shall be entitled to lease from the commissioners appointed under the said Act and to operate such portions of the eastern division as may from time to time be completed, and then upon such terms as may be agreed upon between the company and the said commissioners, which terms are not to be more onerous than those of the lease of the whole division by the said contract provided for, save in so far as may be necessary to give full effect to the peramount right of the said commissioners next hereinafter mentioned.

The wording is not very clear. One would look in the next clause to find the paramount right of the commissioners. It is evident that the concluding part of the sentence is the paramount right. Pending the completion of a line, any portion that is completed may be leased by the Grand Trunk Pacific if the terms can be agreed upon, providing they are not to be more onerous than the terms in the lease. Pending the completion, that right is subject to the authority of the commissioner to operate.

Mr. PUGSLEY: The paramount right referred to is the paramount right in the last clause, because it says:

Save in so far as may be necessary to give full effect to the paramount right of the said commissioner next hereinafter referred to.

This is the paramount right:

Subject always to the paramount right of the said commissioners to use and operate the same without any payment of tolls or other compensation for such purposes as they may deem necessary or expedient in the execution of their commission.

Supposing a hundred miles were finished west of Moncton, and the Grand Trunk Pacific were operating that under terms of

section 3, but there was a further piece west of that hundred miles which was under construction and the commissioners wanted to haul supplies, they would be allowed to haul the supplies up to the point of construction without paying any tolls to the Grand Trunk Pacific. There is no authority whatever for the commissioner to operate and to charge up to capital account against the company loss in operation. The statute points out clearly that an arrangement should be entered into between the commissioner and the Grand Trunk Pacific under which they should operate. I think my hon. friend will agree with me that there is no power whatever to do what has been done. In order to cover any deficiency, there would have to be a special vote of Parliament for the purpose.

Mr. GRAHAM: The late Government, after consulting with the Minister of Justice, decided that we had no power to allow the commissioners to operate the line and to charge the loss, if any, to capital, unless we got a special vote of Parliament for that purpose.

Mr. WHITE (Minister of Finance): Assuming that a vote of Parliament was required, my hon. friend knows that so far as voting one-sixth on account is concerned, this question need not preclude that from being done, the arrangement being that the minister will bring down the information. If it cannot be charged legally, of course it cannot.

Mr. EMMERSON: Has it not been paid already?

Mr. COCHRANE: I suppose it has.

Mr. PUGSLEY: The only way in which it could be paid, is for Mr. Leonard to put it against construction account, which clearly would be improper. My reason for emphasizing the matter is that I hope the Minister of Railways will enter into a lease with the company.

Mr. COCHRANE: For the fourth time, I say I shall.

Mr. PUGSLEY: I shall be very glad if my hon. friend will do so.

Mr. MACDONALD: This whole question is part of the agreement under which we are dealing with Supply. We on this side of the House feel pretty strongly about the question of including in the amount of the vote the money that the minister says will be necessary for the purpose of operating this part of the Transcontinental. I would suggest that the matter stand over until to-morrow and that the minister then come down with his statement showing that he has the necessary authority, and, if he cannot show that, he should give some understanding in regard to the matter, so that it can be made a special vote.

Mr. ROGERS: My hon. friend is right. The arrangement was arrived at that one-sixth of these estimates was to be voted. The Minister of Railways has given his assurance several times that he would furnish the information—

Mr. MACDONALD: It is not a matter of information but a matter of having authority.

Mr. ROGERS: That will be given. To-morrow we can have concurrence in the item, and the minister will have the information here before the House is asked to concur.

Mr. MACDONALD: It is not a question of information. So far as I am concerned, I wish to say, that while we have no desire to delay this matter—we have perhaps discussed it too long—yet this is a very important proposition. I do not propose to be bound, when we come to concurrence, to vote for this unless the minister is able to satisfy the House that he has the authority under that agreement. I doubt very much that he has it. Without any agreement we should not vote money for that purpose.

Mr. PUGSLEY: As concurrence is to be asked to-morrow, how would it do to pass this to-night pending concurrence?

Mr. MACDONALD: But we are not to be bound against raising objections to-morrow.

An hon. MEMBER: You can raise the question on concurrence.

Mr. MACDONALD: But we do not want to be told that we might have raised the question to-night.

Mr. WHITE: I have here the items to be voted:

That a sum not exceeding the amounts set forth below (being one-sixth of the main estimates not yet adopted) be granted to His Majesty on account of the following services for the year ending 31st March, 1914.

Mr. GRAHAM: That one-sixth would not include new works. That is why we discussed the Halifax matter—because the Prime Minister wanted to make this an exception. We spent the whole time on that item.

Mr. WHITE: The arrangement between the Prime Minister and the leader of the Opposition was that subject to a discussion of the $2,500,000 item for Halifax, and a statement to be made with reference to the National Transcontinental expenditure, which request appeared to be reasonable, one-sixth of the estimates for the fiscal year 1913-1914 would be granted. That was my understanding of the arrangement arrived

at. As to new works for 1913-14, I suppose that would affect all the items except civil government or those works which have actually been begun.

Mr. GRAHAM: That is really what was done before. New votes were to be excepted. I made it clear in discussing the Halifax matter with the Prime Minister and I think hon. gentlemen will agree that the understanding was that we were in Intercolonial railway supply for the purpose of the Prime Minister making a statement so that he could make out a case for Halifax being treated as an exception.

Mr. ROGERS: I think my hon. friend from South Renfrew (Mr. Graham), is in error. I am satisfied that the leader of the Government and the leader of the Opposition arrived at an understanding that the vote of one-sixth of all the items brought down should be given.

Mr. GRAHAM: No.

Mr. ROGERS: Excuse me a moment. The leader of the Opposition put forward the statement that it would be necessary, before this could be adopted, to have certain explanations in regard to works that were undertaken by the Public Works Department at the city of Quebec and also in regard to the Welland canal vote, also in regard to the Transcontinental and the Halifax improvements.

Mr. MACDONALD: These were exceptions.

Mr. ROGERS: No. And afterwards the leader of the Opposition informed the leader of the Government that it would not be necessary to discuss either the matter of the work at Quebec or the Welland canal, but before the one-sixth was voted he would ask some explanation in regard to Halifax and the Transcontinental railway. That is the agreemenet as I understand it of what took place between the leader of the Opposition and the leader of the Government, and I think it will be found that it will be borne out by the leader of the Opposition himself.

Mr. GRAHAM: I asked the leader of the Opposition before he went home tonight and he told me that the one-sixth was absolutely not to include any new work except that for Halifax which we agreed to before the discussion was over. After conferring with him, I agreed to Halifax being made an exception. The Prime Minister could not have misunderstood, for I made the statement in the debate, and I thought he nodded in acquiescence. I am sure that a reference to the report of the debate will show that.

Mr. WHITE (Minister of Finance): I think it would be difficult to pick out the estimates of new works even if it were advisable to accept the vote of one-sixth of the estimates for other than new works alone. If there is a misunderstanding it will have to be cleared up. My understanding is certainly different from that of the hon. member for South Renfrew. And I believe that in such proceedings in the past, the custom has been to vote one-sixth, or whatever was agreed upon, to apply to the entire estimates for the fiscal year. I am advised that under no circumstances in the past have new works been discriminated against.

Mr. GRAHAM: Oh, yes. We made Halifax an exception on the occasion referred to.

Mr COCHRANE: How did you let the contract then?

Mr. GRAHAM: Because we made it an exception and put it in as a new work. I think the item was $800,000, and I brought it down and it went through.

Mr. MACDONALD: I spoke to the leader of the Opposition immediately after his conference with the leader of the Government, and he told me that the agreement was as stated by the hon. member for South Renfrew. And that is the understanding of hon. gentlemen around me. Halifax was made an exception in 1911 because the leader of the Opposition represented Halifax, and wanted the work to go on.

Mr. WHITE: It is evident that we are both under the disadvantage of having been informed by our respective leaders as to an arrangement which has apparently taken place, and in respect of which there appears to be some misunderstanding. I think this matter should stand over until to-morrow, because it would be quite impossible to separate the new from the old.

Mr. PELLETIER: What did my hon. friend (Mr. Macdonald) mean by new works which would be excluded?

Mr. EMMERSON: Here is an illustration: 'Water supply.'

Mr. GRAHAM: My understanding of the arrangement would be that any item for which there was no vote last year would be absolutely new.

Mr. ROGERS: My hon. friend is surely mistaken as to this, because the leader of the Opposition particularly discussed the amount voted for the Welland canal, and that is an entirely new vote.

Mr. GRAHAM: The Welland canal is not a new vote.

Mr. ROGERS: I am sorry there should be any misunderstanding in the matter, and unless hon. gentlemen are disposed to carry

out the arrangement, we cannot accept anything else.

Mr. PELLETIER: The dry-dock for the port of Quebec appears in the estimates for the first time; would that be a new work?

Mr. GRAHAM: Yes.

Progress reported.

On motion of Mr. Rogers, House adjourned at 1.30 a.m., Tuesday.

HOUSE OF COMMONS.

TUESDAY, April 1, 1913.

The SPEAKER took the Chair at three o'clock.

INTERCOLONIAL RAILWAY—BOARD OF MANAGEMENT.

On the Orders of the Day being called:

Mr. EMMERSON: I call the attention of the Minister of Railways and Canals to the following, which appears in the Montreal Gazette of this morning:

Moncton, N.B., March 31.—M. T. Sidall, defeated Conservative candidate in the last federal election in Westmorland, speaking before the Conservative Club here to-night, declared that the Intercolonial railway board of management would be dissolved in a very short time and a new man put in charge of the Government railway. He said that the board was practically a thing of the past now.

Is there any truth in this statement?

Mr. COCHRANE: The board is still in existence; and any further explanation I shall be glad to bring down to the House, as soon as possible.

Mr. EMMERSON: That is very illuminating.

RANCHING REGULATIONS.

Mr. KNOWLES: I desire to ask the acting Minister of the Interior a question, and I am sure he will give an answer that has more meat in it than that which we have just heard.

Mr. COCHRANE: Lots of meat in that.

Mr. KNOWLES: I shall hope to get even more. Has the commission appointed some months ago to take evidence concerning the ranching industry in the West, reported? I believe it has, and, if so, may we see the report? Also, are the ranching regulations being changed, and, if so, when may we expect the new regulations as to leases to be brought down?

Mr. CROTHERS: I am not familiar with the details of this matter. I will look into it and let hon. member know as soon as possible.

COMMISSION TO INVESTIGATE STRIKES.

Mr. KNOWLES: Has anything been done with a view to create a permanent commission—perhaps analogous to the Railway Commission—to conduct investigations in connection with strikes? Has the minister had any correspondence with labour organizations or railway brotherhoods in regard to the matter, and will he kindly tell us how far its consideration has proceeded?

Mr. CROTHERS: I have no recollection at the present time of having received any communication touching upon the matter.

Mr. KNOWLES: I think the minister has himself written letters to certain representatives of railway brotherhoods.

Mr. CROTHERS: It has not been decided to establish such a commission at the present time.

REMISSION OF DUTY ON STEEL RAILS.

On motion for Committee of Supply:

Mr. A. K. MACLEAN (Halifax): Before this motion is put to the House, there is a matter which I wish to discuss very briefly. On the 16th of January, the leader of the Opposition, asked of the Government the following questions:

1. Has a remission of customs duties been given to the Algoma Steel Company on steel rails imported by the said company at Fort William.
2. If so, at what date and for what amount, under what statute and what section of the same?

On January 20, the following reply was given:

1. Yes.
2. This remission was made at various dates after June 1, 1912, under section 92 of the Consolidated Revenue and Audit Act. The whole of the remission was $294,000, being one-half the duty on 75,000 gross tons imported steel rails. 50,000 tons of these rails were for the use of the Grand Trunk Pacific railway and 25,000 tons for branch lines of the Canadian Pacific railway in the Northwest. The said steel rails were urgently required by the said railway companies for the completion of lines in the northwest provinces in time to be available for the movement of the crop, and evidence was submitted showing that the rail producing companies of Canada would not be able to supply the rails required, or any part thereof, by reason of being under contract for their full output for the season.

At a subsequent date the leader of the Opposition moved for a return of all correspondence between the interested parties and the Government relating to this matter, and in due course a return was brought down. It is this rather remarkable and incomprehensible transaction that I wish to discuss very briefly for the purpose of elicit-

ing, if possible, some additional reasons for the peculiar course pursued by the Government in regard thereto. Early in the year 1912, as would appear from the return submitted, several letters were addressed to the Minister of Railways from the western provinces of Canada urging the speedy completion of certain lines of railway then under construction, for the purpose of meeting the transportation demands of these provinces in the autumn season. The subject of this correspondence, which was substantially in the nature of a complaint against the tardy completion of the projected lines in the West, was communicated to the Grand Trunk Pacific Railway Company by the Minister of Railways for the purpose of calling its attention to the complaints in that regard. On January 26, a letter was addresed to the Minister of Railways by Mr. W. Wainwright, second vice-president of the Grand Trunk Railway Company:

Answering yours of the 17th instant, with enclosures herewith returned, I have to say that we now have one hundred miles graded west from Regina on this line, and it is not contemplated doing any more work on it the present season. We have five hundred miles of grade ready now for rails, and are unable to get rails, owing to rolling mills being overloaded with work. You will see there is little object in spending additional money in grading more lines unless we can get some relief in the rail situation.

On March 7, I find by the return that another letter on the same subject was addressed to the Prime Minister by the late C. M. Hays, former president of the Grand Trunk Pacific railway, dated March 7, which was as follows:

The position in regard to steel rail, by reason of the inability of the Dominion Iron and Steel Company and the Algoma Steel Company to make deliveries of rail required by us in connection with our branch lines in the Canadian Northwest, is such that I fear there is going to be great criticism of the railway and of the Government as well unless we can secure relief in some direction. We were unable to obtain from either mill the amount of rail ordered last year and both companies entered the season largely in deficit of their deliveries of rail ordered by the Grand Trunk and Grand Trunk Pacific railways. The Algoma Steel Company was owing us on their contract of May 29, 1911, 12,500 tons of rail, which had to be postponed to 1912. The Dominion Iron and Steel Company were owing us on their contract of October 31, 1911, 15,000 tons of rail, delivery of which had to be carried over into this year. We now have some 500 miles of new grade in Saskatchewan and Alberta ready for track laying, and it was our intention to have laid all of this track the coming season if we could have secured the necessary deliveries from Canadian mills, which, it now appears, it is going to be impossible for us to do. The mileage referred to would require in round numbers 50,000 tons of rail, and upon asking the Dominion Iron and Steel Company and the Algoma Steel Company for tenders, we received replies, as per attached copy from the Dominion Iron and Steel Company under date of January 17, wherein they explain they are not in a position to make any promises of other tonnage until late next fall. The Algoma Steel Company replied under date of January 23, as per copy attached, from which you will note they are prepared to guarantee delivery of 25,000 tons up to the end of November.

This of course will reach us too late to be of any advantage for the coming season. All of this rail should have been delivered not later than July so that we may have it laid and in readiness for taking out the grain, which as you know commences to move in August and September, and if delivery of the rail is delayed beyond the month last named it may as well go over until next year. I am writing you on the subject to ask if your government will not consider the matter and advise if they cannot see their way clear to suspend the application of duties on the amount of rail required, as hereinbefore named, say, 50,000 tons, to enable us to obtain delivery in time to get the track laid this year and relieve the demands of the settlers for transportation along our graded lines, which are sure to reach us in some very forcible form later on unless they see the track is going to be in readiness to do business this fall. The conditions pertaining to the construction of these branch lines are such as to make us feel we are not warranted in incurring the increased cost, approximately $10 per ton, if we get no relief in the matter of duty. I understand the Saskatchewan Government have already passed a unanimous resolution calling on the Dominion Government to suspend duties on rails to enable the railways to complete their branch lines in that province.

This concludes Mr. Hays' letter. The letter which he received from the representative of the Algoma Steel Company and which was an inclosure in the letter I have just read was as follows:

Referring again to yours of the 12th instant inquiring regarding additional tonnage of rails for delivery before the close of navigation this year, we have now heard from our principals, the Algoma Steel Company, Ltd., and are prepared to guarantee delivery of up to 25,000 tons before the end of November next. We could probably divide the tonnage about equally during October and November, and might possibly be able to give you some quantity in September.

Extensive additions and alterations to our mill are now being planned, and we expect to have things working in good shape by the 1st of July next. If our hopes are entirely realized, we would be able to give you some tonnage over and above 25,000 tons referred to if a little later on you find that you require it.

We would appreciate it very much if you could let us know promptly as possible if you wish us to book the additional 25,000 tons or any part thereof, as we anticipate inquiry for further heavy tonnage for this years' delivery,

and would like to deal with such inquiries as they are received.

Yours faithfully,
Drummond McCall Co.,
General Sales Agents,
The Algoma Steel Company, Ltd.

The letter from the Dominion Iron and Steel Company, which was also an inclosure in Mr. Hays' letter, and dated January 17, 1912, signed by the general sales agent of that company, was in part as follows:

Replying to your favour of the 12th instant, in reference to additional rails for the Grand Trunk Pacific Railway Company, we are sorry to have to say that at the moment we have closed for heavy tonnages to be delivered at Fort William during the season of open navigation this year. As a matter of fact we have already chartered all the steamers available for that trade, and if for no other reason this would prevent us from quoting for delivery at this point.

The letter of Mr. Hays, or copies of it, were apparently transmitted by the Prime Minister to the Dominion Iron and Steel Company and the Algoma Steel Company. The general manager of the Dominion Iron and Steel Company acknowledged the letter of the Prime Minister on the 17th of March, and replied in part:

On October 23, 1911, we booked for the Grand Trunk railway 26,000 tons and at that time our general sales agent endeavoured to secure an order from the Grand Trunk Pacific. Unfortunately for us they were not in a position on that date to place an order, in consequence thereof we proceeded to get busy and otherwise placed our capacity so that we are not now in a position to supply any rails until November, 1912.

I refer to that letter for the purpose of emphasizing the point that apparently there was a time, in the fall of 1911, when the Grand Trunk Pacific might have contracted with the Dominion Iron and Steel Company for their rail demands for the whole season of 1912, if they had cared to make a contract.

The reply of the Algoma Steel Company to the Prime Minister was dated March 13, and as it is rather an important letter, I must read portions of it. It reads:

Mr. Hays states that the Algoma Steel Company were owing on the contract of the 29th of May, 1911, 12,500 tons of rails. This calculation of Mr. Hays evidently includes some rails for the Grand Trunk which it was agreed to stand over until 1912 when the order of the Grand Trunk Pacific was booked. As a matter of fact the Algoma Steel Company were short delivered to the Grand Trunk at the close of navigation, 1911, 3,570 tons, equivalent to about eighteen miles.

Omitting certain portions of the letter I again read:

I note that in Mr. Hays' letter he states that the conditions pertaining to the construction of branch lines are not such as would warrant their paying an increased cost approximating $10 per ton. He, therefore, asks that the Government should rebate the total amount of duty on the 50,000 tons of rail required. Mr. Hays further states that he requires rails for delivery before the end of July.

If certain conditions could be agreed to between the Government and the Algoma Steel Company, that company would be prepared to enter into a contract with the Grand Trunk Pacific to supply the 50,000 tons of rails for deliveries desired by Mr. Hays, namely, before the end of July at one dollar per ton advance over present contracts, we are to have the option to supply standard American rails in case of inability to deliver from our own works within the specified time.

The conditions referred to above would be that the Government would allow the Algoma Steel Company, if necessary, to import the rails subject to a rebate of 50 per cent of the duty. I submit that under such an agreement the rails would be made in Canada if it is possible to do so. The rails will be delivered within the time specified by the Grand Trunk Pacific and the west would be satisfied or at least there would be no delay due to lack of supply of rails. The Government would receive, in case all the rails are imported, about $180,000 in duty and the Algoma Steel Company, to justify its position, stands ready to take care of the balance of the loss incurred.

The Grand Trunk Pacific would only be called on to pay $1 per ton extra instead of $10 per ton as mentioned by Mr. Hays. If this proposal is to be carried out it will be necessary that we should have immediate advice in regard to the duty as time is growing short and it will be necessary to decide on the manufacture and ordering of the rails to ensure delivery on the date called for by Mr. Hays.

Under the same date I find on the file another letter from Mr. Drummond, the president of the Algoma Steel Company, addressed to the right hon. the Prime Minister, which is rather a peculiar communication and which I must refer to in a little more detail later. It is as follows:

Dear Mr. Borden,—In reference to my letter of to-day in re Grand Trunk Pacific rails, I feel that the granting of a rebate of the duty to a railway company, or buyer, would be fraught with danger to the industry. One can never tell where it would end and each lot called for would go completely out of Canada, while, on the other hand, if the matter is dealt with as I propose, all the claims made by Mr. Hays will be met and we will have a chance to make rails at the Sault or to purchase from Sydney or at least to manufacture a portion in Canada. Then, again, we only ask for a rebate of 50 per cent and that Mr. Hays should contribute only $1 per ton instead of incurring an extra cost of $10 per ton as stated by him; and at the worst the government revenue would benefit to the extent of $3.92 per gross ton for the quantity imported, while, according to Mr. Hays' idea, there would be nothing in it for the Government or anybody else on this side of the line.

I, therefore, trust you will see your way to meet the situation through us, and if you

will advise us that a rebate of fifty per cent (50 per cent) of the duty will be allowed us on any rails we may have to import against this 50,000 ton order, we will take the matter up with the Grand Trunk Pacific on the lines I have suggested; and you could write Mr. Hays stating you understand we are prepared to make a satisfactory proposition to his company.

For my part, I would simply make the proposition to supply the rails at one dollar ($1) per ton over our present contracts, with the option to supply foreign rails for any part of the order, and guaranteeing delivery within the specified time.

Such is the contents of this letter of March 13, which, as I have said, is a most remarkable communication indeed.

Mr. CARROLL: Who is it from?

Mr. MACLEAN: It is from Mr. T. J. Drummond the president of the Algoma Steel Company. He is quite willing that permission should be granted by the Government for the importation of 75,000 tons of rails into Canada, with a remission of duties to the extent of fifty per cent, but this remission must be made to the Algoma Steel Company, and the importation must be made through them. He protests that it would possibly be a great injury to the industry if the railway companies were allowed to do that which they asked permission to do themselves. He says:

One never can tell where it would end, and each lot called for what would go completely out of Canada, while, on the other hand, if the matter is dealt with as I propose, all the claims made by Mr. Hays will be met and we will have a chance to make the rails at the Sault.

I do not know what Mr. Drummond meant by the use of the word 'lot,' but I presume he meant it to be synonymous with money. In a word he says that if the railway companies were permitted to import these rails with a remission of duty partially or wholly, the money would go out of the country. I do not quite understand what he means by saying that the remission of the duties to the manufacturer would be no injury to the industry, while, if the railway companies, consumers and importers were to obtain the remission, a great injury would be done to the industry. I think this is an instance of very poor reasoning indeed. He urges the establishment of this agreement with the Government upon the ground that, in any event, the Government would get fifty per cent of the duty, which would mean $3.92 per gross ton, while according to the suggestion of Mr. Hughes, the Government would obtain no duties whatever, and as Mr. Drummond says:

There would be nothing in it for the Government or anybody else on this side of the line.

Now, I think Mr. Drummond must have had in mind, when he used the words 'or anybody else,' that he anticipated a profit for his company in this transaction. I think it is some evidence of the inference, which one can very fairly draw after reading all the papers, that in the end the Algoma Steel Company must have had some profit, and must have entered into the transaction in the hope of making a profit, and not as would appear from other portions of the Government return, that the arrangement was upon the distinct understanding that they were to make no profit. There is another thing in connection with this letter which I would like to point out. Apparently Mr. Drummond was using the Government as a weapon to drive the Grand Trunk Pacific into the arrangement to buy 50,000 tons of rails. He says:

We will take the matter up with the Grand Trunk Pacific on the lines I have suggested, and you can write Mr. Hays stating that you understand we are prepared to make a satisfactory proposition to his company.

I should say they would be in a position to make a satisfactory proposition to the company, a proposition which the Grand Trunk Pacific could hardly refuse to accept if the Algoma Steel Company were armed with the weapon which at that time they were seeking to obtain through the Government, and which they eventually did obtain. Under this arrangement which Mr. Drummond desired with the Government, it was further stipulated that the Grand Trunk Pacific were to pay one dollar per ton additional to the contract price obtaining on rails during that season. There is nothing in the correspondence to indicate why that additional imposition should have been made upon the Grand Trunk Pacific railway. I think that is a matter which requires some explanation from the Government. Further negotiation took place between the Grand Trunk Pacific and the Algoma Steel Company, and I presume, between the Algoma Steel Company and the Dominion Government, and eventually a contract was made between the Algoma Steel Company and the Grand Trunk Pacific for the delivery of 50,000 tons of rails at Port Arthur, and for the delivery of 25,000 tons to the Canadian Pacific railway at the same point. Apparently no formal contract was made between the steel company and the railway companies. At least none appears on the file; but I think the substance of the arrangement appears in a memorandum made by the Minister of Railways for the information of the Minister of Customs. That memorandum I find upon the file under date June 19, 1912, and it is as follows:

Memorandum for Hon. Minister of Customs.

Referring to your recommendation for the remission of one-half the customs duty on steel rails by the Algoma Steel Company, the agreement made with this company by the Department of Railways and Canals was that they be allowed to import 50,000 tons for use on Grand Trunk Pacific and 25,000 tons for use of Canadian Pacific railway all in western provinces of Alberta and Saskatchewan. Those two companies had 500 miles graded ready for rails. Farmers in West absolutely needed the road to get out crop. The steel companies in Canada were unable to supply sufficient rails on such short notice from their mills in Canada. In order to assist the getting out of crop of this year this arrangement was made, in granting this remission, it still makes the Algoma Steel Company lose money on the rails they purchase in the United States although paying one-half the duty and it was only when this was shown the agreement was made.

I have this observation to make, that in the communications from Mr. Drummond to the Prime Minister he laid considerable stress upon the fact that in all probability his company would be able to manufacture and deliver the rail requirements of the Grand Trunk Pacific for that season, namely 50,000 tons, and throughout his correspondence it would appear that he desired to impress the Prime Minister with the fact that while he was asking for the arrangement for a remission of fifty per cent of the duty, there was still a strong probability that only a portion of that quantity of rails, would in the end be imported by him, and that the demands would be met by the manufacturers of the rails at their own plant at the Sault. There appears upon the file a memorandum from Mr. Jas. A. Russell, of the Finance Department, which shows the price the Algoma Steel Company were paying for the rails imported. It is dated July 3, and is as follows:

I hereby certify that I have examined the records of the Grand Trunk Pacific Company, relating to the purchase and delivery of the steel rails from the Algoma Steel Company, Ltd., and I find that the steel rails referred to in the recommendation of the Hon. J. D. Reid, Minister of Customs, to His Royal Highness, the Governor General in Council, dated the 2nd of July, 1912, were received by the said Grand Trunk Pacific Company at Fort William and that the contracts set forth in letters from the Algoma Steel Company, Ltd., provides that 50,000 tons (of 2,240 pounds) of steel rails will be delivered at Fort William, Ont., at the price of $31.50 per ton of 2,240 pounds, including freight and duty.

On this memorandum there is an additional minute to the effect that the cost to the Algoma Steel Company of the rails imported from the United States and delivered at Fort William was $27.50 per gross ton, to which is added as part of the cost, half the duty, or $3.92, making the cost delivered, and including freight and duty, $31.42 per ton, which apparently would only represent a marginal profit of eight cents per ton to the Algoma Steel Company, if $32.50 was the price paid by the railways to the Algoma Steel Company. However, it does not appear to be very clear upon the record, what was the actual price paid by the Grand Trunk Pacific and the Canadian Pacific railway to the Algoma Steel Company. I wish to point out further that there is nothing in the way of conclusive information to show what was the price actually paid for the rails imported by the Algoma Steel Company. It is very easy to understand that the bills of lading, or the invoices, would not disclose the actual price paid by the the Algoma Steel Company to the United States Steel Company, who were the sellers of these rails.

Mr. REID (Minister of Customs): They have to make an affidavit under the Customs Act as to the prices paid.

Mr. MACLEAN (Halifax): I noticed by the invoices that there was a considerable importation of rails of second quality and the price paid was $26.17. I do not know what was the exact proportion of the total importations which represented rails of second quality but there was a very considerable quantity. At the selling price in the United States of $26.17, there would be a very considerable profit to the Algoma Steel Company. We are entitled to some more information than the documents placed before us afford to show that by this arrangement they did not make a profit of some kind. In all the correspondence placed upon the table of the House, there is nothing to indicate what the arrangement with the Canadian Pacific railway was. There is no request, apparently, from that railway to the Government asking for leave to import rails with a total, or a partial remission of duty. The Government should afford some additional information upon this point.

It does look as if the Canadian Pacific railway did not require to import any rails last year, and it does not appear that they ever made any request for a remission of duties of any kind. Surely, if they had made such a request, there would be some evidence of the negotiations in the file of papers which was produced at the request of my right hon. friend the leader of the Opposition. It has frequently happened in this country—too often, I fear—that when any concession is made to any other railways in Canada, leave first must be asked of the Canadian Pacific railway, or their opinion must be asked, before the Government venture to take any action. I do trust that, when some gentlemen representing the Govern-

ment speak upon this matter, they will be able to give us some reasons why remissions of duties were made on importations for the Canadian Pacific railway.

Now, remissions of duty are made under the Consolidated Revenue and Audit Act. The section applicable in that respect is 92, which reads as follows:

The Governor in Council, whenever he deems it right and conductive to the public deems it right and conducive to the public His Majesty, imposed or authorized to be imposed by any Act of the Parliament of Canada.

That is the statutory authority under which the duty remissions were made in the matter I am discussing, and that is the authority under which remissions of duty are always made. I submit to the Government, and I suppose they will not controvert this statement, that the remission of duties is a serious matter and should never be agreed to except when it is absolutely right and conducive to the public good. Unless these conditions are absolutely fulfilled by the claimants for remission, the power to remit duties should never be exercised by the Government. In this particular case, the question obviously is: Was it a matter of absolute right, was it conducive to the public good, was it in the public interest, that a remission of duties should have been made to either the Canadian Pacific railway, the Grand Trunk Pacific or the Algoma Steel Company to the extent of $294,000? Were there any facts or circumstances in connection with the whole affair which warranted the modification of the statutes of this country in relation to the customs tariff? I doubt if there were. No good reason has yet been afforded Parliament for the course pursued by the Government. I cannot conceive of any other additional information which can be given us. It was not necessarily conducive to the public good, and no public interests were to be served in this case by the remission of the duty. The Canadian railways could have imported these rails themselves and have paid the duties thereon. The railways of Canada are public utilities which have been very generously aided by the people of this country. While they perform a great public service, of which every Canadian is justly proud, I do not think their circumstances are such that they are entitled at any time to a remission of duty in preference to any other class in this country. If, in 1912, the railways were entitled to a remission of duty simply on the ground that it would save them some money, what could be said about the great consuming classes of this country during that year, particularly in the matter of foodstuffs, when in some places the consumption greatly outran the production, and importations were being made from other countries? If any relaxation is to be made in the customs tariff, it should be made in the interests of those classes which will benefit the most thereby. The Canadian railways should have placed in 1911 their order for rails for 1912. It is perhaps unfair, as Mr. Drummond urged, to the rail producing concerns of this country to expect that they should be ready to deliver rails on short notice. According to the letter which I read from Mr. McNaughton sales agent of the Dominion Iron and Steel Company, in the fall of 1911 he urgend the Grand Trunk Pacific railway to place with him an order for a greater rail tonnage than they did. Had they done so, I have not the slightest doubt that the Dominion Iron and Steel Company would have been able to supply before July 1912 the amount of rails required by that month. For these reasons, I doubt very much if a remission should have been made even to the railway companies. If a remission was to have been made, I say most emphatically that it should have been made directly to the purchasers and users of the rails. If the Canadian Pacific railway and the Grand Trunk Pacific railway were urgently in need of rails in 1912, and the producing mills of this country were unable to meet the demands, and if it were considered desirable to make a remission of duty on the importations the remission should have been made to the people who needed the rails. I cannot conceive of any justification whatever for the remission of duty to the Algoma Steel Company who were manufacturers of rails, who were the beneficiaries of a protective tariff and who asked, in conjunction with other rail producers in this country, for such a tariff as would give them the Canadian market. I do not see how they could in honour and in justice have asked for a remission of duty, or why they should have assumed the role of an ordinary vendor and importer in this particular connection, instead of allowing these services to have been performed by the Canadian railways. In all the negotiations which appear from the correspondence placed before the House, there seems to be a lack of good faith on the part of the Algoma Steel Company in their negotiations with the Government. They did not state frankly that they would be unable to manufacture the whole or a part of the amount of rails required by the Grand Trunk Pacific railway. It is true that, by implication they made it clear to the Government that they would require to import some portion of the 50,000 tons;

still they always intimated, in a veiled manner at least, that if the Government would grant the arrangement requested, they would obtain the rails either by manufacturing the whole or part themselves, by purchasing a portion from the Dominion Iron and Steel Company and by importing any balance, which they could not manufacture or obtain in this country. There is the other fair deduction from the correspondence of the Algoma Steel Company, that, in their endeavours to secure this arrangement with the Government, they had always in mind the natural result that in the transaction some little profit would accrue to them. I may be wrong in that, and of course I speak subject to correction. Construing section 92 of the Consolidated Revenue and Audit Act literally, and I think in its true spirit, I believe it was never intended to repose in the Governor in Council the power of remission of duty to any except the ordinary importer and consumer. Respecting the whole matter, the House is entitled to some additional explanation. The Government should explain why a remission of duty was made on rails imported by the Canadian Pacific railway when, apparently, there was no request for it from that company.

Hon. W. T. WHITE (Minister of Finance): In answering my hon. friend, I shall deal first with the assurance referred to by the leader of the Opposition. The assurance which was given to the Algoma Steel Company—

Sir WILFRID LAURIER: The agreement.

Mr. WHITE: The assurance, that this remission would be made, was given by my right hon. friend the leader of the Government and the Minister of Railways after consultation with their colleagues. There is no contract or written document evidencing that assurance, but the assurance was given subsequent to the receipt of the correspondence brought down, in which the situation existing in the West and the situation with respect to the supply of steel rails were disclosed to the Government. My hon. friend has laboured rather hard to make a case, and I do not think he has succeeded even in satisfying himself that there is any irregularity or impropriety in this transaction. He is engaged in the task, so familiar to hon. gentlemen opposite, of trying to make mountains out of molehills, and he has not succeeded any more than others on that side have succeeded on previous occasions, in attempts to magnify some transaction that is perfectly proper and easily explainable. I recognize that when a remission of duty is given for a large amount it is quite proper to make it a subject of discussion in the House, and it should be fully explained; I am prepared to give my hon. friend a very full explanation in this case. What were the circumstances which caused the Government to grant this remission of duty on 75,000 tons of steel rails purchased in the first place by the Algoma Steel Company and sold by them to the Grand Trunk Pacific and the Canadian Pacific railway companies. They are set out in concise form in the recommendation of the Minister of Customs to the Governor General in Council under date of July 2, 1912. After recommending that authority be granted for the remission and refund of half the customs duty paid by the Algoma Steel Company on steel rails imported at Fort William for the Grand Trunk Pacific Company, the minister observes:

This remission and refund of duty is recommended by reason of an assurance——

To which I referred a moment ago.

—given on behalf of the Government to the Algoma Steel Company Limited that favourable consideration would be extended to their application for such remission and refund in respect of 50,000 tons of imported steel rails urgently required by the Grand Trunk Pacific Railway Company for the completion of certain of their branch lines in the Northwest provinces in time to be available for the movement of the crop of the current year. Evidence has been submitted showing that the rail producing companies of Canada, by reason of being under contract for their full output for the season, would not be able to supply the said 50,000 tons or any part thereof, and further that in making this importation of rails required by the Grand Trunk Pacific Railway Company in respect of which partial remission of duty is hereby recommended, no profit has accrued to the Algoma Steel Company.

That last sentence, in my judgment, is the most important to which the hon. gentleman has called the attention of the House. That was one matter to which I directed my attention; because, if the Algoma Steel Company had made any money in connection with this tariff reduction it would not have been proper; and I took every precaution to assure myself and the Government that the Algoma Steel Company made not one cent out of the transaction. I sent one of the most reliable members of the staff, Mr. J. A. Russell, a man who has enjoyed the confidence of the preceding Minister of Finance and of the Government of which he was a member, to Montreal to investigate the books of the railway company, and find out precisely the figure which was paid by the railway company to the Algoma Steel Company.

Mr. MACLEAN: What was the figure?

Mr. WHITE: I will come to that in a moment; it was the precise figure at which the rails were sold. Before entering upon the argument to justify the transaction as a whole, I desire to refer to Mr. Drummond's letter, which the hon. gentleman has referred to. The hon. gentleman thinks it most extraordinary that the steel company should be desirous that we should rather grant a rebate and remission in the way it was granted, than to the railway companies direct. Now, the steel companies of Canada are always engaged in large financial operations and their credit is of the most extreme importance to them. Matters of tariff and of tariff modifications are also of extreme importance to them, because the impression might go abroad that a tariff modification might be injurious to their interests. The hon. gentleman says it is inexplicable to him why Mr. Drummond desired the remission made in this way rather than as a direct rebate to the railway companies. If we had made it direct to the railway companies, the news would have gone abroad that the Government had adopted the policy of remitting duties to the railway companies, and the result might have been extremely embarrassing to them. This mode was adopted having in view the situation in the West, and the situation in regard to the supply of steel rails. So, there is nothing improper, or unintelligible, or ambiguous, or equivocal in Mr. Drummond's letter. The hon. gentleman has said: 'Why extend it to the Canadian Pacific railway?' Well, we cannot make fish of one and flesh of another. The Grand Trunk Pacific was engaged in building branch lines in the West, needed by the settlers, and we agreed to make this remission with respect to rails which they required for last season's operations; the Canadian Pacific railway was engaged in similar work; the Canadian Northern railway had placed their order for rails, and so we dealt with each railway on precisely the same basis. The hon. gentleman says it is a remarkable and incomprehensible transaction. There is nothing remarkable or incomprehensible about it, for it is done under the authority of the statute, which states that remission shall be made in proper cases. That statute was passed under the Government which was supported by the hon. gentleman, or, it had been in existence during the entire period of that Administration. The enactment referred to is section 93, which the hon. gentleman quoted, which provides that the Governor General, whenever he deems it right and conducive to the public good, may remit any duty or toll, and such remission may be total or partial, conditional or unconditional. My hon. friend has referred to a 'modification of the statute.' What 'modification' is there in exercising the authority conferred by this schedule and granting this remission in proper cases? It has been acted upon scores of times.

Mr. MACLEAN (Halifax): Will the hon. gentleman tell me of another instance in the history of Canada when remission was granted, as in this case, to a third party apparently not interested? They were not going to make any money out of it; they were not consumers of rails, but they were manufacturers and unable to supply the demand.

Mr. WHITE: I have given my hon. friend an explanation as to why the Algoma Steel Company was desirous of having it done in that particular way and I consider it to be a good reason. My hon. friend has spoken of a modification of the statute in regard to the granting of this remission but I understand that in scores of cases the late Administration granted such remissions of duty. The right hon. gentleman and his followers seem at times to suffer from what I might call political amnesia, or the loss of memory; they forget all about what they did in the past. As I have said, in scores of cases when hon. gentlemen opposite were in power, such remissions of duty were granted, and I do not challenge their action in this respect. What were the circumstances that led up to the giving of this assurance? In the first place, we have the letter of Mr. Hays. I always speak with the greatest possible respect for Mr. Hays, who met an untimely death when returning from Great Britain in the Titanic, but Mr. Hays was never known to be a particular friend of this Government; he and his enterprises were particularly under the wing of the late Administration. The letter of Mr. Hays, which is the beginning and basis of this transaction, says:

> We have now some 500 miles of new grade in Saskatchewan and Alberta ready for track laying, and it was our intention to have laid all this track the coming season if we could have secured the necessary deliveries from Canadian mills, which it now appears it is going to be impossible for us to do.

My hon. friend refers to the Algoma Steel Company as possibly being able to supply these rails, but being not as frank as they should be in saying whether they could or could not do so. Mr. Hays evidently believed they could not deliver the rails, as he says:

> Which it now appears it is going to be impossible for us to do.

Who should know the rail situation, if not Mr. Hays? He knew he could not get rails from the Canadian mills and he says, in effect, to the Prime Minister: 'Unless we can get our rails free of duty we will not go on with the construction of the five hundred miles of branch lines.' As pointed

out by my hon. friend, the Minister of Railways was communicated with by parties in the West, his attention was directed to the fact that they were not being served by the railways, and that was an important factor in the action taken in this matter. Another matter directly connected with this transaction is the financial situation a year ago. In March, 1912, my hon. friend knows that Mr. Hays went to England with the expectation of selling securities, and that he came back without having done so. He is familiar also with the tight money conditions that prevailed at that time in Great Britain, and I ask him, having regard to the fact that he would have to pay two or three dollars per ton more for the rails by reason of importing them and paying the entire duty, and having regard to the conditions that existed with respect to financial conditions, if he would have been likely or unlikely to lay a trackage of 500 miles, or whatever he had to construct, if by waiting he could get his rails cheaper on the next year's delivery? It is perfectly obvious what Mr. Hays wanted to do; he wanted to go ahead with the work, but he did not want to pay two or three dollars a ton more for the rails than he would have had to pay if he had been able to get them in Canada or have them entered free of duty. He says further:

I am writing you on the subject to ask if your Government will not consider the matter and advise if they cannot see their way clear to suspend the application of duties on the amount of rail required, as hereinbefore named, say 50,000 tons, to enable us to obtain delivery in time to get the track laid this year, and relieve the demands of the settlers for transportation along our graded lines, which are sure to reach us in some very forcible form later on useless they see the track is going to be in readiness to do business this fall.

I have noticed that hon. gentlemen opposite are always ready to extend a theoretical sympathy to the people of the West, but when there is a need of practical sympathy, hon. gentlemen on this side of the House show it.

Mr. MACLEAN (Halifax): The position I take would not have prevented the rails from being imported and laid in the West.

Mr. WHITE: Let us see what Mr. Hays says about that. He has pointed out the facts in connection with the tight money condition, and he says: 'I am willing, if I can get the rails at the same price at which I can purchase them in Canada, or have them entered free of duty, to go ahead with this work of track laying.' This remission of duty was not granted with any desire to oblige the railway company, but the urgency of the western situation was, as I have said, the basis of this action, which was taken with a view to serving the settlers whose interests we all have so much at heart. When my hon. friend says this course should not have been taken, he says in effect that the lines which were constructed last year in the West should not have been built.

Mr. MACLEAN (Halifax) I would not have objected if the Government had permitted the Grand Trunk Pacific Railway Company to import the rails free of duty, and it is quite possible they could have purchased them in the United States and had them delivered at Port Arthur at a lower rate than was charged by the Algoma Steel Company.

Mr. WHITE: That would have injured the steel companies, and that is what the steel companies had in mind. Mr. Hays further said:

The conditions pertaining to the construction of these branch lines are such as to make us feel we are not warranted in incurring the increased cost, approximately ten dollars per ton, if we get no relief in the matter of duty.

In that sentence he says: 'We will not go on unless we get relief, and the settlers will not get the branch lines of which they are so much in need.' That, as I say, that is the primary cause of the action in this matter. I call the attention of hon. gentlemen from the province of Saskatchewan to this statement, and ask them what they think of it.

I understand the Saskatchewan Government have already passed an unanimous resolution calling on the Dominion Government to suspend duties on rails and enable the railways to build their branch lines in that province, and I trust you may see your way clear to take favourable action in the direction desired.

I do not propose to read the entire correspondence in regard to this matter, but, in the first place, we have Mr Hays' letter, making the request and showing good reasons for it and, in the second place we have the admission on the part of the steel companies that they could not supply the steel rails. The great question which is agitating the West to-day is that of transportation, and if there is one thing that the remote settlements throughout the West are greatly in need of it is these branch line of railways. We are trying to help them, and it was with a view to helping them that we granted this remission of duty. In the words of the statute, we say it was conducive to the public interest, by reason of the transportation needs of the West, that this remission should be granted. Coming to a consideration of the policy of hon. gentlemen opposite in dealing with the matter of duty on steel rails,

I find in the customs tariff of 1907 that steel rails weighing not less than 45 pounds per lineal yard, for use only in the tracks of a railway employed in the carrying of goods and passengers and operated by a steam motive power only, were on the free list. Steel rails were on the free list in 1897. Why? Mr. Fielding tells why. In 1903 he said:

We, therefore, ask that power be given to the Governor in Council to impose by Order in Council a duty of $7 per ton on steel rails, provided, however, that such order shall not be passed until the Government are satisfied that there are rail mills in Canada making the best quality of rails, and in a sufficient quantity to meet the reasonable demands of the market.

Now, what was the policy substantially laid down there? The policy laid down was: we cannot make sufficient rails in Canada to meet the requirements of the railways for construction and renewal work; we propose that $7 per ton duty shall not go on until the Government is assured that the rail producing companies of Canada can supply the market. On the 27th of August, 1904, we find this Order in Council.

The Governor General in Council being satisfied that steel rails of the best quality, suitable for the use of the Canadian railways, are being manufactured in Canada from steel made in Canada in sufficient quantities to meet the ordinary requirements of the market, is pleased to declare that the conditions expressed in the proviso of the said section has been satisfied, and to direct that a duty of $7 per ton shall be imposed under schedule A to the Customs Tariff, 1897.

The Government said that $7 shall be the duty on steel rails after we are satisfied that the steel companies of Canada can produce those rails of best quality in amount sufficient to meet the requirements of the railways. That then, was the policy. I do not say that that is a conclusive argument with regard to this matter, but I say it has a bearing upon it as showing what the late Government had in their minds when they levied a duty of $7 a ton on steel rails. The present tariff item is $7 a ton, but although the tariff is $7 a ton the Canadian rail producing companies were selling their rails at less than the American rate, plus freight and duty. That frequently happens. I have forgotten what was the amount of difference, but it probably was about $2.50 a ton less than the railways would have to pay if they purchased American rails and added freight and duty. In other words it paid the railway companies to buy in Canada to the advantage of $2.50 or $3 a ton.

I come now to the point which, as I have stated, is the most important that my hon. friend has brought forward and the one upon which I took the greatest pains, namely that the Algoma Steel Company would not and did not make any money on the transaction.

Mr. NESBITT: Did the Algoma Steel Company have a contract with the railway company to deliver so many tons of rails within a certain time?

Mr. WHITE: No, I understand that they never contract that they will deliver absolutely so large a quantity that there can be any possible doubt as to their ability to carry out their contract.

Mr. NESBITT: They did not have such a contract?

Mr. WHITE: No, they had not such a hard and fast contract.

Mr. MACLEAN: They had not any contract particularly referrable to the 50,000 tons?

Mr. WHITE: In the view of Mr. Hays and of the steel company they could not supply the requirements of the railway companies for 1912; there is no doubt about that.

Mr. MACLEAN: That is probably true.

Mr. WHITE: That is absolutely true. We come then to this question of whether any money was made on this transaction. I sent Mr. Russell, a man in whom I have the utmost confidence, a man of unimpeachable integrity, to look into the transaction and assure himself whether the Algoma Steel Company made any money. He examined the invoices, verified as my hon. friend has said by affidavits. He did not go behind the affidavits. If we have to go behind affidavits then we will have to hold a judicial inquiry and I do not suppose that we could be expected to do that. The affidavits in the customs house show that these steel rails were bought at a certain figure and Mr. Russell went to Montreal and examined the books of the railway company. Here is what he said:

I hereby certify that I have examined the records of the Grand Trunk Pacific Railway Company relating to the purchase and delivery of the steel rails from the Algoma Steel Company, Ltd., and I find that the steel rails referred to in the recommendation of the Hon. J. D. Reid, Minister of Customs, to His Royal Highness the Governor General in Council, dated the 2nd day of July, 1912, were received by the said Grand Trunk Pacific Railway Company at Fort William and that the contracts set forth in letters from the Algoma Steel Company, Ltd., provided that 50,000 tons (of 2,240 pounds) of steel rails will be delivered at Fort William, Ontario, at the price of $31.50 per ton of 2,240 pounds, including freight and duty.

What could be done to check up a transaction more than was done in that case? Then the memorandum of Mr. Russell, goes on:

Cost the Algoma Steel Company, at Fort William	$27 50*
One half of duty	3 92
Cost delivered, freight and duty	$31 42

*Per ton of 2,240 pounds.

J. A. E.

The eight cents is entirely negligible, having regard not only to the interest but the trouble they would have in carrying out the transaction.

Mr. MACLEAN (Halifax): What about the rails that were imported and that apparently cost $26.17?

Mr. WHITE: The remission that we gave was, of course, fifty per cent of the duty. My hon. friend has told me that these were a very small portion, and were for sidings, but I know that they were all checked up by Mr. Russell and he was able to assure me that absolutely nothing was made by the Algoma Steel Company on the transaction, not even on that part of it.

Mr. MACLEAN: I cannot understand how the Algoma Steel Company could not make a profit on rails of second quality purchased at $26.17 as against rails purchased for $27.50.

Mr. WHITE: How many were purchased?

Mr. MACLEAN: And receiving the same price $31.50 from the Grand Trunk Pacific. Supposing there were only 2,000 tons.

Mr. WHITE: The Minister of Railways informed me that they bought and sold them as second grade rails. I am dealing with first grade rails.

Mr. NESBITT: Were they sold at the same price?

Mr. WHITE: I do not think they were; the railway company is not paying for second grade rails what it would pay for first grade. What is this transaction? In the first place, branch lines will not be built in the West unless remission of duty is given; in the second place, we have representations made by steel companies, and reasonable representations, that if rebates or remissions are given to the railway companies the steel companies are going to be interfered with in carrying on their financing; thirdly, no money was made on the transaction; in fact, I may say that money was lost on the transaction. Nobody in this House can carry out a transaction of this kind nor could any company or firm carry out such a transaction on any such margin as eight cents. They lost money on the transaction. They desired that the railway companies should purchase their rails from a Canadian concern, making, as I have said, absolutely no money on it, but in order that rebates or remissions might not be given which would have the effect of embarrassing the financing of Canadian steel companies, a checking was done to verify the entire transaction. Then what comes of all the laboured argument as to irregularity in connection with this? As I have said, the statute gives the authority; and the Government believed it was conducive to the public good in order that railway construction might take place in the West, that this rebate should be granted. Careful investigation was made into all the facts and circumstances so as to ensure that no profit was made to the Algoma Steel Company. It seems to me that the transaction is regular in every respect, and not only regular but right, and to use the words of the statute, conducive to the public good.

Mr. NESBITT: Why did not the Government give the railway companies the right to bring in those rails with a remission of the duty?

Mr. WHITE: I explained, in answer to my hon. friend, why it was better to do it in the way it was done, provided no money was made. My hon. friend probably has in mind the fact that we did not remit the whole duty.

Mr. NESBITT: Part of the duty I understand.

Mr. WHITE: The remission of part of the duty put the railway companies in the same position as they would have been in if they had been able to buy in Canada. I think they were penalized to the extent of only a dollar. I do not think that the railways should be be allowed to get in their rails at a rate lower than the Canadian price. That would hardly be fair in the exisiting situation. The crux and gist of the whole of my hon. friend's argument, and the only feature that is really worth the attention of this House for any considerable time, is whether the steel company made any money out of the tariff or not. They did not. It is perfectly obvious that it is conducive to the public good, that branch lines should be built as expeditiously as possible in the West. There is no hon. member on the other side of the House who will deny that proposition.

Sir WILFRID LAURIER: I do not intend on this occasion to enter into the discussion in any controversial spirit. I thought it was right in a matter of this kind, that we should have first an explanation from the Government of why they took the course which they did. In respect to this remission of duty, my hon. friend the Minister of Finance, has laid great stress on the statement, which he repeated several times, that the transaction was regular and according to the law. So it is. Nobody questions the legality of the action taken by the Government; the only point is whether the discretion which is given to the Government

under the Audit Act of remitting duties to importers is justifiable, politic, and wise. In my judgment, after having heard my hon. friend, I do not think he has made out a case which justifies the extraordinary course taken by the Government. Our fiscal system is based on revenue duties. It is based upon the assumption that all importers should pay their share of taxation, that those who have to import goods from abroad should contribute to the taxes of the country. We adopted the policy long ago that we should allow to come in free of duty, as far as possible, articles which are not manufactured in this country, but as soon as an article is manufactured in this country it is subject to duty. The intention of the law is to impose the duty for the purposes of revenue, and also on the broader principle which is dear to the Minister of Finance, of encouraging native industries. It was intended that the revenue should be collected in this way, and that in every possible case, if the producer of the article did not get the benefit, the treasury should get the benefit. That is the theory of the law. It imposes a burden, but it is a burden which has to be borne by all those who import articles. There can be no good reason why one man should get a privilege which is not given to another. My hon. friend has narrated the circumstances under which a duty of $7 per ton was imposed on rails. When my friend Mr. Fielding, revised the tariff in 1907, he was pressed to put a duty on steel rails. For what purpose? For the purpose, which was given there and then, of encouraging the manufacture of steel rails in this country. We had the raw material; and we had some plants, which had been introduced and which it was hoped in the course of time would be able to produce steel rails. But the ex-Minister of Finance resisted all the pressure put upon him and some of the applications were very pressing, to impose a duty, because he thought it was not fair that the importers and users of rails in a country like Canada, where there is so much railway construction going on every year, should be forced to pay a heavy duty, unless the manufacturers were prepared to deliver the rails required in Canada. In 1904 the Government came to the conclusion that the two plants at Sydney and Sault Ste. Marie were then sufficiently advanced to manufacture rails, and that a duty should be imposed, and it was imposed. I think the action taken by the Government at that time was wisely taken; at least I did not hear it challenged at that time, and I did not hear it challenged today by my hon. friend. But it was challenged and very much resisted by one class of people in this country, the railway companies. The railway companies at that time protested vigorously against the imposition of the duty. They represented that if a duty were imposed it must increase the cost of building railways, and so it must. But what was the reason which we gave for taking that course? Apart from the general reason which is the basis of the tariff itself, that it should apply to all classes of the community, we represented to the railway companies that the policy of this Government, whether Conservative or Liberal, had been to assist railway construction, and that in view of the ample subsidies which we gave to the railway companies to assist them in railway construction, especially in the new provinces, they could not advance any sufficient reason why they should not be as obliged to pay their share of taxation through a duty on rails. A duty was imposed and continued up to this year. I am quite sure that since my hon. friend the Minister of Finance took office, he has had many representations on the part of the railway companies against the imposition of this duty. This year the Grand Trunk Pacific railway, so far as I have been able to look over the papers, made a strong representation to the Prime Minister to be exempted from the payment of the duty upon steel rails, the plea being that the Canadian companies could not supply the rails. Well, is there any reason why any railway company, under any circumstances—I do not care what company it is—should be exempted from the general law, which applies to all Canadian subjects, and should not pay their share of taxation like anybody else? Is there any reason why railway companies which receive subsidies from this Government and which in the case referred to, receives a subsidy from the local legislature in Saskatchewan should not pay their legitimate share of the cost of carrying on the government of this country? I cannot see any reason. The only reason which is given by my hon. friend is that they would not go on with the construction of railways of which the settlers were in need. Settlers are always in need of more railways and fast as the building of railways can go on, it cannot go on fast enough for the settler. That reason, in my humble judgment, was no reason whatever. There was no justification why Mr. Hays, or Sir Thomas Shaughnessy, or Messrs. Mackenzie and Mann, or any other man, should not pay like everybody else his share of burdens that we have all to carry as Canadian subjects according to our means. There is no possible excuse why any class of the community should be exempt of their share of the burdens, or why it should be put upon other shoulders. My hon. friend has told us many times that he is a believer in the stability of the tariff. If he is a believer in the stability

of the tariff, he must apply the tariff whether it be to the benefit or the detriment of certain individuals. A protective tariff cannot be applied without it bearing somewhat heavily upon some person occasionally. The man who pays taxes will always try to be exempt from them and put the burden upon other shoulders. I have not had an opportunity of reading the last papers that have been brought down by my hon. friend, but as far as I have been able to read the papers in this case, the reason which has been given why any class should be exempted from its share of taxation is a reason which cannot apply. I do not know whether the Algoma Steel Company has made any profit or not. I am taking the word of my hon. friend that they have made no profit, but if that company has not made any profit, somebody has made a profit, and, at all events, the treasury has been deprived of $300,000 which would otherwise have gone into it and which has remained in the pockets of private companies, a condition of things for which, in my humble judgment, there is no justification.

Right Hon. R. L. BORDEN (Prime Minister): Mr. Speaker, we all realize in this country the very great importance of providing adequate means of transportation; in fact, my right hon. friend the leader of the Opposition (Sir Wilfrid Laurier), when he introduced his proposals for the building of the National Transcontinental railway in 1903, and renewed them in 1904, laid very great stress upon that and prayed heaven that it might not then be too late.

Sir WILFRID LAURIER: Hear, hear.

Mr. BORDEN: My right hon. friend, judging from his remarks this afternoon, seems to think that we might very well wait a little longer.

Sir WILFRID LAURIER: No; we gave substantial aid to this company.

Mr. BORDEN: He suggests that, although 500 miles of track was graded and ready for the rails in western Canada, we should have taken no action. Let us look at this question for a moment. In the first place, railway companies, for a great many years, under the administration of my right hon. friend, were able to import rails without any duty at all. A duty was imposed in 1904, the object of which was, I suppose, to assist in establishing the manufacture of rails in Canada. Canada has the raw material, it has the labour available and it apparently had the capital available for the purpose of establishing these mills. So, the duty was imposed. But there was also some obligation and some responsibility upon the company in whose favour these taxes had been imposed, or rather for the development of whose industries these taxes had been imposed. There was a certain obligation on their part to meet in every reasonable way the requirements of the Canadian market. My right hon. friend the leader of the Opposition does not seem to agree with the view of my hon. colleague (Mr. Maclean, Halifax). He said that in so far as he was concerned, he was prepared to support a remission of the duty altogether provided it was remitted directly to the railway companies. My right hon. friend seems to think that it should not have been remitted at all—

Mr. MACLEAN: And for good reasons; for other reasons, of course.

Mr. BORDEN: I know that there seems to be a marked difference of opinion between my hon. friend and the right hon. leader of the Opposition in that regard. I do not know exactly which one represents the view entertained by the majority of hon. gentlemen on the other side of the House. What were the circumstances? The circumstances were that there were two great rail mills in Canada. I am not disposed to consider whether the railway companies were at fault for not having given their orders at an earlier date, or whether the rail mills were at fault for not having provided better facilities, or not being prepared to make a larger output. The net result of the situation was that these rails were necessary for the laying down of tracks in that western country in districts which had suffered to a certain extent the year before from lack of adequate railway facilities. These rails could not be provided in Canada. We were given to understand that there was a great deal of doubt as to whether that track would be laid down in the immediate future unless some arrangement of this kind could be made. From the railway companies—from one railway company at least—we, in the first instance, as I recollect it, received a request for an absolute remission of duties. We sent the letters complaining of the inability of these companies to supply the home demand to the Dominion Iron and Steel Company and to the Algoma Steel Corporation and we sent the answers of these corporations to the railway companies. We endeavoured to get at the truth of the matter as best we could and, in the end, it is perfectly apparent that, either a very considerable number of rails had to be imported, or else a considerable amount of track had to remain unlaid for perhaps a year, and that many settlers in the western part of Canada would go without the railway facilities to which they otherwise would be entitled. What was the duty of the Government under the circumstances? The Government did not desire

to take any step which would be destructive of the industries that had been in progress for eight years and which had made very considerable headway. We did not desire to take any step destructive of their interests or to undo the work that had been in progress for the past eight years. On the other hand, we did not desire that hundreds or thousands of settlers in the western part of Canada should go for twelve months longer unprovided with facilities to which they were entitled and which they would receive if a reasonable arrangement could be made. The course which the Government took was this: They acceded to the proposals—or they may have made the proposal themselves—I am not sure which way it was—but at all events, the matter was given very careful consideration. They, in the end, acceded to an arrangement by which one of these companies themselves should import these rails upon a remission of one-half the duty, but with the stipulation that the company should not make one dollar profit out of the whole transaction. Our desire was that the interests of those corporations or industries which had been built up under the fiscal system, formally adopted for the purpose eight years before, should not be interfered with or injured; but, on the other hand, that the settlers in the West should not be deprived of railway facilities which otherwise they would get, and that the railway companies should be permitted under this arrangement which was made by the Government to receive their rails at very little more than the price they would have been obliged to pay if the Dominion Iron and Steel Company and the Algoma Steel Company had been able to supply them. Under the circumstances, it seems to me that that was a very reasonable arrangement. On the one hand, it prevented any undue burthen of expenditure on these railway corporations, which in the end must come out of the pockets of those who use the railways; and on the other hand, it conserved the interests of these industries which had been built up under a policy which my right hon. friend (Sir Wilfrid Laurier) himself adopted. I do not know what the right hon. gentleman would suggest as the proper course to take under the circumstances. It is very doubtful indeed whether or not the rails would be laid that year, and the Government took action and made an arrangement in the matter. The Government took an action which brought about, if I remember correctly, the resumption of track laying without delay, which no doubt afforded relief to the settlers in the West that otherwise they could not have received. On the other hand, the course which the Government adopted was one which did conserve in a reasonable way the interest of these corporations. Not a dollar was made out of the transaction. The railway companies received the rails at only about a dollar a ton more than the price they would have had to pay, if the rails had been manufactured in Canada. The settlers in the West received, at an earlier date than would otherwise have been possible, the railway facilities to which every hon. gentleman on both sides of the House will agree they are entitled. I can assure hon. gentlemen on both sides of the House that this arrangement was not entered into without a great deal of discussion and consideration; and in the end it was determined upon as the best arrangement that could be made in view of the fact that the rails could not be supplied in Canada at that time as fast as the requirements of the railway development made necessary.

Mr. W. F. CARROLL (South Cape Breton): Mr. Speaker, I do not think any person on this side of the House has any desire to see railway construction in the West obstructed or delayed. I fail, however, to see how it would facilitate the building of railways in the West to remit the duty on rails at the time that it was remitted. The Grand Trunk Pacific railway and the Canadian Pacific railway are not building railroads in the West merely for the purpose of benefiting the farmers or the homesteaders; they are doing so, I presume, as a business undertaking, as an undertaking in which they hope to see some interest accruing on their money in the course of a few years. I take the ground that if the Canadian Pacific railway and the Grand Trunk Pacific railway were desirous of building roads in the West, the mere fact that they could not get a remission of duty on rails from the Government would not delay the construction of those roads, because they are undertaking the work as a business proposition. The real question at issue is: Has this Government, upon a tariff duty imposed on steel rails or any other commodity, the right at any or at all times to remit that duty, especially when the person who is asking for that remission is not the consumer. Under such circumstances I think the duty should not be remitted except on two grounds: Firstly, that it is used as some great public utility and is not manufactured in this country; secondly, that there is a grave famine in that particular commodity. No person on this side of the House will deny the fact that in times past duties have been remitted. The late Government remitted duties on life-saving apparatus, which was used in the mines of the Dominion Coal Company. I understand that the present Government did the same thing. That apparatus is not manufactured in this country, and is used

in all the mines of the various provinces of Canada. The duty has been removed on coal, when a famine has been threatened in that commodity. I can understand any government remitting or removing the duty in cases of that kind for the time being. When it comes, however, to a question of a great railway corporation in this country asking the Government to remit a duty which was placed on steel rails, presumably for the protection of the steel industry of this country, I think that is going a step too far. It would not be so bad if the railway companies came themselves to the Government; but they did not do so, they sent a third party. I venture to say that, if a lawyer who is not interested in this discussion, were asked as to the meaning of section 92 of the Consolidated Revenue and Audit Act, he would unhesitatingly give the opinion that that section is put there altogether for the benefit of the consumer of the article on which the duty is remitted. The Algoma Steel Company has no contract with the Canadian Pacific railway or the Grand Trunk Pacific railway. If they had a contract, the terms of which they could not fulfill, I could understand them coming to this Government and asking for a remission of duty in order to save themselves what might probably result in a financial difficulty to themselves. I do not understand why the Algoma Steel Company, whose business it is to manufacture steel rails, should come to this Government at the instance of the Grand Trunk Pacific railway or the Canadian Pacific railway for a remission of duty, when they are making no profit on the transaction. I do not say, and I cannot prove that the Algoma Steel Company have made any profit on the transaction, but does the proposition sound reasonable? There is something under this transaction which we do not altogether understand. I take the ground that, if a remission of duty was to be given, it should be given to the consumer. The great railway corporations in this country are just as capable and as well able to pay duties on the articles which they import as the ordinary citizen is. If a contractor of the Grand Trunk Pacific should tell this Government that he was unable to buy in this country a sufficient number of horses to carry on the work he had in hand, and would have to import horses, would this Government grant a remission of the duty? If I myself wanted an automobile or a wagon and were not able to get the particular brand I wanted in this country, would the Government remit fifty per cent of the duty if I imported it? They would not. Then, why should we have any privileged class in this country? I fail to see why the Canadian Pacific railway or the Grand Trunk railway should be given privileges which are not given to ordinary citizens. I think there is more in this question than we see on the surface.

Now, there are other steel corporations in this country beside the Algoma Steel Company. There are in the city of Sydney and in the town of New Glasgow two large corporations of this kind. They manufacture steel rail. The Grand Trunk railway say that they were not able to get rails in Canada. In this they are going too far. I have not had the opportunity of reading the files brought down, but Mr. McNaughton, the sales agent of the Dominion Steel Company, in 1911, when making his contract with the Grand Trunk Railway Company, tried to get a larger order of steel rails from them, but without success. They must have known in the year 1911 the construction they would undertake in 1912. They could have got the rails for that construction from the Dominion Steel Company. It strikes me that this would be a very neat way for the railway companies of this country to get clear of the tariff duties. Suppose that in this year 1913, when the Grand Trunk or the Canadian Pacific are giving their contracts to the Algoma Steel Company or the Dominion Steel Company, they order a smaller quantity of rails than they actually need for the ensuing year. Then, when they need rails they come to these companies to place an order. But steel companies, like railway companies, have their orders in a year ahead, and cannot on the spur of the moment arrange to supply an increased quantity within two or three months. Then they could come to this Government and ask for a reduction in duty. That is practically what they did in this case. They had the opportunity to get more rails from the Dominion Steel Company and they did not take that opportunity.

I take the further ground that, apart altogether from the question whether or not the Algoma Steel Company made a profit in this instance, they were give a preference over other steel manufacturing concerns in this country. The railway companies will naturally come to the conclusion that the Algoma Steel Company has certain influence with this Government in that they have been successful in getting this remission of duty. They will naturally place their large orders with that company, and if they cannot be filled this Algoma Steel Company will come to the Government and get a remission of duty on rails imported from the United States I fail to see why, if the remission of duty to a railway company on importation of steel rails is dangerous, a remission of duty to a particular manufacturer of steel rails in Canada is not dangerous. I wholly fail to see any force in the argument that the Grand Trunk or Canadian Pacific railways, if they could not

get a remission of duties, would cease railway operations in the West. That looks to me like a childish argument. They know when they started out on this railway construction in the West exactly what they had to do; they knew that the tariff was there; and they knew that, if they did not place sufficient orders for rails, they would have to import those rails from the United States. It was a straight business proposition, and it should have been allowed to work itself out on that basis.

Mr. MICHAEL CLARK (Red Deer): As a representative of the western farmers, I should like to be able to say that I think that this Government will be able to bear any odium they incur by their action in this particular case. This is the second tariff discussion we have had within a week, and these discussions afford to me, a 'lone free trader,' a somewhat curious commentary upon the doctrine of the stability of the tariff. My right hon. friend the Prime Minister is very careful about giving his endorsation to any such general principle as is embodied in the phrase 'stability of the tariff.' But I understand that my right hon. leader shares the belief in that doctrine with the Minister of Finance. Well, for my part, I think the tariff is the embodiment of and personification of the unstable. I know it is a thing fearfully and wonderfully made, and a free trader has to study for a long time thoroughly to understand it. Why, Sir, I see in the leading Conservative newspaper of this city this morning an article headed 'The Tumbling Tariff.' I cannot see how a tariff which has tumbling tendencies can possess the element of stability, or how anything can be said to be stable which is under constant attack. at another time my hon. friend from Portage la Prairie (Mr. Meighen) is the attacking party, the subject of his activities being the tariff on agricultural implements. We have sometimes a surreptitious attack on the tariff in Council, which does not come before Parliament at all, and, all things considered, how my hon. friends can designate this as being something to which you can attribute stability is a matter which is beyond my humble comprehension. I very much sympathize with any action taken by this or any other government to facilitate transportation in the West or to accelerate any of the operations connected with the building up of that portion of Canada, because, as I have stated before in this House, I hold that Canadian development to-day is largely western development, and western prosperity is Canada's prosperity. The only trouble I experience with respect to the action of the Government in this regard is that their attacks of free trade sentiments are inclined to be somewhat limited and sporadic. I wish they would take a really bad attack; I would sympathize with them much more, and could the more strongly defend them against such attacks as have been made on them to-day by hon. gentlemen on this side of the House. My hon. friend the Minister of Finance reduced the tariff on cement, and he put it on again. He established a closed time for cement, and I wish he had not done so, but had rather left the tariff off altogether. And so with regard to the tariff on steel rails; I wish it were not done in this surreptitious and sporadic way; I wish they would take the duty off and leave it off. The hon. member for Halifax (Mr. Maclean) read a letter containing the amusing statement that the reduction of the duty on these rails was of no use to the Government or to anybody else. While the good referred to was doubtless a special privilege to a particular class of the community, I should think that cheap steel rails were a benefit to the whole of Canada, because everybody uses railways; cheap steel rails would facilitate the building of railways, and everybody would thus be benefited by cheap steel rails. That is the old-fashioned way of looking at matters of this kind; that is the way in which thep appealed to the Scotch intelligence of a man like Adam Smith, and I cannot say that I see the fallacy of such reasoning. On this present occasion the Government have taken the only sane view that could be taken in respect of tariffs, and that is the view which relates to the good of the ultimate consumer. The trouble with much of the reasoning in respect of tariffs is that the people who consider the matter do not reflect upon the ultimate good which is to result to humanity. When steel rails are manufactured they are not piled up to be looked at, nor yet to be placed in glass cases for ornamental purposes; they are made with an ultimate object in view, and in this ultimate object was the building of a railway. As a western consumer, I am particularly grateful to the ministry that they did for once consider the ultimate good of the consumer, and I only wish they would continue to look at such matters from this reasonable point of view. I remember last year that the hon. member for Guysborough (Mr. Sinclair) raised a discussion on the necessity of giving fishermen cheaper nets, and he wanted the duty taken off the cord that was used in their manufacture. Fishing nets are not manufactured for the purpose of adorning a lady's hair, nor yet to be hung up against the wall and admired; they are manufactured for the purpose of catching fish. But the protectionist comes along and says it is not the fish we want, it is the fishing nets. What stupid reasoning! They lose sight altogether of the ultimate end in view; and so with regard to agricultural implements. What is the good of an agricultural implement in itself? Wheat is the ultimate object, but the pro-

tectionist says: 'Oh no, you have to make agricultural implements!' I say you have to raise the wheat, and if you can get the implements cheaply to the consumer for this purpose, you will encourage in the end the making of agricultural implements in this country. I am very glad indeed that the Government have had their eyes in this particular instance upon the consumer. It would have been improper for me to keep silent on this subject, especially when my young colleague from South Cape Breton (Mr. Carroll) has put forward his tariff heresies on this occasion. I am not at all sure that this Government is not going to be saved by the operation known as transfusion of blood. This is a very daring experiment and is not often successful, largely so because the patients are generally in a very bad way before the operation is performed. The blood is taken from the veins of a perfectly healthy person and transfused to those of an unhealthy patient, and I am not at all sure that this Government has not had injected into its veins such a transfusion of Liberal blood; I understood my right hon. friend the leader of the Government got quite a saturation of Liberal principles in his youth, and I am not sure that he has got entirely rid of them. Some great thinkers have said that a man is rarely wholly untrue to his early principles, and in this respect I have considerable hope for my right hon. friend. On one occasion I told him he was following the example of Sir Robert Peel, who was elected to maintain the Corn Laws, and proceeded to abolish them. I am not sure that my right hon. friend, by the innate force of that Liberal blood that is in him, will not become a great reducer of tariffs, and if he does he will have my blessing at any rate. And then my hon. friend the Minister of Finance has undergone that saturation, not only in his youth, but up to a comparatively recent period, and if these two hon. friends of mine are permeating this Government with reasonable tariff principles, I am very glad indeed to know of it, and I hope they will be able to reconstruct the heretical tendencies of the other members of the Government in this regard. If they do, I am perfectly sure the people of the West will exonerate them for what they have done in this case, in view of the fact that it was with a view to facilitating railroad expansion; and I do hope they will be able among themselves to put the matter right down in Nova Scotia where, I believe, the real trouble in this case exists.

Mr. LEVI THOMSON (Qu'Appelle): I do not propose to quarrel with the action of the Government in this case, and, as a representative farmer of the West, I agree with very much of what was said by the hon. member for Red Deer (Mr. Clark).

When the present Government wishes to assist the farmers of the West, however, I would like them to make that assistance a little more direct. I notice that in all cases where the Government are endeavouring to justify their policy they try to show that it is in the interests of the farmers; we rarely hear an argument in favour of higher protective duties, without hearing also the cry that they are necessary for the protection of the farmers. In this, however, I, like most farmers, fail to see where in we are protected. I have no objection to the idea of allowing steel rails to come into the country free of duty. Like the member for Red Deer, I would rather see it permanent than spasmodic. But if this Government wish to assist the farmers the best way is to assist them directly. I fail to see any argument in favour of free steel rails that might not, with equal strength, be applied to free agricultural implements. We are told that the manufacturers of steel rails in Canada are not manufacturing sufficient for the purposes of the railways of the country. Neither are the manufacturers of agricultural implements manufacturing sufficient agricultural implements for the purposes of the farmers of Canada, they are not beginning to; in a great many lines we find that we have to depend almost entirely on the United States manufacturers, but still we have to pay the duty all the time. No one ever suggests that the duty should be removed. I have no objection to the remission of duties provided it is applied generally. I would go so far as the hon. member for Red Deer and say: Let it be applied universally and at all times. If we are going to apply these reductions spasmodically, let us, in all fair play, apply our spasmodic efforts in such a way that they will benefit everyone, not merely the railway companies but also the consumers generally of Canada, the farmers. If we wish to give assistance to the farmers of Canada, I say that we can give it more effectually by making it a direct assistance. We are told that the manufacturers of steel rails cannot manufacture sufficient steel rails for the requirements of these railway companies and we are also told that the manufacturers of agricultural implements cannot manufacture the necessary quantities of agricultural implements for the farmers of Canada. Why should there be a distinction? There is more reason why we should have free agricultural implements at this special time than free steel rails. I believe, as a matter of fact, that the manufacturers of steel rails in Canada are not competing with the manufacturers of the United States and other places outside of Canada. That is not true with regard to the manufacture of agricultural implements. We find, from a discussion that

took place in this House last session, that certain manufacturers of agricultural implements in Canada can go to the United States and compete successfully with United States manufacturers and sell more cheaply there, even after paying the duty into the United States than they sell to the Canadian farmers. Surely that is another argument in favour of free agricultural implements. Therefore while I am not quarrelling with the idea of letting steel rails come in without duty, I would like to see that permanently applied if we are to have it at all and I would like to see the principle applied where there are the same reasons existing for its application and particularly where there are additional reasons as in the case of agricultural implements.

Mr. H. S. CLEMENTS (Comox-Atlin): I was rather amused at the resolution proposed by the junior member for Halifax and I am surprised at his forgetfulness. He was in the House when I had the honour of being a member from 1904 to 1908. To cite one among many instances, in 1906 or 1907 the Detroit river tunnel, an International tunnel was being built by the Michigan Central Railway Company, a corporation which possibly should have received the ordinary consideration. Tenders were asked for the construction of the tunnel. A Minneapolis concern, an American firm, received the contract under the then existing tariff conditions. After the tenders had been accepted the then Government, the present Opposition, annulled a certain Act, allowing everything to come in free so far as Canadian interests were concerned, under the condition that when the contract was let the American contractors were allowed to bring material to the waters edge or centre of the Detroit river free of duty. By this course the late Government allowed an exemption of, I think, $400,000 of duty to go back to the contractors and I leave it to the House to judge who benefited by that Act. I am surprised that any member of the Opposition should support the motion which has been introduced by the hon. member for Halifax to-day.

Mr. W. E. KNOWLES (Moosejaw): I in part agree with the hon. member for Red Deer but I do not go so far because I think that the conduct of the Government in this case is not to be commended. If the Government had done this good thing in a different way it would have been a different proposition. Personally I would be the first to uphold the hands of the Government if I caught them doing what I thought was right,—as well as the most surprised man. If my hon. friend will bring in a measure, for example, making agricultural implements free, I will vote for that measure no matter how every other man in the Liberal party votes. My quarrel is with the manner in which the Government have brought about this reduction of duty. What do we find? We find that under the guise, for it is nothing but a guise, in my opinion, of obliging and accommodating and serving the homesteaders in the West they make themselves faster friends with their masters, the corporations, the trusts and the mergers. We find that when they desire to give some relief from this protection they bring it about through the agency of the protected party. That speaks for itself. I think our hon. friends opposite may well have anticipated that their conduct in making their accredited agents in this matter the men who themselves were protected would necessarily be regarded with a great deal of suspicion. There is absolutely no reason given by the Minister of Finance, so far as I am aware, why the remission was not given without any negotiation or manœuvering or manipulating between the Government and their pets, the steel companies who make these rails. For my part I would rather see the duty taken off and let there be no mistake, I favour the taking off of the duty and commend it, but I criticise the manner in which it was done; but I say it should not be done through the agency of a protected industry or corporation. If every time any corporation says: we cannot get such and such an article in Canada because the supply is not equal to the demand and we have to go to the United States, the Government when they put their heads together to see how they will remedy the trouble, at once call to their council the man who is protected in that very industry, where is that going to land you? You are going to get involved, tied up, compromised with the very people we are afraid of, those of us especially who have no love for protection. Mr. Hays said he could not construct that three or four hundred miles unless he had this remission made in duty. Is that not evidence enough to interfere with the tariff. Much as I love a lower tariff I do not think it is. I can bring to the attention of the right hon. Prime Minister thousands of farmers in the prairie provinces who are not able to farm as well as they would like to because they can not afford to pay the high price for agricultural implements which they would not have to pay if the duty were lowered. I can bring resolution after resolution from the grain growers' associations, men who are just as honest as any railway president, and I ask the Prime Minister will he take their word and cut the duty on agricultural implements in half? The supply of agricultural implements made in Canada is not equal to the

demand any more than the supply of steel is equal to the demand and why will not the Minister of Finance and the Government grant remission of duty on agricultural implements to the consuming people of the West just as he has granted remission to the wealthy railway corporations? The date on which this was done is a thing that I would like to call to the attention of the Prime Minister; I understand it was the 12th of July.

Mr. WHITE (Minister of Finance): There were a number of orders all similar in form granting remission, and the dates of course differ.

Mr. KNOWLES: I am not going to say anything offensive to the Finance Minister, but I would ask him had this remission any reference to the 11th of July when the Saskatchewan elections were on; perhaps the Minister of Public Works could answer that.

Mr. WHITE: My hon. friend should have looked at the dates. The correspondence commenced a month before. The hon. gentleman has not looked at it.

Mr. KNOWLES: It is a remarkable thing that the only two reductions in duty that this Government has ever given synchronized so well with the provincial elections in Saskatchewan.

Mr. WHITE: Did my hon. friend see any notice of the action of the Government in the papers during the time of the Saskatchewan elections?

Mr. KNOWLES: Yes, they were full of it, but we did not pay much attention to it. We have had so much experience of the professions made by this Government that those of us who are older did not take very much stock in them. I think it would be a wise policy for the Saskatchewan Government to have an election every two months.

Some hon. MEMBERS: Hear, hear.

Mr. KNOWLES: We would then have a visit from the Minister of Public Works every campaign—we always like to see him, we like him, although, as I have said, we do not fear him any longer in Saskatchewan—we would not only have the honour of a visit from the Minister of Public Works, but we would, judging from precedent, have a reduction in tariff which we are all very desirous of. The whole transaction, it being done through the agency of a protective corporation, done on the eve of an election; the manner in which it was done and the surrounding circumstances are such as to show it was not a sincere and genuine transaction. I do not want it to be supposed that those of us from the West are opposed to any reduction in duty because we are not; but what we want is the reduction of duty to be sincere and genuine and we do not want to have the wool pulled over our eyes.

INTERCOLONIAL RAILWAY BOARD OF MANAGEMENT.

On the motion for Committee of Supply:

Hon. H. R. EMMERSON (Westmorland): I wish to get some information from the Minister of Railways with respect to a matter which is of very great importance to my constituency and to the maritime provinces generally. This afternoon I called the attention of the Minister of Railways to a paragraph which appeared in the Montreal Gazette this morning stating that Mr. Siddell who was the Conservative candidate in the county of Westmorland last election and who is now entrusted with the responsibilities and privileges of patronage in that county, had announced to a gathering of the Conservative Club in the city of Moncton last night that the board of management of the Intercolonial railway was about to be abolished, in fact that it was practically a thing of the past. I very respectfully asked the Minister of Railways what truth there is in this statement and I do not think his answer was given in the same spirit. I am not thin-skinned and this is not a matter that personally affects me in any way or about which I would complain, but my constituents are entitled to learn if there is any truth in that statement. Information of the kind contained in that despatch should not be considered available to any particular party, it is information which should be given to the general public. It is a matter of very general interest to the people of the maritime provinces who have been discussing this very question for the past year. It has been time and again announced that the board of management of the Intercolonial railway would be abolished; it was announced during the last session of Parliament and I asked the minister with respect to the matter then and he said that no such step had been taken. It has been rumoured occassionally in the public press that this board is to be abolished and a new method of managing the Intercolonial railway is to be adopted, and this latest rumour to which I have called the attention of the hon. minister is particularly interesting. It is especially interesting in my constituency which is the headquarters of the Intercolonial railway and of course people all over the maritime provinces are interested in knowing whether there is to be a change. I ask for this information not as a matter of idle curiosity but in the interests of the employees of the Intercolonial railway and the business communities served by that railway. The board of management is not popular, the system of managing the Intercolonial railway by a board of management is very unpopular. I think myself it has not been a success. If the Minister of Railways and the Government

are determined to abolish the board, their action would harmonize with my own wishes and would be in line with the policy which I have consistently advocated. I would like to ask if it is the intention, either in the near or remote future, to abolish the board of management of the Government railway system and adopt the method of appointing a manager to operate the Government railways. If that is the minister's intention, I certainly would applaud it. It would be in the interest of the railway and of the business community of the maritime provinces. If that is the intention why is the information simply disclosed to a gentleman who is entrusted with the patronage in the county of Westmorland? He, presumably, is in the confidence of the Minister of Railways. He was in the city, I think, not later than last week, he goes back to Moncton and, at a gathering of his political friends, takes them into his confidence and says that it is the intention of the Minister of Railways to abolish the board and that the board has practically ceased to be. That would mean, I suppose, that, although it has a legal existence, it is not really managing the railway but that this work is being done by some other method. I have assumed that, because of the hon. gentleman's silence, the board is still in existence. If the board had ceased to be, an announcement should have been made to that effect in the House and I think the House is entitled to the information first. Political friends throughout the country are not entitled to that information before hon. members in this House have been acquainted with it. I think this is a grievance of which I have a right to complain. My hon. friend did not answer the question a few moments ago when I put it to him clearly. Is there an intention to abolish the board, and, if it has been determined upon, how soon will it be brought about? Is there any truth in the statement of Mr. Siddell to his friends that the board has practically ceased to be?

Mr. SPEAKER: I would like to say one word in reference to the discussion that has taken place. I think that the hon. member (Mr. Emmerson) has scarcely carried it on according to the rules of the House. The subject was introduced by him on the Orders of the Day by reading from the Gazette, and upon that the hon. member based a question which was answered by the hon. Minister of Railways and Canals, whether to his satisfaction or otherwise. When a minister answers a question—and it is left to himself to give the answer which he thinks is the proper one—I do not think it is quite in order to bring the question up at a later stage and begin a discussion upon it. Although there is great latitude in discussion when the motion is made for the Speaker to leave the Chair for the House to go into Committee of Supply—

Mr. EMMERSON: All grievances can be aired then.

Mr. SPEAKER: —yet dealing with the same subject on the same day, and speaking to a question already dealt with, is scarcely in order.

Sir WILFRID LAURIER: May I say, with all due deference to you, Mr. Speaker, that, when the House is moved into Supply, is the proper time for a member to ventilate any grievance which he has. If there is an occasion for grievances to be ventilated, this is the occasion. It is the principle upon which our system of government rests that any hon. member who has a grievance can take advantage of the opportunity afforded to him when Supply is asked, to put his grievance before the House. At an earlier time my hon. friend (Mr. Emmerson) put a question to my hon. friend the Minister of Railways and Canals (Mr. Cochrane) and the answer of the minister, I thought, was very curt. The question was entitled to more consideration than was given to it.

Mr. SPEAKER: I would beg to say, in reference to the observations of the right hon. gentleman (Sir Wilfrid Laurier), that it is the right of any hon. members, when the motion is made for the Speaker to leave the Chair for the House to go into Committee of Supply, to ventilate any grievance. But there are certain well-understood rules for our guidance in that connection. An hon. member cannot anticipate a motion on the notice paper and deal with it; he cannot refer to a subject that has been dealt with by the House and upon which the House has expressed its judgment, he cannot refer to a previous debate, because these things are contrary to the rules.

Mr. BORDEN: I would have thought that it would have been the better course if my hon. friend (Mr. Emmerson) had put a question on the Order Paper because questions are answered three days in the week. This is a matter with respect to which my hon. friend the Minister of Railways and Canals (Mr. Cochrane) is obviously entitled to notice. My hon. friend read an item in a newspaper and based a question upon it without any notice whatever. That is not the usual course with respect to an important matter of this kind. If any announcement was to be made with respect to a change of policy in the management of the Intercolonial railway, it should be made in Parliament.

Mr. EMMERSON: I think we should have had it last night when the minister made his statement.

Mr. BORDEN: Yes, if there had been any announcement to make, but my hon. friend the Minister of Railways and Canals distinctly said that the board of management is still existing and has not been abolished. If it is to be abolished and when it is to be abolished, announcement ought to be made here in Parliament. In the meantime, it has not been abolished. I do not think that any announcement has been made to any gentleman outside of the House in regard to that particular matter. My hon. friend has all the information that any hon. member of this House has. There is no disposition whatever to be discourteous to the hon. gentleman.

Mr. MACLEAN (Halifax): I do not know what was the result of the discussion last night in so far as——

Some hon. MEMBERS: Order.

Mr. SPEAKER: The hon. member has already spoken.

Mr. MACLEAN (Halifax): This is a new matter, and I will only take a moment.

Mr. SPEAKER: The fact that it is another matter does not confer on the hon. gentleman the right to speak again. There is only one question before the Chair.

SUPPLY.

House in Committee of Supply.

At six o'clock, House resumed, and then took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

THIRD READING.

Bill No. 137 to incorporate The Canada Preferred Insurance Company.—Mr. Stevens.

INDEPENDENT ORDER OF FORESTERS.

House in Committee on Bill No. 30, to consolidate and amend the Acts relating to the Supreme Court of the Independent Order of Foresters, and to change its name to The Independent Order of Foresters.—Mr. Macdonnell. (Mr. Deputy Speaker in the Chair).

Mr. OLIVER: Has any explanation of this Bill been given by the promoter?

Mr. WHITE (Minister of Finance): This Bill is an important one, and I think it had better stand in the absence of Mr. Macdonell, who introduced it. It was very fully considered and discussed in the Committee.

Progress reported.

Mr. EMMERSON.

PORT NELSON COMPANY.

House in Committee on Bill No. 114, to incorporate the Port Nelson Company, and recommending that it be changed to read: An Act respecting the Port Nelson Company, Limited, and to change its name to the Port Nelson Corporation, Limited.—Mr. Beattie. (Mr. Deputy Speaker in the Chair).

Mr. OLIVER: It would be desirable to have an explanation of this Bill, if one has not already been put on record.

Mr. WHITE (Minister of Finance): As the promoter, Mr. Beattie, is not here, the Bill had better stand.

Progress reported.

SECOND READINGS.

Bill No. 157 respecting the Hudson Bay, Peace River and Pacific Railway Company.—Mr. Beattie.

Bill No. 158, respecting the Alberta Inter-Urban Railway Company.—Mr. Aikins.

Bill No. 159, respecting the Brantford and Hamilton Electric Railway Company.—Mr. Barker.

Bill No. 160, respecting Ottawa and Montreal Transmission Company, Limited.—Mr. Fripp.

SUPPLY.

House in Committee of Supply.

Sir WILFRID LAURIER: With regard to the discussion which took place yesterday, perhaps it would be as well to clear that matter up. What I told my right hon. friend (Mr. Borden) was that we would, as usual, give one-sixth, or two months' supply, based on the estimates except, the items upon capital account which were absolutely new and as to which there had been no explanation. There were two items on capital account which I thought need not be excluded. One was the graving dock at Quebec. I said to my right hon. friend that we would take that up, because the project is well known and has often been discussed in the House and elsewhere. Then there was the Welland canal; while that item is new, yet the subject has been discussed several times. But there were other items of capital account which are new and on which there has been no explanation.

Mr. BORDEN: Yes, I went over the estimates with the right hon. gentleman (Sir Wilfrid Laurier). There were five he mentioned to me. I have directed that these be excluded from the vote of one sixth of the estimates. And the resolution is being prepared on the basis of that understanding.

Civil Government—Department of Customs —salaries, $287,725.

Mr. REID (Minister of Customs): During the fiscal year 1912-13, the salaries amounted to $278,325; this year they will amount to $287,725, an increase of $9,400. The details are given at page 18 of the estimates, but I may add a little further explanation. The Commissioner of Customs' salary remains as before. In the next division there is an increase of two clerks. Last year we had only two in that division, and it is proposed to promote two from the next division below.

Mr. LEMIEUX: Who are the promoted?

Mr. REID: We have not decided that; there are three or four who are qualified. That makes an increase of $5,600 in that division, but it takes two from the division below. We intend to promote one from the second to the first division, reducing the number in the second division to thirteen. But we intend to promote fourteen from the second division (B) to the second division (A). The reason is that these are good men who have been in service for a number of years and have reached the maximum of class 2 (B) and are entitled to promotion, and there is no way to promote them except by putting them in the next division above. They will enter the higher division at the same salary as they are now receiving, and will then go on by their annual increases of $50 per annum. We take in fourteen new officials to replace those promoted from 2 (B) to 2 (A). These are taken into the service through the Civil Service Commission, and enter at the minimum salary of class 2 (B).

Mr. NESBITT: What about the third division?

Mr. REID: We promote two from the next division below up to this division, reducing the number there by two. This is the explanation of how the $9,400 increase is made up. It is simply due to promotions of those who have reached the maximum of their class.

Mr. NESBITT: But some are promoted over the heads of others.

Mr. REID: No, you cannot promote them over the heads of others, but only from one division to the next. The officials to be promoted are those who have been in the department a long time. I am not making any personal selection; I leave it to the officials to decide who are to be promoted.

Sir WILFRID LAURIER: I have read in the newspapers—I do not know whether it is correct or not—that Mr. Breadner has been appointed to the Customs Department. Will the minister say whether that is correct or not, and if correct, what are the duties of Mr. Breadner.

Mr. REID: Mr. Breadner was an official in the Customs Department for about twenty-five years. He severed his connection with the department about three years ago and took a position in Toronto, the position of Dominion appraiser became vacant through death.

Sir WILFRID LAURIER: Who was Dominion appraiser?

Mr. REID: If I remember well it was Mr. Boughner. I tried to get Mr. Breadner back to the department and had him appointed to the position of Dominion appraiser and member of the Board of Customs. Everyone who knows Mr. Breadner knows that he is a man of great experience in customs matters. He was appraiser for many years, and he understands the customs tariff thoroughly. I was very glad to get him back in the service again.

Mr. LEMIEUX: Have all the increases and new appointments provided for in this list been approved by the Civil Service Commission?

Mr. REID: The promotions and new appointments must be approved before we will make them. These new officials who are appointed generally start in the third division; we have appointed several of them during the past year. I never know who they are, and I remember the commissioner, Mr. McDougald, saying that immediately after an examination he tries to pick out the best men he can obtain. These fourteen men will be appointed under the Civil Service Commission, and the commissioner will select the names, and take them on.

Mr. LEMIEUX: In the county which I have the honour to represent (the county of Rouville), where a gentleman named Charles Meunier was appointed collector of customs some years ago at the port of Marieville. He had for several years been the warden of the county, enjoyed the respect and consideration of the community, and had been highly recommended by the various firms at that port. Of course he was tainted with the sin of Liberalism, but that did not debar him from occupying a position under the Civil Service, nor prevent him from being an honest and capable officer. When the Government came into office, certain wire pullers, at the head of which I am sorry to say was my opponent, asked for the dismissal of Mr. Meunier. I must give credit to whom credit is due; my hon. friend understood at once that the dismissal of this old gentleman would be a rank injustice, and, at my request and after hearing my explanations, he resisted the demands made upon him for his dismissal. The demands must have been very press-

ing, however, for my hon. friend expressed his regret at the attitude of the Tories and Nationalists of the county of Rouville, admitted that the old gentleman was quite capable and honest and that there was no evidence against him sufficient to warrant his removal from office. When he assured me that he was overpowered by the wire pullers, I told him to persevere and resist their demands, and, if necessary, to see the right hon. Prime Minister, who promised the people of this country through his Halifax platform that, regardless of political proclivities, he would see that efficient and capable officers would be protected, and that he would have a clean civil service, inside and outside. My hon. friend—I must give the devil his due——

Some hon. MEMBERS: Order.

Mr. LEMIEUX: I mean the good devil. My hon. friend persevered and resisted these demands. but finally, finding himself powerless, he came to me and, with tears in his eyes and with a husky voice, admitted that the influence of the wire-pullers was stronger than the principles of justice, fair play and honesty; and Mr. Charles Meunier was accordingly dismissed. If I were selfish I would thank the hon. gentleman for having sent back into the field such a gallant old warrior as Mr. Charles Meunier, but, for himself and his department, and for the Government generally, I regret that act of injustice. At least the hon. gentleman might have paid the rental of the office which Mr. Charles Meunier occupied during the time he held the position of collector of customs at Marieville. I wrote to my hon. friend with regard to the matter, and he examined the case very carefully, but finally again, under the pressure of political influences in the county of Rouville, his good intentions were counteracted and Mr. Meunier was dismissed without having his rental paid for the last year of his occupancy of the office. The investigation which was held at Marieville established beyond the shadow of a doubt the fact that this old gentleman did not take any part in politics during the time he was acting as customs officer.

The CHAIRMAN: I would call the attention of the hon. gentleman to the fact that we are now discussing salaries of the inside service; there is another item which provides for the salaries, contingencies and expenses of officials of the outside service.

Mr. LEMIEUX: I merely desire to say that, as I have told my hon. friend on many occasions, the old gentleman did not deserve that fate, and the least my hon. friend can do will be to pay the rental of his office for the last year of his service. I may say also that I am sorry to see that in connection with that investigation the Conservative party seems to be rather ungrateful. The gentleman who conducted the investigation is our old colleague Mr, Bergeron, the ex-member for the county of Beauharnois. Mr. Bergeron sat in this House for over twenty-five years. He was unsuccessful at the last election but everybody expected that instead of giving him the office of executioner in the province of Quebec he would have been given something substantial by his party. He has been sent into Rouville, Berthier and Beauharnois and all over the province investigating some picayune cases of postmasters receiving the huge sum of $25 a year, and customs officers receiving $200 or $300 a year. For this work, Mr. Bergeron is receiving $15 a day besides his expenses, knocking about in the country. Mr. Bergeron is getting old, he has served his party well, then, for decency's sake, let the Conservative party do the square thing by him and give him a sinecure which will not brand him in the eyes of the whole province as the high executioner of the Conservative party. I am very sorry for his reputation and himself that he held that investigation and that he forced my hon. friend, against his will, against his conscience, to dismiss Chas. Meunier. Mr. Meunier is dismissed, he does not cry, he knows that, within a few months, he will be back in his office. I simply wish to expose the case and tell my hon. friend that the least he should do would be to give the old gentleman his rental for the last year he was in office. This is really a case of conscience money.

Mr. REID: If I remember this case the hon. member spoke to me about Meunier and I said that of course we would not dismiss him until we held an investigation and I would look into it. It is not, of course, a pleasant thing to dismiss an officer, especially one who has been there a good many years, and in this case we had Mr. Bergeron make the investigation. I think the hon. gentleman will agree that the report of Mr. Bergeron was very strong against Meunier. Following up the rule there was no alternative, I had to dismiss him. As for the rent to which the hon. gentleman refers, if I remember rightly, Mr. Meunier made a claim for rental for all the time he had been there, I think some ten years. If he had asked simply for the rental for one year then it might have been considered more favourably.

Mr. LEMIEUX: Will my hon. friend look at the account again?

Mr REID: I will, certainly.

Mr. PUGSLEY: My hon. friend conveys the impression that this gentleman to whom the hon. member for Rouville refers was dismissed after an investigation by a commissioner, Mr. Bergeron, and that it

pained him very much indeed to be obliged to act on that recommendation and make the dismissal. I would ask my hon. friend the Minister of Customs if there was any investigation in the case of Lyman Smith, collector of customs at Oshawa? That gentleman, I am informed, was dismissed without any investigation, simply upon the recommendation of the member for South Ontario, and I would ask my hon. friend whether it is the policy of this Government to allow their supporters in the different constituencies to exercise that judgment which it is the duty of the minister himself to exercise and to act on their recommendations without any investigation and make the dismissals. I do not think that this committee ought to pass any of these items for which the Minister of Customs is asking until we have a satisfactory explanation of the course which has been taken in regard to Mr. Lyman Smith. That gentleman was the principal of the high school in the constituency of South Ontario. He was requested by some prominent citizens to take the position of collector of customs. He did so. He is a gentleman who never took any active part in political life, as I am informed. He entertained very strong views in regard to the desirability of having purity in elections. There was an election trial in which the present member for South Ontario was concerned. On that trial there were disclosed acts of corruption of the most aggravated character, so much so that the judge who tried the case expressed the very strongest disapproval of the conduct of a gentleman who happens to be the father of the man appointed to take Mr. Smith's place as collector of customs and I think that gentleman was disfranchised for eight years in consequence of the corrupt acts of which he was guilty in that contest. Mr. Lyman Smith entertained a very strong view that there should be purity in elections.

Mr. BENNETT (East Simcoe): He was in odd company.

Mr. PUGSLEY: In South Ontario? I never heard that South Ontario was more than ordinarily corrupt.

Mr. BENNETT: In the Liberal ranks.

Mr. PUGSLEY: On one occasion Mr. Smith, in conversation with one or two individuals and in a private way, expressed his view with regard to political corruption. He was dismissed upon the recommendation of the hon. member for South Ontario. But there is another matter in respect to which it is the duty of the Minister of Customs and the Prime Minister to take some action and to make some statement to this Parliament. The hon. member for South Ontario made the statement in the House that Mr. Lyman Smith practically bought his position from the gentleman who was lately the representative of that constituency in this House. In other words, the hon. gentleman who represents South Ontario made the statement that Lyman Smith had bought his position and he had bought it from the late member of this Parliament from that constituency. There has appeared in the public newspapers a letter from Mr. Fowke, lately member for that constituency, calling the attention of my right hon. friend to this statement and calling on him also to take the necessary steps to have the charge investigated. I think it is the duty of the hon. member for South Ontario to make a charge in a specific manner and have it investigated. It is the duty of my right hon. friend, who is called upon for the time being to guard the honour of this Parliament, when a charge of this kind is made by an hon. member, that an official appointed by the Government bought his way into the office to which he was appointed from a member of this Parliament, even although he may not now be a member, it is the duty of the Prime Minister, it is a duty which he owes not alone to this Parliament but to the gentleman whose character has as he says, been maligned by the gentleman now representing that constituency in this House, to take some action and have the matter investigated. Although a very reasonable demand has been made on the Prime Minister, nothing has been done. I received a letter from Mr. Fowke last year which I shall read so that Mr. Fowke's statement may be placed on 'Hansard.' I may say that Mr. Fowke challenges the fullest investigation and denies in the most specific terms the charges made by the hon. member for South Ontario. This letter has not a bearing on the charge made by the hon. member for South Ontario because it is written previously, but it states Mr. Fowke's position in regard to the dismissal of Mr. Lyman Smith. The letter reads:

Dear Dr. Pugsley:

The people up this way take a great interest in the published proceedings of Parliament, and the manner in which the weakness of the coalition government is made manifest by the discussions which take place is greatly enjoyed by many.

In a particular sense I am pleased with the manner in which you drew Dr. Reid yesterday on the dismissal of Lyman C. Smith from the customs here, at the instance of Wm. Smith, M.P., and I am glad to know that the matter is to be further ventilated at some future time. This will do much good in South Ontario where both men are well known and the situation is properly understood. Lyman C. Smith, the dismissed collector, was for twenty-eight years head master of the Oshawa High School; he is an author of some consid-

erable note, and is universally respected and admired hereabouts. He was appointed collector of customs at the suggestion of leading business men of the town, and because it was felt he would make a first class officer, and would lend proper dignity to the position. It is well known and admitted that Mr Smith worthily fulfilled the duties of the position to which he was appointed, and no reason has or can be assigned for his dismissal other than that given by Dr Reid, that he placed himself on record as being opposed to the idea that he should vote for a man who has been proven guilty of corrupt practices at an election, as in the case of Wm. Smith, M.P.

Mr. Lyman Smith since his removal to Oshawa twenty-eight years ago was never known to participate in the work of a general election, although he has said that on occasions he has attended political meetings called in the interest of either political party.

I purpose reading part of the letter from which you will see what ground Mr. Smith has——

An hon. MEMBER: Read it all.

Mr. PUGSLEY: I shall be glad to comply with the request of my hon. friend:

Mr. Smith, M.P., is known in South Ontario as a first class election crook——

Some hon. MEMBERS: Order.

Mr. PUGSLEY: My hon. friend opposite asked that I should read it.

Mr. BORDEN: The hon. member surely knows that it is out of order to read in this House a letter containing insulting language towards a member of this House or reflecting in any way on a member of this House; the hon. member is fully aware of that.

Some hon. MEMBERS: Hear, hear.

Mr. PUGSLEY: An hon. gentleman opposite asked me to read the letter, but if my right hon. friend objects——

Mr. BEST: You were not asked to do anything of the kind, you were asked to read the whole letter or none of it.

Mr. PUGSLEY: I purposed reading it all, but the Prime Minister objects. (Reading):

—and has been denounced as such in the courts of the country. In an election trial which took place in this riding the late Judge Ferguson gave him a castigation in the following terms.

Some hon. MEMBERS: Order.

Mr. PUGSLEY: Now I purpose, Mr. Chairman, unless it is objected to and your ruling is not to the contrary, to quote from the judgment of the judge who tried that case in which he expressed an opinion in regard to the corrupt acts which were committed. I have a copy of the judgment here.

The CHAIRMAN: The hon. member knows the rules of Parliament; he knows that to read anything which contains reflections on an hon. member of this House is not permissible, nor can the hon. member himself use offensive expressions towards a member of this House.

Mr. PUGSLEY: Even though it is reading the judgment of a court and bearing upon the question under consideration?

The CHAIRMAN: The rule is that even though it has a direct bearing it must not be offensive; anything that is offensive to a member of this House is against order.

Mr. PUGSLEY: As my hon. friend from South Ontario (Mr. Smith) is here, perhaps he would state if it would be offensive to him for me to read from the judgment.

Some hon. MEMBERS: Order; shame.

Mr. PUGSLEY: The hon. member for South Ontario is the gentleman to take exception and not the hon. gentlemen who are crying 'shame.' Does the hon. member who is affected by this judgment take exception; he is the gentleman who said that Mr. Fowke sold the position to Mr. Lyman Smith. Mr. Fowke says:

I should like Judge Ferguson's remarks spread on 'Hansard,' if possible, when this question is again before the House. I may say the young man made customs house officer at Oshawa by Dr. James Reid is the son of one W. H. Thomas of this place, who was engaged with Mr. Smith in corrupting the electorate of South Ontario.

Some hon. MEMBERS: Order.

Mr. PUGSLEY (reading):

—and who at the trial at which Judge Ferguson denounced Mr. Smith was——

Mr. BORDEN: The hon. gentleman (Mr. Pugsley) who is an old parliamentarian and has been a minister of the Crown knows perfectly well that the reading of a communication from a person outside of the House reflecting upon a member of this House is entirely out of order. I am surprised that he would persist in it.

Mr. PUGSLEY: I purposed to read the judgment of the court and that being objected to I am not able to read it. Does my right hon. friend think that I cannot proceed to read the statement that Mr. Thomas who was appointed to the office—

Some hon. MEMBERS: Order.

Mr. PUGSLEY: One moment please—that Mr. Thomas who was appointed to the office that Mr. Lyman Smith was dismissed from is the son of the gentleman who is mentioned in that judgment. I was going to show the way in which he was dealt with by the court, but if my right hon. friend objects to it and thinks it is improper I shall not press it further.

Mr. BORDEN: I have stated my objection.

Mr. PUGSLEY: I may say, without reading the words of the letter, that in that judgment which hon. gentlemen will find reported in the courts of Ontario, it would appear that the judge used very strong language in regard to the proceedings which had taken place in that election. It was an election petition in order to try out corrupt practices, and as I have said, the father of the young man who was appointed to the position of collector of customs is mentioned in very strong terms by the judge of the court, and a penalty was imposed upon him. Now, Mr. Chairman, I would like to read a letter from Mr. Lyman C. Smith, or rather a copy of a letter which he addressed to the present sitting member for South Ontario and on whose recommendation Mr. Lyman smith was dismissed from office without any investigation whatever, as I understand it, by the Minister of Customs. This letter is written 10th December, 1912, dated at Cornwall:

Cornwall, December 10, 1912.

William Smith, Esq., M.P.,
House of Commons,
Ottawa, Ont.

Sir,—I notice in to-day's report of proceedings that you state that,

(1) I tried to influence J. McCulloch's opinions in the elections,

(2) I attacked your private character,

(3) I alluded to the lack of brains of the supporters of the present Government.

Allow me to assure you that each and every one of these statements is utterly unfounded. The only reason I had for writing to you after the last elections was to let you know exactly what I said. I give you my most solemn assurance as a man and a gentleman that no such words ever crossed my lips. In regard to No. 1, the conversation did not last one minute. It was McCulloch that started the conversation on the street and I had not the remotest thought that anything I had said would influence him. I knew his mind was made up.

In regard to number 2, the statement has not the shadow of a foundation. When I wrote you, I knew such things were being said that I never even thought of. In regard to your private character I never said a word in my life. I never knew anything against you, much less said it.

In regard to number 3, I never said such a thing. As soon as the elections were over, such things were attributed to me. I again most solemnly assert the whole three are totally unfounded. In my letter I told exactly what I said. I do not retract a word of it.

I will at any convenient time meet anyone that makes such an assertion. I will meet him in your presence.

Another point. The Vindicator stated in a report of a Conservative caucus, that you stated there were good reasons for thinking that I had paid for the office. This is how I got the office: Mr. Robert McLaughlin called me in and asked me if I would accept the office of collector of customs. I said I had never thought of it. He said the occupant of the office was ill, and could no longer perform its duties. I asked of the duties, and the salary, and said I would reply next day. I said I would accept. He told me to see the member, who asked me if I would accept. I said I would. He said, 'the office is yours.' I never then gave or promised, or was asked for a cent, and I never have been since, and I never contributed a cent to an election fund in my life.

I know you have been misinformed, but I ask you as a gentleman to make this denial as public as you have your statements. I do not care for the office, but I do for my reputation.

Yours,
(Sgd.) Lyman C. Smith.

I would like to call the attention of the hon. Minister of Customs, and also of my right hon. friend the Prime Minister, to the fact that Mr. Lyman C. Smith makes the assertion that the statement made by the hon. member for South Ontario (Mr. Smith) is absolutely without foundation, and yet we have the statement made here by that hon. gentleman, presumably upon the responsibility of his position as a member of this House, that Mr. Lyman Smith bought this office from the late member for that constitiuency. In December last this letter was communicated to the hon. member for South Ontario. Mr. Fowke has also written a letter to the Prime Minister absolutely denying the statement and demanding an investigation into the matter, and, in view of all this, I call your attention, Mr. Chairman, to the fact that the hon. Minister of Customs has taken no step whatever to see that justice is done to these men. All that the Minister of Customs did was to act upon the request of the hon. member for South Ontario and dismiss this gentleman from office whose only offence appears to have been that he had rather strong notions of political morality and a strong objection to spending money in elections.

Mr. REID: The hon. member seems to have changed his opinion now that he is on the other side of the House, as to whose recommendations we should accept in so far as dismissals are concerned. I was in this House in 1896 and at that time there were very many dismissals. If any member of the House at that time made the statement that an official had been an active partisan, the official was immediately dismissed on the mere statement of the member. That policy has been agreed to by both sides of the House. But in addition to that, hon. gentlemen opposite dismissed a great many officials on the recommendation of the defeated candidate without any investigation at all. If the hon. member disputes that fact, I will give him a long list of custom officials who

were dismissed in 1896 without any investigation whatever, and without the recommendation of a member of Parliament, but on the recommendatin of the defeated candidate. Now, we come to this case of Lyman C. Smith. The hon. member must admit that this statement that Mr. Smith has made in his letter is sufficient to dismiss him. He makes the statement there that on the public streets he did discuss politics, that he did make a remark against the hon. member for South Ontario (Mr. Smith), and it was one of the meanest I ever heard against any living man. I have found out another thing about Mr. Smith that I was surprised at. In the Customs Department, when a vacancy occurs in the position of collector of customs, a man is reommended for it and is appointed by Order in Council. I think this is the only case that I have found in the department where the collector was not appointed by Order in Council. This gentleman had filled the position for a year or two and yet my predecessor could not see his way clear to appoint him by Order in Council. I cannot understand why, but he was only there as a temporary official when I took charge of the customs work. I have had a good many recommendations made by members of Parliament and others, and I must frankly say that the part that Mr. Smith took in the election, the statements that he admitted having made publicly on the street with regard to politics and the remark that he made about my hon. friend from South Ontario were, in my view, ample justification of his dismissal, and it did not trouble my conscience one particle to dismiss him. I would dismiss any customs official who would make such statements as this man did against the hon. member for South Ontario.

Mr. PUGSLEY: What is the remark to which the hon. gentleman refers?

Mr. REID: The hon. gentleman read the letter through. I think it was in the letter which the hon. gentleman has just read the insinuation that the hon. member for South Ontario, at some previous election, did something of which he did not approve. He said that he would not vote for the hon. member for South Ontario for some reason that he expressed in that letter. I do not know that it is necessary to call the hon. member's attention to it. The papers were brought down, he knows all about it and he knows the remark that was made.

Mr. McKENZIE: Does the minister know that officers of his department are not at once appointed by Order in Council? I came across several officers in my county who have been appointed in the regular way, but who had to be on probation for a year or two before they got their regular appointments. Is that not the rule in the department?

Mr. REID: Yes; six months is the limit usually before an officer is appointed by Order in Council. Many are left in the temporary class for years. In so far as the position of collector of customs is concerned, it is not usual to defer the appointment by Order in Council very long. The collector is usually appointed by Order in Council within two or three months.

Mr. McKENZIE: I understand there is no fixed rule. Sometimes it is allowed to run for a considerable time.

Mr. REID: Yes, that is right, or you can appoint them immediately.

Mr. PUGSLEY: Do I understand my hon. friend to draw a distinction because this gentleman had not received his permanent appointment? Does he attempt to justify the dismissal on that ground?

Mr. REID: No, I am not doing it on that. So far as collectors are concerned, as a rule they are appointed almost immediately by Order in Council. I think this is the only case, strange to say, in which the collector of customs was not appointed by Order in Council. He simply held the position temporarily from the time when he was appointed.

Mr. PUGSLEY: I presume that my hon. friend, when he dismissed Mr. Smith, knew the language which was complained of.

Mr. REID: I certainly knew it. I think Mr. Smith wrote me at the time.

Mr. PUGSLEY. Did my hon. friend also know of the trial which had taken place for corrupt practices?

Mr. REID: I do not think I am called on to answer that question. I am only dealing with the case as it came before me in the department. The evidence, on which I was supposed to act or come to a conclusion, was that of the member who was elected for that constituency. I consider Mr. William Smith one of the most upright men in the Dominion of Canada. I do not care what my hon. friend or anybody else says; I sat in this House with Mr. Smith from 1891 to 1896, and not a member on either side but respected Mr. Smith as one of the best men in this House. Not only do I believe to-day that Mr. William Smith commands the respect of every member of this House but there is not a member in the House of Commons to-day who commands a greater respect than Mr. William Smith, the member for South Ontario.

Mr. PUGSLEY: Mr. Chairman, I have not made any reflection on the integrity of

Mr. Smith. What I proposed reading was a letter from the late member who speaks of Mr. Smith's action at the elections. What I was referring to was the judgment of the court on the election trial. My hon. friend the Minister of Customs admits that the reason why he dismissed Mr. L. C. Smith was that the member for South Ontario (Mr. Smith) asked for his dismissal, and he says that he called his attention to the conversation which took place between him and Mr. McCullough, as I understand it. That conversation, which was of very very short duration, took place on the street. In it, Mr. L. C. Smith expressed his disapproval of corruption at elections, and stated that he would not support Mr. Smith on that ground. If my hon. friend was aware of this trial, and if he was aware of the judgment of the court, would he or would he not think that Mr. Lyman C. Smith was perfectly justified in making that remark, if he was a man who did object to corrupt practices at elections? Does my hon. friend think that upon that ground he was justified in making that dismissal? If my hon. friend justifies his action on the ground that he was simply acting on the recommendation of the member for South Ontario, that is a different proposition; but he seeks to justify it because in 1896 officials were dismissed upon the recommendations of candidates supporting the Government who became members of the House and also of defeated candidates.

Mr. BORDEN: And ever since.

Mr. PUGSLEY: My right hon. friend is mistaken as to 'ever since.' I am satisfied that he is mistaken. I can speak from some experience which I had after I became a member of this House. I know, in the case of some postmasters, it was exceedingly difficult to get the Postmaster General to act. Not only did he require the statement of the member supporting the Government, but that statement had to be backed up by a solemn declaration stating that the postmaster had been guilty of partisanship.

Mr. PELLETIER: My hon. friend is mistaken.

Mr. PUGSLEY: That is the experience which I had in supporting some recommendations which came from different members in the province of New Brunswick. It may be that a change in practice took place in recent years in regard to dismissing officials, after my right hon. friend, the leader of the Government then leader of the Opposition (Mr. Borden) took the very strongest possible ground against action in dismissing officials which it was alleged had taken place. It may be that in recent years a change has taken place in that respect. I am led to believe that, in recent years at all events, the late Government and the different heads of the departments required evidence of distinct acts of partisanship before they would dismiss officials on that ground.

Mr. WM. SMITH (South Ontario): Mr. Chairman, I think anyone who has arrived at my time of life and with my public experience, must regret that I should personally be the cause of delaying the business of the House. I do not for a moment try to defend anything that has been charged against me to-night as far as public matters are concerned; but I did think that, during the years while I was out of Parliament, I had atoned for all the shortcomings that I had ever committed in the riding of South Ontario. It is true that this man made the charge against me; it is true that it came from a Liberal, and one of his old pupils in the High School in the town of Oshawa told me what he said. The moment he did so, it would be natural that I would feel that, if he wanted to discuss politics, he must do it as a private citizen rather than as customs officer. I stand by that dismissal. I made the recommendation and I do not apologize for it for one minute. I do not intend to delay the House, although the charges have been made against me. I want to say, however, to the hon. member for St. John (Mr. Pugsley) that I am willing to put up my private and public conduct against his. His temper and his condition to-night are very much the same as they were a week ago Saturday night. He can write his friend Mr. Fowke, the ex-member for this riding, that it is possible that we shall meet again in South Ontario and it can then be decided who shall be its member. The people of South Ontario knew all these matters; they have been published in this House and in the papers. My constituents know every word you have said to-night and yet after those years, the people of South Ontario by a majority of 370, said that they would prefer the man who had done these things to the man who had represented the riding in the last Parliament. I asked the Minister of Customs to dismiss Lyman C. Smith. I do not apologize for it. I do not for a moment try to defend my conduct at the elections in South Ontario. The man does not live that ever heard me try to defend it. Mr. Chairman, I shall tell you one thing that I did; I told the truth. Whilst I came back into this House, I fully expected that some of the charges which were made against me and which I was not in a position to defend, might be continued here; but I little thought that the man, who is aspiring to be the leader of the

Liberal party in this House, would belittle himself so much as to waste an hour over such matters as these. All I can say is that, if his party is proud of his work, I have no reason to complain.

Mr. PUGSLEY: I should have no right, in a matter of this kind, to ask this House to make comparison between my private life or my public life and that of the hon. member for South Ontario, for that is not the issue at the present moment. I hope the hon. gentleman's private life is all that he claims it to be; certainly, I should be the last man to make any reflection upon him so far as his private life is concerned. As to his public life, he has frankly stated that he has never attempted to defend it so far as his action in the county of South Ontario is concerned; and if the judgment I have read by one of the judges of the province of Ontario is to be relied upon, I should think he would do well never to attempt to defend it. He has in effect admitted that there had been corrupt acts so far as his public life is concerned.

Some hon. MEMBERS: He did not.

Mr. PUGSLEY: He has not denied it. As I understand it, all that Mr. Lyman Smith did was to state in a private conversation, started by Mr. McCulloch, that he did not uphold these corrupt acts, and for this statement he has been dismissed from office.

Mr. LANCASTER: Would any but a partisan make that statement?

Mr. PUGSLEY: I think he might well make that statement. Let me appeal to my hon. friend from Lincoln. Mr. McCulloch apparently met Mr. Smith on the street, and they began to discuss affairs. What would be more natural than that something so much talked about in the public life of the hon. member for South Ontario, and which had been brought to the public notice in the election trial, should be referred to, and Mr. Lyman Smith said he could not approve it and could not vote for a man found guilty of these corrupt acts. I would ask my hon. friend and I would ask the Minister of Customs if that is true—and it appears to be all that was said—would that afford a just cause for dismissal of this man from office? I notice that neither my hon. friend nor the Minister of Customs, nor the hon. member for South Ontario has referred to the fact that some months ago the hon. member for South Ontario made in this House a deliberate statement that Mr. Smith had bought his position from the late representative of that constituency. That is a charge of a most serious kind. It reflects in the strongest possible way not only on Mr. Lyman Smith but also on Mr. Fowke, the late member for the constituency. The Minister of Customs must be aware of the charge, for he must have seen it in the public press, and he must have had his attention called to it in the remarks I made. Mr. Fowke had written a letter to the Prime Minister calling attention to the charge and demanding that there should be opportunity for investigation, demanding that the hon. member for South Ontario should be called upon in this House, where the charge was made, to substantiate the charge or that Mr. Fowke, innocent as he claims to be, might be vindicated by a committee of this House. No notice has been taken of that demand for justice, and the Minister of Customs has remained silent on the subject and equally so has my hon. friend from South Ontario. If the hon. gentleman knows that Mr. Fowke was guilty of selling an office while a member of this House, it is his duty to take proceedings under the law against Mr. Fowke. If he made that statement without knowledge that Mr. Fowke was guilty, he must reaize that, no matter how splendid may be his private virtues, no matter how good a man he may be, it is his duty to make good that charge or to withdraw it. It is a serious charge and one which the Government ought not to treat lightly, but ought to take steps to investigate.

Mr. WHITE (Minister of Finance): With the consent of the hon. members opposite, and as it will facilitate business, I would like to move the resolution embodying the arrangements which the Prime Minister and the leader of the Opposition made and which was referred to by the leader of the Opposition in his speech.

Mr. VERVILLE: Are we not to have opportunity to ask questions of the Minister of Customs?

Mr. WHITE: There is a great deal of work to be done in getting these resolutions prepared. I have been asked by the officers to get this through the committee as soon as possible to facilitate that work. I quite understand that I am a little out of order, but I am asking opportunity to present these resolutions, as I understand that the matter is not controversial.

Mr. PUGSLEY: Does the hon. gentleman propose to put that through as one resolution?

Mr. WHITE: That is the way it is done.

Mr. GRAHAM: The leader of the Opposition will be here in a moment. He understands the matter completely.

Mr. McCREA: I would like to ask the Minister of Customs for information about the dismissal of Duncan McLeod, customs appraiser in Sherbrooke. In June last he was dismissed on twenty-four hours' notice; he simply received a letter from the department saying that his services were no longer required, but with no reason given

further than neglect of duty. He wrote asking the department inquiring why he was dismissed. The reply was that in the letter of the previous date the reason was given—that he was dismissed for neglect of duty. And up to this time that is all the information he has got; but he does not think it is quite sufficient. I asked for the correspondence in connection with the matter and now have it in my possession. I have read the letters through, but I cannot find any valid reason given for this dismissal. It is intimated in the correspondence that Mr. McLeod had allowed raw cotton imported by George Gale and Sons of Waterloo, employed in the manufacture of beds to be imported free of duty. Mr. McLeod had written to the department at Ottawa asking for a ruling as to this article and stating that he had admitted it free and asking if that was not correct. Inasmuch as he had not been advised by the deparment to the contrary, he took it for granted that he was right in allowing this material to come in free of duty. A sample of this material was examined by Mr. McDougald and pronounced to be of such a nature as to be free of duty, and in view of this fact. if that is the basis of his discharge, I cannot see wherein he has offended. Whether or not that was his offence, however, it seems to me that it would have been but ordinary courtesy to tell him in what respect he has offended, as the simple statement that he has neglected his duty does not constitute a very definite explanation. As I have already stated, Mr. McLeod was dismissed on twenty-four hours' notice. He has on two or three occasions written for an explanation as to the nature of his offence and the reason for his dismissal, but he has been repeatedly told that he was discharged on account of neglect of duty. I have no fault to find with his successor personally, but, as far as his experience and qualifications are concerned, I think he is not superior in any way to Mr. McLeod. Mr. McLeod was getting a salary of $1,250 a year, and his successor has been appointed at $1,500, and within thirty days an assistant designated as a preventive officer, was appointed at $900 a year. The facts, then, are that there are two men filling the position formerly occupied by Mr. McLeod, and drawing a total salary of $2,400. I venture to say that inquiry from the public who have to deal with that office will show that Mr. McLeod's services were quite as satisfactory in every respect as those of the present officials. As to the source of the recommendation for the dismissal of Mr. McLeod, I do not think it was the defeated candidate, but it may have come from a discontented senator. However, Mr. McLeod has been unfairly dismissed, and I think he is entitled to an explanation as to when, where and how he neglected his duty.

Mr. WHITE (Minister of Finance): I desire to move the adoption of the following resolution, to which I referred a few moments ago:

That a sum not exceeding the amounts set forth below (being one-sixth of the main estimates, not yet adopted, with the exception of items Nos. 4, 10, 11, 17, 21 and 25 in resolution No. 102,) be granted to His Majesty on account of the following services for the year ending 31st March, 1914:

The items which are specially excepted are those which I understand my right hon. friend desired for the moment to stand. They are in connection with the amounts chargeable to capital account in the Intercolonial railway estimates, and are as follows:

Lévis to St. Romuald—double tracking line	$173,000
Lévis—improvements at	160,000
Rivière du Loup, additional facilities at	78,000
St. John—to increase accommodation at	18,000
To increase accommodation and facilities along the line	126,000

One-sixth of the main estimates have been extended with the exception of those items which have been adopted in their entirely, and with the exception in their entirety of these five items to which I have particularly referred.

Mr. LOGGIE: I would like to draw the attention of the minister to the fourth item on page 52, which is as follows:

Diversion line between Nelson and Derby Junction, $128,000.

It is my intention to move that this item be struck out, and in the meantime I would suggest that it be put on the same basis as the other items that have been reserved for future consideration. I would like to make some remarks on this matter at a convenient time when the other matters are before the committee.

Sir WILFRID LAURIER: This item has escaped my attention, but it undoubtedly is a new work.

Mr. WHITE: Then item No. 4 will be excepted with the other items which I have particularly mentioned.

Motion agreed to.

Mr. PUGSLEY: It seems to me there should be some statement that this resolution is unanimously adopted. I think it is the right of this committee, if any member of the committee desires it, to have every item specially considered. If I understood my hon. friend aright when moving the resolution, he intimated that all these items will be passed by one vote. I have the impression that on previous occasions the different items were considered—at all events

I think that was the case in concurrence—and read through item by item. It certainly ought to appear on the record that the resolution has been adopted by unanimous consent so that no objectionable precedent will be established for some future occasion. If the majority can do it in this way now, they might also do it in reference to items which would come up in the ordinary way. I think that every item must be considered by the committee.

Mr. BORDEN: I think this is the usual way in which it is done, the items are put through in committee and are read on concurrence.

Mr. REID (Minister of Customs): The hon. member for Sherbrooke asked a question with reference to the dismissal of officer Duncan McLeod, customs appraiser at Sherbrooke. In the return brought down there is a report from our chief preventive officer, Mr. Wilson, on several seizures that were made at Sherbrooke. When our inspector or chief officer of the Preventive Service visits a port and see that anything is wrong he makes a report and submits it to the Commissioner of Customs. The commissioner discusses the matter with the minister and I always act on the suggestion made by the officials of the department. In this case at Sherbrooke the report of the chief officer shows that goods were allowed to be brought in and duty paid at a very much lower rate than should be charged and after seeing the report and discussing the matter with the minister I came to the conclusion that Mr. McLeod was either unfit for the position or was not attending to his duty. From the return my hon. friend will see that several invoices were brought in at a very low rate of duty. I have here the report of Mr. Wilson, in which he says:

John McDougald, Esq.,
Commissioner of Customs,
Ottawa, Ont.

Sir,—I beg to hand you report of preventive service seizure 892 covering charges preferred against Messrs Geo. Gale and Sons, Waterville, Que., concerning waste or shoddy machined or garnetted and certain lacquer imported into Canada without payment of the duty payable thereon.

The customs invoices and statements compiled therefrom are submitted. The waste or shoddy from the cotton, machined or garnetted, was exported by the J. Burton Co., Chicago, and passed through the customs at Sherbrooke free of duty as raw cotton under tariff item 532, whereas it was subject to duty at the rate of 12½ per cent under item 533 of the tariff. The lacquer was exported by Earle, Bourne & Company, Ltd., Birmingham, Llewellyn Ryland, Limited, Birmingham, and Joseph Shorthouse & Sons, Birmingham. Duty was paid on it at the rate of 20 cents a gallon and 15 per cent under tariff item 249, whereas it was subject to duty at the rate of $1 per gallon under item 248 of the tariff.

The seizure charges cover an importation of white tough tufts exported by Lloyd & Bowman, Cincinnati, and duty was paid on Sherbrooke entry 4003. The customs invoice is attached and an examination of it will show erasures. The entered value was $20. Lloyd & Bowman's invoice for these goods was obtained from Geo. Gale & Sons in Waterville on the 16th instant and it shows a valuation of $53. The invoice obtained from the importers is attached to the papers. On this importation there was an under valuation of $31.

The proper duty paid value of the goods covered by this seizure is $32,764.01. The duty paid value as entered is $28,709.05. The value short entered is $31. The duty short paid amounts to $4,023.96.

In connection with this seizure there is inclosed a sworn statement made by the appraiser of customs at Sherbrooke, Mr. McLeod, on the 17th instant, which reads as follows:—

'I have not examined any cotton for Geo. Gale & Son, of Waterville, for over a year to the best of my knowledge, but I have examined cotton addressed to him prior to that time both in ordinary bales and in compressed bales and found it to be raw cotton. I have taken all that this firm entered lately as raw cotton as it was so marked on invoice and entry and receiving no report from the customs officer at the station who checks the bonded cars.

I have also lacquers imported by Geo. Gale & Son, and whenever in my opinion such lacquer contained alcohol I charged $1 per gallon duty and 20 per cent and 15 per cent or 20 cents and 22 cents on lacquer in which I could find no alcohol. The only way I had of testing the lacquer was by smelling it.'

There is also submitted a letter, dated Waterville the 16th instant, addressed to me by W. H. Ward, manager for Geo. Gale & Son, which clearly shows that said firm were of opinion that the cotton referred to was dutiable at 12½ per cent and that the lacquer was dutiable at $1 per gallon.

The samples of cotton that have been submitted to the department in connection with preventive service seizure 891 are representative samples of the six different kinds of cotton that are covered by Sherbrooke entries 8220 and 129, and these samples may fairly be taken to represent all of the cotton that was entered free of duty and covered by this seizure.

Inclosed are two letters, dated 28th February, 1911, and 25th January, 1912, written by the J. Burton Company, Chicago, giving quotations for the goods in this seizure that were entered free of duty as raw cotton at Sherbrooke.

While Geo. Gale & Son were passing cotton from the J. Burton Company free of duty at Sherbrooke they were paying duty at Winnipeg at the rate of 12½ per cent on the same kind of cotton exported by said company. Evidence of this contained in the attached customs invoices and copies of entries from the port of Winnipeg. The Winnipeg branch forwards to the firm in Waterville a monthly statement of expenses. The monthly statements for the months of December, 1910, and February, 1911, were obtained from Geo. Gale

& Son in Waterville on the 10th instant and are attached to the Winnipeg papers submitted. These monthly statements clearly show duty paid on cotton.

In connection with the lacquer covered by this seizure you will recall the recent investigation made in England, report of which is on departmental file 78052.

Certain invoices of lacquer on which duty was paid at the rate of $1 per gallon are inclosed.

I have the honour to be, Sir,
Your obedient servant,
(Sgd.) W. F. Wilson,
Chief Preventive Officer.

It was clear from the report that Mr. McLeod was not attending to his duty and owing to this we were able to make only one seizure of goods brought in prior to that time on which the proper rates of duty were not collected. The result was that we collected a large amount from Gale & Son for an infringement of the customs laws, and after I had discussed the matter with my officials and had this report, I came to the conclusion that Mr. McLeod had not been attending to his duties and was really not a fit officer for the position.

Mr. McCREA: Mr. McLeod claims that prior to the seizure he had sent samples of the cotton to Mr. McDougald at Ottawa and apprised Mr. McDougald that he was admitting it free and, if that were not correct, to advise him. As Mr. McDougald did not advise him that he was wrong in admitting it duty free, Mr. McLeod thought he was right. I have a letter showing that samples of this same cotton were sent to Mr. McDougald since Mr. McLeod's dismissal and Mr. McDoguald pronounced it raw cotton and not subject to duty. I am not surprised at Mr. Wilson making that kind of a report; I think he was looking for trouble, and people will find trouble when they look for it.

Mr. W. J. CARROLL (South Cape Breton): I draw the attention of the Minister of Customs to the need which exists for the establishment of a customs office in the town of New Waterford in the riding of South Cape Breton. This is a town with a population at present of seven or eight thousand, and great inconvenience is caused by the fact that there is no customs house there. Mining towns spring up rapidly and perhaps the fact that New Waterford has come into existence somewhat recently is the reason that it has not yet a customs office. The nearest customs house is at Lingan which is three or four miles from New Waterford, and great inconvenience is caused to the business people by their having to go to Lingan to get dutiable goods which are consigned to them. I urge strongly on the minister that he should make provision for a customs office at New Waterford.

Mr. REID (Minister of Customs): I will take the matter into consideration when I am dealing with the new offices that will be opened during the next fiscal year. I realize that a customs office in a community is of great convenience. The increasing settlement along the frontier in the West demands the establishment of many customs offices. I may say to my hon. friend that along the frontier some of the customs offices are from twenty to fifty miles apart, and he will at once admit the necessity there is for increasing the number there to prevent smuggling. Last year we not only spent the vote for opening new offices but we had to take a further vote on the supplementary estimates. It is always a great pleasure to me to open new customs offices, but I have to keep within amount voted. In the case of New Waterford I assure my hon. friend that I shall do my best to accommodate that section of the country.

Mr. CARROLL: Has there been application made for a customs office at New Waterford?

Mr. REID: I will inquire and let my hon. friend know to-morrow.

Mr. G. W. KYTE (Richmond): I desire to call the attention of the Minister of Customs to the dismissal of an officer in my county in May or June of last year. The preventive officer in the district of Petite de Grat was Peter Fougère who was appointed by the Government of Sir John Macdonald in 1884, and no doubt he was appointed for services he had rendered to the Conservative party. The Liberal Government never disturbed him during the fifteen years it was in power. Mr. Fougère and many others were surprised to learn that Mr. Gillies, the defeated Conservative candidate in Richmond, laid a charge of political partisanship against him. I have here the records in the department bearing on the dismissal of Mr. Fougère and I shall read them:

Sydney, C.B., February 21, 1912.
Hon. J. D. Reid,
Minister of Customs,
Ottawa.

Dear Sir,—I am requested to notify you that the dismissal of Mr. Peter Fougère, the preventive officer at Petite de Grat is respectfully asked for on the grounds of offensive political partisanship. I would ask that a judicial investigation be held in this case immediately.

Yours truly,
(Sgd.) J. A. Gillies.

The matter was referred to Mr. Duchemin to investigate. On the 5th March Mr. Duchemin addressed the following letter to the Minister of Customs:

Sydney, March 5, 1912.

Hon. J. D. Reid,
Minister of Customs,
Ottawa, Ont.

Dear Sir,—I beg to acknowledge receipt of your favour of the 27th ultimo, enclosing file No. 78,080. Respecting charges of political partisanship against Peter Fougère, customs preventive officer at Petite de Grat. I note your instructions in the matter and will note the same my attention in due course.

I have the honour to be,
Sir,
Your obedient servant,
(Sgd.) H. P. Duchemin,
Commissioner.

I have here the report of Mr. Duchemin made upon the evidence which was given before him at the investigations into the charges made against Mr. Fougère:

Sydney, N.S., April 25, 1912.

Hon. J. D. Reid, M.P.,
Minister of Customs,
Ottawa, Ont.

Re Peter Fougère, Preventive Officer, Petite de Grat, N.S.

Dear Sir,—The inquiry into the charges against P. T. Fougère took place at Arichat, on the 12th instant.

James LeBlanc, Harry Boudreau, Edward E. Boudreau, P. T. Fougère. and E. L. Comeau were the witnesses who appeared on the subpoena and gave evidence.

Under the testimony of these witnesses, I find that Mr. Fougère frequently engaged in public political disputations at the post office at Petite de Grat, some weeks prior to election day, last Dominion election; that he put forth arguments to those assembled from night to night, to show that reciprocity would be good and desirable for the country.

I also find that the day succeeding the Dominion election of 1908, Mr. Fougère caused or permitted a flag to be hoisted in front of his place, to celebrate the victory of the Liberal party on that occasion.

In view of the evidence submitted in this connection, I think that Mr. Fougère has transgressed the regulations of the department.

I have the honour to be,
Sir,
Your obedient servant,
(Sgd.) H. P. Duchemin,
Commissioner.

I have here a copy of the evidence taken, which I will read to the committee:

James LeBlanc Re Peter Fougère, preventive officer, Petite de Grat.

I may say that he was the party looking for the appointment to the office and he was the man appointed as soon as Fougère was dismissed. I need scarcely remind you, Mr. Chairman, that evidence from such a quarter is not such as ought to be given very much weight to in investigations of this kind. In nine-tenths of the investigations that were held into charges of political partisanship against officials in the county of Richmond, the star witness against the office holder was the man who was himself the applicant for the position and who afterwards got it upon the dismissal of the incumbent.

James LeBlanc, sworn. I live at Petite de Grat. I am a fisherman. I know Mr. P. T. Fougère. On the day after the Dominion election of 1908, Mr. Fougère had a flag up in front of his door to celebrate the Liberal victory. The flag was up all day following that election. In the 1911 elections I heard him discussing politics in the post office. The discussion was about reciprocity. He was taking the Liberal side. He said that reciprocity would be good for the country. Some of the persons present were Edward E. Boudreau and Harry Boudreau. They kept it on hot in the post office every night for about three weeks before the election. There were both Liberals and Conservatives present almost every night. I was there for a month hand running—would not miss a night. Mr. Fougère always took part in the discussion on the Liberal side. The post office was the principal place in the district where political gatherings took place. Mr. Fougère was there mostly every night and argued in favour of reciprocity. There was no row about it. It used to come hot, but we never came to blows over it.

Questioned by Mr. Fougère. I did not see Mr. Fougère put up the flag; I saw it on his premises in front of his house. I cannot recall the words Mr. Fougère used, but he argued in favour of reciprocity. I cannot say what took Mr. Fougère to these meetings.

(Sgd.) James LeBlanc.

The witness, LeBlanc, said that these disputations took place at the post office. In rural communities the gathering place is invariably the post office, particularly if the mails arrive at an hour after the daily labour of the citizens is at an end, when they call at the post office for the purpose of waiting for the mails. Under these circumstances, discussions of one kind or another are sure to arise. There is nothing in the fact that Fougère went there for the purpose of discussing public questions. He went there, as other citizens went, for the purpose of getting his mail and he was present when the conversations took place in the post office, no matter upon what subject. The next witness called is Harry Boudreau:

Harry Bourdeau, sworn.

I am a farmer. I live at Petite de Grat and have known Mr. Fougère for years. I have been a worker in Petite de Grat. I know about the meetings in the post office at Petite de Grat that Mr. LeBlanc referred to in his evidence. I used to be there. I met Mr. Fougère there almost every night I went there, but I only heard him speak twice regarding politics. He spoke in favour of reciprocity. He said that the agreement that was made with the United States and Canada did not give the privilege to American vessels to come from the banks and ship their fish at Petite de Grat or Arichat, for instance, and ship them home. He said he had the written agreement from the department, that it was home, and he had read it, and it did not give them that privilege. Another party came in about that time and proved that Mr. Fougère was wrong.

Another night, I heard Mr. Fougère say that the Laurier Government would be sustained, but that in another eighteen months there would be another election and then, no doubt, Borden would win.

(Sgd.) Harry Boudreau.

You will see the very significant discrepancy that appears as regards the evidence of these two witnesses. This man, James LeBlanc, who was looking for Peter Fougère's job and who subsequently got it, had no hesitation in swearing that Fougère discussed politics every night at the post office, while Boudreau says he was there every night and he only heard Fougère take part in the discussion twice and that was with reference to the rights of American fishermen under the reciprocity pact. The third witness was Edward E. Boudreau, who says:

I am a fisherman. I live at Petite de Grat. I was almost every night at the post office for two or three weeks before the last Dominion election. I saw Mr. Fougère there almost every night. He was taking part in the discussion. There were a couple of men against our party. They were working hard. Mr. Fougère was one of them. I remember one night especially. He said one night anyone who had a level head on him could not show him where reciprocity would hurt the country. Some of those present used to say: 'You, Mr. Fougère, you are the customs house officer; you ought to know something about this; give us your opinion.' Then he used the words I have given.

The evidence of this witness was to the effect that Fougère was not taking part in the discussion at all, but he would be appealed to for his opinion and he gave his honest opinion and it was an opinion that a good many people might share with respect to an important question and still would not be guilty of offensive partisanship. Boudreau proceeds:

Another time I met Mr. Fougère on the bridge and he said to me: 'Boudreau, if you vote again on Sylvester Boudreau's side you are a gonner, for he loses every election on the side he goes.' This Sylvester is a Conservative and has been for years. This was during the last Dominion election.

I am rather astonished that the commissioner would think that observation of sufficient importance to take it down as part of the evidence. Any person reading this evidence must see that the remark was a purely jocular one and no person discharging judicial functions would for a moment attach any importance to an observation such as that.

At four o'clock in the morning after the Dominion election of 1908, Fougère had his flag up. It was right abreast of his door. It was a few weeks before the election took place that we had the conversation on the bridge with reference to Sylvester Boudreau. It was in the day time. It was a couple of weeks before the election took place. He had the flag up at four o'clock day after election, in 1908.

(Signed) Edward E. Boudreau.

Now I proceed to read the evidence of Mr. Fougère himself:

Peter T. Fougère, sworn. Referring to James LeBlanc's evidence, Mr. LeBlanc has said lots of things, that never transpired in my presence. I had nothing to do with the flag. It was the little boy that put it up, and he put it up for the anniversary of one of his sisters. It was not put up to celebrate the Liberal victory. I deny that I was discussing politics in the post office during the 1911 elections; I never took any side except one evening, I said I was a Conservative, and that I would vote Conservative. I never mentioned reciprocity, as far as I can remember. I say that all the statements that Mr. Harry Boudreau has made are untrue, as far as my memory serves me. I say that all the statements in Edward E. Boudreau's evidence, except about Sylvester Boudreau being a Conservative are untrue.

(Signed) Peter T. Fougère.

E. L. Comeau, sworn. I live at Petite de Grat. People used to assemble in the post office last Dominion election and discuss politics. I was there a dozen times when Mr. Fougère was there. I heard him express his views. The statement I heard him express was that he had been a Conservative all his life, and his sentiments were Conservative, but as far as reciprocity was concerned, he believed it would be to the benefit of the country, and that by supporting reciprocity he would be following his party, that reciprocity was an old Conservative platform. I do not recollect Mr. Fougère's argument about the American fishermen coming in here and landing their catch.

(Signed) E. L. Comeau.

That includes all the evidence that was given against Mr. Fougere. I stated a moment ago that Mr. Fougère was an official appointed by the Government of the late Sir John A. Macdonald. He was in office twenty-nine years, when he was dismissed by the present Government for offensive partisanship. Mr. Fougère swears that he was a Conservative all his life, but that on the question of reciprocity he thought it would be a good thing for the country, and at all events he could not see that reciprocity would be any harm. Mr. Fougère is a man over seventy years of age. He has had a large family, many of whom are grown up and have gone away to the United States. Those who have not left the county of Richmond are able to support themselves. He has some grandchildren to support, and the only means of livelihood which he had was the income that he derived from that office. One of the charges against him, which is regarded as of sufficient importance by the commissioner to refer to as one of the grounds upon which he requested the dismissal of Mr. Fougère, was that he had a flag flying on his premises the day after the election. Mr. Fougère swears that he did

not put up the flag himself, but that a little boy, his grandson, put the flag up to celebrate the birthday of his little sister. The Government is going pretty far in the matter of finding excuses for dismissing men from office. We have had cases that ought to have brought the blush to hon. gentlemen opposite, whether the blush came or not. I am afraid that in many instances they have lost the gentle art of blushing, so far as the effect this conduct has upon their character and their temperament. Surely the hon. Minister of Customs will not say that he was justified in dismissing Peter Fougère for that reason. If you take away the evidence of the man Leblanc, who was seeking the office, you have nothing but the statement that Mr. Fougère, while a Conservative all his life, said that he thought reciprocity would be a good thing for the country and that it was an old Conservative platform. The hon. Minister of Customs will not dispute that fact. No hon. gentleman sitting behind the Government benches, will deny that reciprocity was at one time the platform of the Conservative party.

Some hon. MEMBERS: Not at all.

Mr. KYTE: Mr. Leblanc, in his evidence says that he did not recall the words Mr. Fougère used, but that he argued in favour of reciprocity. That is a general statement; he does not pretend to quote the arguments which Mr. Fougère used in all these discussions of which Mr. Leblanc appears to have had such knowledge. To find out exactly what took place, you must go to the evidence of Fougère himself, and that evidence is as I have read it to the House. In 1896 and for a year or two after, the question of dismissals came up very frequently in this House. I have here statements made by the right hon. the First Minister (Mr. Borden) in discussing that question; as reported in 'Hansard' second session 1896, page 338, the right hon. the Prime Minister said:

> The fact that these officials worked for either party; so long as they worked openly, honourably and fairly ought not to weigh against them, if at the same time they do not neglect their duty as public officers. It seems to me that those gentlemen who are in the Civil Service of this country, ought to have the same right as other electors, not only to vote but to work during elections, subject to certain limitations, which I shall endeavour to submit to the House.

And again:

> It does not seem to me that a public officer discussing, in an honourable and straightforward manner, a public question of absorbing interest with a gentleman who afterwards succeeds to office as a minister of the Crown ought necessarily on that account, to lose his office.

There you have a declaration of principle laid down by the Prime Minister in 1896 on the subject of dismissals. There is no allegation that Mr. Fougère neglected his duty as a public officer. The only gatherings that he was present at were at the Post Office in the evening while he was waiting for the delivery of the mail. Assuming that every word given in testimony at the investigation against Mr. Fougère is true, there is not a single syllable that would lead any member of this committee to come to the conclusion that, if Mr. Fougère did discuss political or public questions, he discussed them in any other way than openly, honourably and fairly, and that he did not neglect his duty as a public officer. Principles are things eternal; no man can express them to-day and discard them with impunity to-morrow. Should he do so, he must throw himself open to a charge of insincerity. I do not know that the right hon. the Prime Minister is inclined to relegate the principles he uttered in 1896 on the subject of dismissals to the limbo of discarded principles and opinions.

In the county of Richmond, there has been a carnival of the most unjust and indefensible dismissals during the past eighteen months. During the fifteen years that the Liberal party was in power, there were only four dismissals all told in that county for offensive political partisanship. The present Government has been in power only about eighteen months, and there are fifty dismissals in the county of Richmond to the credit of the gentleman who was my opponent at the last election. As a matter of fact, no officials are left in office except the old Conservative officials who were appointed by the Conservative Government previous to 1896, and who were not disturbed by the late Government during all the years it was in power. The dismissal of Mr. Fougère is a great hardship to him. He was, as I have said, a Conservative, and a consistent Conservative all his life—never voted for me to my knowledge; told me on one occasion, in 1908, that he could not vote for me; and so little did I expect his support that in 1911, I did not even canvas him. I have no particular interest in defending him, because as I have stated, I am under no political obligation to him. But the fact remains that he has been dismissed most unjustly. He was dismissed to make a position for a young man much better able to earn a living than an old man over seventy years of age, who has spent twenty-nine years of his life in the service. There surely ought to be some spirit of humanity in the breasts of hon. gentlemen opposite. The other night we had a discussion about the release of a man from jail. My hon. friend the Minister of Justice, whom I see in his

place, defending the Government's action, made an appeal to me to know whether I should object to releasing that man from jail in view of the fact that he had a family to support. I want to ask the Minister of Justice a question in return: What does he think of his colleagues in this Government who are dismissing men with large families, families twice as large as the family of Andrew Landry, men who, as keepers of lighthouses or in other similar positions, had incomes of $400 or $500 a year, this being the only income they had and the only support for their families. These men are dismissed on the flimsiest pretexts, that they voted for me or that they had expressed some political opinions. I appreciate the argument addressed to me by the Minister of Justice, and I stated on that occasion that such an argument did appeal to me, and the only reason that I objected to the release of Andrew Landry from jail was that he was released upon insufficient information and insufficient investigation by the minister or his department. I accept his appeal to me, and I ask him in return, and I ask the Minister of Marine and Fisheries, and the Minister of Customs and the right hon. Prime Minister, will they yield to the appeal I make on behalf of these men with large families who have been improperly deprived of their offices and whose families and themselves are helpless in the world until some other position is open to them.

Mr. BORDEN: I would ask that this item be allowed to stand a little while, as we wish to go into concurrence almost at once. The Minister of Customs will make answer later on.

Mr. KYTE: I wish to speak of two or three other dismissals, and I would like to be sure of an opportunity—

Mr. BORDEN: There is no reason for the hon. gentleman to fear he will be shut out; there is all the rest of the session for discussion.

Mr. KYTE: I am not worried about what takes place during the rest of the session; I am anxious what takes place to-night.

Civil Government—Post Office Department —salaries, $689,340.

Mr PUGSLEY: Has one-sixth of this been passed?

Mr. BORDEN: Yes.

Mr. PUGSLEY: Then why is it returned to?

Mr BORDEN: We wish to get into concurrence. The Postmaster General wishes to make some explanation.

Mr. PELLETIER: I see in the Free Press to-night, and also in to-day's Globe, a statement in almost exactly the same terms and which, I suppose, I can qualify as bearing the same earmark. It is about the purchase of mail bag locks which was discussed yesterday. The statement in the Free Press is most unfair, unjust, and inaccurate and is evidently intended to put the facts of the case before this country in a false light. The contract which has been entered into for these locks I have now before me, and I wish to put it before the House as the basis of my statement. For years and years the locks for the mail bags have been purchased by the Post Office Department without inviting tenders. The reason will be apparent in a few minutes. Now the Post Office Department is alleged to have entered into this contract when the present Government came into power and to have favoured some friends unduly. I may state that the only people who could manufacture the locks in question were those who had the patent or were the assignees of those owning the patent.

Mr. LEMIEUX: Who owns the patent?

Mr. PELLETIER: If the hon. gentleman will allow me to make my statement—

Mr. LEMIEUX: Who owns the patent?

Mr. PELLETIER: I will answer any question that may be put afterwards, but I want to make my statement first. When the patent under which the locks had been manufactured expired, a new lock and a new patent had to be secured. This contract and this patent was held under the previous Government by a gentleman by the name of Shepherd. It was either Shepherd or Sir Henry Bate. When the patent for this lock had expired and a new one was taken out, the old lock was in such a miserable state, that, in the interests of the public, it became necessary to dispense with it. When I came back from Europe during the course of the summer or fall, I was informed by the officers of the department that the patent had expired and that it was the custom of the department, for obvious reasons, to change these locks every fifteen or eighteen years. I was told also that, having regard to the safety of the mails, it was absolutely necessary that a new lock should be secured. I do not desire to go into this matter at great length, but I desire to put the whole facts before the House and the public so that this act of administration will not be looked upon in such a light as that which has been attributed to it by the Globe and the Free Press. This contract. which has been under discussion before the House on several occasions, bears the date of October 26, 1912, and is as follows:

Between the Ontario Equipment Company, Limited, of the city of Ottawa, in the county

of Carleton, in the province of Ontario, and the Dominion of Canada, and carrying on together business as locksmiths, &c., under the name, style and firm of the Ontario Equipment Company, Limited, and hereinafter called the contractor of the first part and His Majesty King George V., represented herein by the Hon. Louis Pelletier, Postmaster General of Canada of the second part.

Witnesseth that the contractor, his heirs. executors and administrators and His Majesty for himself and his successors contract and agree to and with each other in the manner following, that is to say:

First.—The contractor will supply to the Post Office Department of Canada all steel clamp mail locks and chains complete and all other fittings such as keys for steel clamp mail lock, metal slip fasteners and label holders, attached metal label case, improved steel ferrules, and repair all steel clamp lacks except such of these locks as are covered by the two years' guarantee heretofore in existence, which last mentioned locks are each to be repaired by the contractor within the period mentioned free of charge to the department. The contractor will substitute the new lock for the old lock as fast as the same can be manufactured, which new lock is patented under No. 142,823.

Second.—His Majesty will pay to the said contractor for the supplying of all the aforesaid various articles and the repairing of steel clamp mail locks other than those under the two years' guarantee specified the following prices:

Steel clamp mail lock and chain, eighty cents (80c.) each complete.

Keys for steel clamp lock, twenty cents (20c.) each.

Metal slip fasteners and label holders, twenty-five cents (25c.) each. Attached metal label case, five cents (5c.) each.

Improved steel ferrules, twelve dollars and fifty cents ($12.50) per thousand.

Repairing steel clamp mail locks, twenty-five cents (25c.) each, except such locks as are covered by the two years guarantee, which locks are all to be repaired by the contractor without charge to the department as hereinbefore stipulated.

I specially draw the attention of the committee to clause 3, which is an important one in view of the manner in which the newspapers in question have endeavoured to put this matter before the country.

Third.—The said contractor agrees to make and deliver any and all of the aforementioned articles within six weeks from the date of the order therefor, from the Postmaster General, or by some officer or person thereunto duly authoized by him.

Fourth.—The said articles shall be examined by such officer or person as may be approved by the Postmaster General for that purpose, and such officer or person shall have the power to reject any or all of which in his or their opinion do not in every respect comply with the departmental standard, and the decision of such officer or person shall within the approval of the Postmaster General be final.

Fifth.—This contract shall continue in force for a period of four years from the date thereof, but (a) if at any time during the said period of four years the contractor shall fail to comply with any such order or requisition as aforesaid, within the time above limited, or (b) if in case of the rejection under the fourth clause hereof, of any one of the aforementioned articles or parts thereof furnished by the contractor, the said contractor shall fail within one calendar month to replace such articles with others fully complying with the requirements aforementioned, then and in every such case the Postmaster General may cancel this contract by notice in writing delivered to the said contractor or left for him at his place of business or abode or mailed to him at his usual post office address, and this contract shall then cease and determine, and in such case the said party of the first part shall have no claim against His Majesty for damages caused or alleged to have been caused by such determination.

Sixth.—It is hereby further agreed that in the event of any of the articles herein aforementioned not being supplied within two calendar months after a requisition or order therefor as aforesaid shall have been made, the Postmaster General for the time being may procure such articles in such other manner as may be most convenient, and the difference of price, if any, which he may pay therefor over and above the price herein agreed to be paid shall be paid to His Majesty by the said party of the first part.

Then follows a heading entitled: 'Regulations regarding the Sweating System,' and as this does not bear upon the matter under discussion, I shall not read it to the House. The 8th and following clauses read as follows:

Eighth.—The said contractor further agrees to furnish a guarantee to be given by two responsible persons undertaking that this contract shall be duly executed by the contractor for the price agreed upon; undertaking also to become bound with the contractor in the sum of ten thousand ($10,000) dollars mentioned in the form of guarantee which appears on the next following page for the due performance of the contract.

Ninth.—In consideration of the foregoing the party of the second part hereby agrees with the contractor to pay to him the contract price above mentioned for each of the several articles specified in accordance with the terms aforesaid.

Tenth.—This contract is made subject to the provisions of the sixteenth section of chapter 11 of the revised Statutes of Canada, that no member of the House of Commons shall be admitted to any share or part thereof, or to any benefit to arise therefrom.

In witness whereof the contractor and the Postmaster General have hereunto set and affixed their respective hands and seals.

Mr. LEMIEUX: Who are the securities?

Mr. PELLETIER: The securities are Mr. When this security bond was entered into When this securtiy bond was entered into I took special precaution to inquire from the officers of the department about the financial strength of these people and I was told that they are A1 and I believe so. This contract is in the usual form, a

printed form used in the department for years and years.

The newspapers which have referred to this matter have informed the country that the Post Office Department has bound itself to buy 350,000 of these locks. Here is the proof that we are not bound to buy one lock.

Mr. NESBITT: How many did the minister buy? I understood that he is to buy continually until there is some default on the part of the contractor.

Mr. PELLETIER: The contract is a four year contract, the usual contract with a time limit which has always been the rule in the Post Office Department. There is a clause, probably the one to which my hon. friend refers, in virtue of which, if the contractor is in default in supplying the locks which he is bound to manufacture and deliver, he loses his right under the contract. The department is not bound in any way to take one, or twenty, or one hundred of these locks. It is a contract in virtue of which this firm, which I understand is a very reputable one, is bound to deliver us those locks as we require them. That point is very important and I want to make it clear before the country and the House. I am told by the Free Press and the Globe, to use their own words:

As a result of the report that the company which has been awarded this remarkable contract is composed of friends of the Postmaster General——

I may say that I do not know personally any of the directors of that company, that I do not know the manager except for having met him once, perhaps twice, but I am sure of having met him once in my office in the presence of my officers, when he wanted to get $1.10 for this contract and when I discussed the matter with him. That is the only time I met the gentleman, I have never spoken to him before or since. That is the friend to whom these newspapers allude.

Mr. LEMIEUX: Is that Mr. Carling?

Mr. PELLETIER: Yes; he is as I understand, the president of the company.

Mr. BELAND: They probably mean political friends.

Mr. PELLETIER: That is not what the article says, the article implies that I have given this big contract, in virtue of which I would have undertaken to take three hundred and fifty thousand locks, to my friends or a company whose board of administration would be my friends. Those are the facts so far. Hon. members will understand that when a matter like that comes up in an important department where there are many important things to do, a man who is comparatively new in that department—and I was in that position—would not care to take action on his own responsibility. After the election we had the session and then in the spring or early summer I left for Europe and the facts to which I now refer took place after my return from Europe. I have not so much faith in myself that I would enter into negotiations such as this without being guided by the officers in the department whose long experience and knowledge of these matters should be for me a guarantee that the question was properly dealt with and properly handled. I took up this matter with the deputy minister, with the assistant deputy minister, and with the controller of the postal stores, a gentleman who has been in the public service for forty years, Mr. Sidney Smith, a man of whom everybody who knows him in the city and the hon. member for Rouville himself will have to bear testimony that he is one of the best employees, one of the most trusted and trustworthy men in the public service. These men have advised me step by step about what they thought should be the policy to adopt in this matter. I have followed that advice and they have put in my hand declarations which I shall now read to the House and which will explain the whole situation in such a way that only people being in bad faith will perhaps continue to have something to say.

Mr. LEMIEUX: You mean Mr. Smith?

Mr. PELLETIER: Mr. Coulter, Mr. Verret, the assistant deputy minister, and Mr. Smith the controller of postal stores. I beg leave to read in the first place, a memorandum from the deputy minister, which he put before me to-day:

Ottawa, April 1, 1913.

Memorandum for the Postmaster General.

The Postmaster General is informed, in reference to his inquiry as to how locks for mail bags have been purchased in the past history of the department, and as to whether an ordinary lock could not be tendered for for use on these mail bags, that the lock used for this purpose has been a special lock that has been adopted by the department and that has been patented, and that tenders have never been called for it owing to the fact that it was a patented lock and the special property of the inventor and his assignees. In regard to the question as to whether an ordinary lock, or one that could be obtained in hardware stores, &c., could not be used and tenders called for, thereby decreasing the price, permit me to say that I do not think it would be wise that a lock should be used on a mail bag that any person could go into a hardware store and purchase, and thus have free access to the mails. It is necessary that a lock should be obtained which could not be used commercially, and which by its appearance would identify itself if found in the possession of any other

person than one of the officers of the department, and it should have a special key of its own.

In a contract like this where the lock has to be specially constructed for a special purpose, I am not of opinion that the contract should always be given to the lowest tenderer. In fact I am personally of opinion that if a contractor can be obtained who is thoroughly reliable and satisfactory in the construction of the work, and in every way properly safeguards the interests of the public, then the additional safety accorded by such a contract is more important than the lowest tenderer.

I understand that in many of the large railways where it is a question of certain article or supply or construction, no tenders are called for, but when a reliable man has been obtained who does the work for a fair price and in a reliable way, the contract is given to him without tender.

My experience where these conditions prevail has been that where something so particular as a lock for a mail bag is concerned satisfaction and reliability are far more important than the price obtained by the lowest tenderer, unless the difference in price were so exorbitant as to make it worth while.

As regards the present lock, I may say that the price is exactly the same as that continued for many years, that is, since 1907, when, owing to the increased cost in materials and labour, the price was increased upon the recommendation of the controller of postal stores to the present price, which is considered absolutely fair and just.

(Sgd.) R. M. Coulter,
Deputy Postmaster General.

I have the following memo from Mr. Sidney Smith whom I have referred to as an employee of the Post Office Department for 43 years, and whose honesty and reliability has never been questioned. Mr. Sidney Smith knows his business; he has been in the department long enough to be able to vouch for his statements and his advice has been accepted by my predecessors in the department for years. Mr. Smith says:

Post Office Department, Canada.
Postal Stores Branch
Ottawa, 1st April, 1913.

Memorandum for the Honourable the Postmaster General. Mail Locks and Keys.

The price of the lock with attachments, comprising chain, swivel and snap hook, and the cutting of the lettering on each lock 'Canada P.O.' and the date of order and the date of issue of each lock is eighty cents per lock and the keys twenty cents each, including the stamping of the Crown on each key, these prices having been authorized by the then Postmaster General in 1907. This lock is not in any sense a commercial lock and must be specially manufactured for the special use of the postal service in order to secure safety to the mails. The mechanism of the post office lock is phospher bronze, which will not rust from dampness, so it is never out of commission from this cause. It is of special pattern not in use in commerce and is designed to be used only with the bar attached to the letter mail bag. It cannot be utilized for private purposes in the same manner as the ordinary lock of commerce. The latter lock, if used for mail purposes, would not afford the requisite security to the mails, because of the fact that the key for such lock could readily be procured by the public at any store where locks are sold.

The post office lock has never been put up to competitive tender, because being covered by patent rights the department was not at liberty to call for tenders, besides which the calling for tenders would lead to a publicity and knowledge of the internal mechanism of the lock amongst lock makers and lock dealers, which is not permissible in the case of a lock intended to secure the safety of mails.

Moreover, considering what the department gets, as above noted, for eighty cents for the lock and twenty cents for the key it is reasonably certain that a better price could not have been obtained, even if the department had been in a position to call for tenders, and the present high cost of material, skilled labour and wages, would be a determining factor which would inevitably mean a higher price were the lock and key put up to competitive tender. In fact, the present contractors have experienced very considerable difficulty in procuring the requisite material with which to make the locks which has resulted in such delay in the manufacture of the locks that, although the contract was entered into with the Ontario Equipment Company, the present contractors, in October last, no locks have yet been delivered to the department, the result being that the department is now dangerously near the point at which, if the new locks and keys are not shortly forthcoming, a new supply of the old locks and keys will have to be procured in order to meet the requirements of the service.

It has been the practice of the department since Confederation to change the lock in use for the postal service to a new lock at periods of about fifteen to eighteen years. The old lock has now been in use nearly twenty years and was found to be so defective that it could be opened by other means than the key, and the contents of the bags thus got at and letters and valuables abstracted.

For some time the department has felt that the time for a change to a new lock had arrived, and has had the change in contemplation. In fact, shortly before you became Postmaster General, the fact was brought to the attention of the department that the key of a switch lock in use on the Quebec and Lake St. John railway would open the post office lock, and when a mail clerk happened to be without his key he would borrow the switchman's key for the purpose, which fact alone made it imperative for the department to adopt a new lock and discontinue the use of the old one at the earliest practicable date. Your statement in the House, as it appears in 'Hansard' in answer to a question when the House was in Committee of Supply on the 19th March that three hundred and fifty thousand locks had been ordered from the Ontario Equipment Company, erred perhaps on the Liberal side, because the contract with the Ontario Equipment Company requires them, to begin with, to substitute a new lock for the old one as soon as the same can be manufactured, and I should estimate that the number of old locks at present in use would amount from about one hundred and fifteen thousand to one hundred and twenty thousand. Of course the ser-

vice is expanding and increasing enormously and it is very difficult to estimate what precise quantity of locks may be required during the period of the next four years, but if the expansion of the parcel post system in Canada, as foreshadowed by you in the House last night, is shortly implemented by practical action it may well be that quite three hundred and fifty thousand locks, if not more, will be needed for use on large mail bags which would be required in connection with this system.

I may add for your information that the Ontario Equiment Company is incorporated under the laws of the province of Ontario.

(Sgd.) Sidney Smith,
Controller Postal Stores.

I may say here that the Post Office Department of Canada which for the financial year which expired yesterday, sold stamps to the value of $2,000,000 over and above the quantity sold last year ought to be able to afford a mail bag lock which would ensure the safety of the mail. I may add that Mr. Smith got some information about this company which I am told is composed of some of my political friends, but I do not even know the names of the directors and have not yet been able to get them. Here is a memorandum from the Assistant Deputy Postmaster General, and these are the three men who have advised me with respect to this matter:

Re New Mail Bag Locks.

At page 6441 of the 'Hansard,' March 19, 1913, Mr. Lemieux asked if new locks had been bought for mail bags.

Mr. LEMIEUX: Who writes that?

Mr. PELLETIER: Mr. Verret, a gentleman whom I found in the department when I arrived there. The Free Press says that I am using his name; I am not. I am more manly than that, but in my department everybody will have to take his responsibility and I may say right here that, in spite of all that has been said, I have confidence in the officers of my department. I have found that they have been loyal to the department and the public interest. I have taken them as I have found them. The deputy head of the department, Mr. Coulter, is one of the most efficient officers in the public service As far as the assistant deputy minister (Mr. Verret) is concerned, he was closely connected with the hon. member for Rouville. I have never found any fault with him and I think he is fulfilling his duty as assistant deputy minister with loyalty and honesty. I say this advisedly after having thought the matter over. Mr. Verret says:

At page 6441 of the 'Hansard' of March 19, 1913, Mr. Lemieux asked how many new locks had been bought for mail bags. Mr. Pelletier answered: 350,000.

When this question was asked by Mr. Lemieux, it was almost six o'clock, whilst we were rushing the supplementary estimates through.

He means the supplementaries for the year 1912-13.

Mr. Pelleier asked me——

You will remember that Mr. Verret was sitting here as the deputy ministers do when we are in committee. The question was put to me by the hon. member for Rouville, I did not have the information at the moment, and I inquired of the Assistant Deputy Postmaster General.

Mr. Pelletier asked me: 'How many locks do you think we will require?' I answered: 'Between 300,000 and 350,000 during the next four years, which is the term of the contract.' I am afraid that I have led the Postmaster General astray in giving such large figures, and I am ready to take the blame for it.

Knowing for the past three years that the lock was defective, and that anyone could open it with a knife (as I had done myself), I told the minister that it was not safe, and that a new one should be substituted. I discussed the matter with the deputy minister and the controller of postal stores, who were of the same opinion.

In the meantime, a lock had been patented under No. 142823. We found that this lock would be perfectly safe for the mails, and after many experiments before the Postmaster General, he came to the conclusion that the lock should be accepted, provided the price was the same as that paid for the old one. All the old locks had to be replaced according to the terms of the contract which reads as follows:

'The contractor will substitute a new lock for an old lock as fast as the same can be manufactured, which new lock is patented under No. 142823.'

After having studied the files and seen the number of locks in use, which I found was about 120,000, I came to the conclusion that my estimate of 300,000 to 350,000 was a little too high, but no one can determine in advance how many new locks will be required during the period of four years, according to the growth of the country and the requests for the opening of post offices.

According to the contract, no locks can be purchased from the company unless an order is given by the controller of postal stores, who has been in the service forty-three years, and I will not myself authorize any purchase unless recommended by him.

When I gave you such answer, I had in mind the parcel post system, which will no doubt call for a considerable number of bags of large size, each of which must be fitted with one of these locks. The increase in the quantity of locks required will thus be abnormal and it is not only probable but certain that a very large quantity will be required during the next four years for this purpose alone.

(Sgd.) Hector B. Verret,
Assistant Deputy Postmaster General.

In this article in the Free Press, which has been prepared by a skilful hand, it is mentioned as being very strange that during the six years when the hon. member for Rouville and the hon. member for Beauce (Mr. Beland) were at the head of the depart-

ment, there was only a small number of locks purchased, while, during the first six months that I was there no less than 9,000 locks were purchased. Neither the minister, nor the deputy minister, nor the assistant deputy minister, as Mr. Verret puts it here, has anything to say about the orders, which Mr. Sidney Smith gives to the contractor, when he as head of the branch foresees that new locks are required. He is the man who makes the requisition and it does not even come before the minister. My hon. friend from Rouville knows that.

Mr. LEMIEUX: As I told you yesterday.

Mr. PELLETIER: I do not know. I did not see the hand that penned this article; but we are told in it that the Postmaster General was very profuse in his orders for these locks which amounted to 9,000 during six months of his administration of the department. I hope my hon. friend from Rouville will tell the gentleman who wrote this that he has been very unfair.

Mr. LEMIEUX: I am always fair.

Mr. PELLETIER Of course I can guess who writes these fine things in the papers. There is another important part of this article to which I am now going to refer. I think I have established now to the satisfaction of the committee that we have not made an improvident contract. We had to secure a new lock to replace the former lock, which was—I do not know whether this is good English, but it expresses my meaning—a rotten lock, which could not continue to be used by any self-respecting department, and with the use of which we could not guarantee the safety of the mails. In face of that fact, was it not the bounden duty of the department to secure a proper lock for the mails?

Mr. McKENZIE: Last fall I had to do with the defence of a mail carrier in a strenuously fought criminal case lasting four days in which leading officials of my hon. friend's department were concerned, and I never heard it intimated in the slightest degree that there was anything the matter with the lock although the main question at issue was whether the mail bag was opened or not. It is surprising to me to hear now that these locks were so rotten.

Mr. BELAND: Of course, the old lock was all right.

Mr. PELLETIER: That is a very important contribution to the debate. I may say, Mr. Chairman, I would have preferred, were it not for the savage attacks not to have to state from my place in the House the circumstances in regard to the faulty condition of these locks. I am driven to it, because, after all I must defend the administration of the department. Now there is a very important point here, which I shall refer to without using big words. I shall just place the facts before the House. When this matter was first mentioned in the newspapers, the only fault to be found was the enormous price that was to be paid for those locks. Some papers said that these locks must be nickel; one newspaper went even so far as to say they must be silver or gold, and that it was the most outrageous scandal that had ever been perpetrated by any government. This paper is one that has supported real scandals for the last fifteen years.

I desire to quote what I find in the Free Press, and what some people think has been written by the hon. member for Rouville (Mr. Lemieux). This House will understand the reason why in a few minutes.

Mr. LEMIEUX: I am not in Toronto and Quebec at the same time. I cannot write all these articles.

Mr. PELLETIER: I do not accuse my hon. friend. I advise him not to expose himself to the proverb: 'If the cap fits, wear it.' The Free Press says:

Hon. Mr. Pelletier's statement in the House yesterday that his predecessor had fixed the price at which such locks were to be purchased, and consequently 'this big scandal has disappeared,' was definitely denied by Hon. Mr. Lemieux, who spoke immediately on a question of privilege.

This is the only truth in the article. It is true that the hon. member for Rouville denied yesterday that he himself had fixed the price of these locks. It is also true that he denied it twice yesterday. Now just listen to this. We are going to see who tells the truth:

Ottawa, 15th October, 1907.

Memoranda for Mr. Laschinger,
Assistant Deputy Postmaster General.

Complying with your instructions relative to the application of Mr. E. G. Shepherd, contractor for mail locks, mail keys and metal label cases for the under-noted increase in prices, that is:

	Present Price.	Increase.	Asked.
Mail locks..	·70	·10	·80
Mail keys..	·10	·10	·20
Label cases	.17	.08	.25

On the ground of the increased cost of material, wages and running expenses, I would say, that on going into the matter with Mr. Shepherd it is found that the invoices from the firms from whom he has, from time to time, purchased the goods and the correspondence which has passed between Mr. Shepherd and the different firms, established the fact that Mr. Shepherd is now paying the following increase in prices, compared with the prices paid by him for the same goods in 1897, when the manufacture for the department of the articles in question was taken over by him from the previous contractor, Mr. George Low, Ottawa:

Brass castings for locks.. .. .. 90%
Steel castings for locks and label cases.. .. .. 100%

Also that his expenses for some other items have in the same period increased as follows:

Wages.. .. .. 75%
Running expenses.. .. .. 50%

In view of which I have no hesitation in expressing the opinion that the prevailing prices paid to Mr. Shepherd by the department, and established so long as ten years ago do not give him a fair margin of profit, and that it would tend to the production of better work and a superior article, and be of advantage to the department, were the increase asked for by Mr. Shepherd granted, and I beg to recommend accordingly.

(Sgd.) Sidney Smith,
Controller of Postal Stores.

Mr. LEMIEUX: Hear, hear.

Mr. PELLETIER: Let my hon. friend wait before he says, 'hear, hear.' This is the signature of Mr. Sidney Smith; but on the memorandum, the man who denied it yesterday, has put his initials. Here they are.

Mr. LEMIEUX: Will you send the memorandum over to me? There is a great difference. How many were bought in that year?

Mr. PELLETIER: Just answer on that point; you will not escape.

Mr. LEMIEUX: I do not want to escape.

Mr. PELLETIER: Are these initials those of my hon. friend?

Mr. LEMIEUX: They are my initials placed there on the recommendation of Mr. Smith. The man who fixed the price is the head of the branch, Mr. Sidney Smith. My friend said that I fixed the price. Mr. Smith fixed the price, and for five or six thousand locks, not for 350,000.

Mr. PELLETIER: My hon. friend, representing a constituency in this House, has said twice that he has not fixed the price.

Mr. LEMIEUX: I would swear to it.

Mr. PELLETIER: The newspapers of this country are repeating that he has denied that he fixed the price, and that consequently I did not tell the truth. I may be very obtuse; but my understanding of the administration of the department is that the superintendent of a branch makes a report and the head of the department, if he approves that report, with his initials decides the question himself. If my hon. friend is right in washing his hands, like Pontius Pilate of old, and in saying that those initials were there, that the angels put them there, but if they did so, he recognized them as his own, will the hon. member for Rouville, with the immense desire which he has to find scandals, with the experience which he has as a member of this House, ask us to believe that, after he, the head of the department, has approved of that report, it is the decision of his superintendent or his own? He has accepted the recommendation of Mr. Smith.

Mr. LEMIEUX: Certainly.

Mr. PELLETIER: I have accepted the recommendation of Mr. Smith; but I have assumed the responsibility for it, and I am not going to be so unmanly as to tell this House that I am going to throw the responsibility on even as good a man as Mr. Sidney Smith. I am the responsible head of that department. My officers have advised me. I have taken that advice; I am responsible for it, and I take the responsibility of it. I do not want any of my officers, even the gentleman who says that he was mistaken in giving me on the spur of the moment information which he to-day finds incorrect, to assume the responsibility. I expressed the fact which was given to me by the deputy minister, as is always done in committee. I stated, in my answer yesterday to the House, how the facts stood. My hon. friend from Rouville has not accepted that statement. I was bound to tell the facts as I have found them now. There they are. Since 1907, when this price was fixed at one dollar, wages have increased and the price of castings is higher. Notwithstanding these facts, I have succeeded in closing a deal with a reputable and financially strong contractor for the same price that my hon. friend paid in 1907. I think I have made a good bargain. I want it to be made clear to this House that we are not going to take one of these locks which is not actually wanted, according to the opinion of Mr. Smith.

Mr. LEMIEUX: Hear, hear.

Mr. PELLETIER: Well what of it? It was suggested by the hon. member for Carleton, New Brunswick (Mr. Carvell) yesterday that we were going to buy a great number of these things. I think that is bad policy.

Mr. LEMIEUX: What things?

Mr. PELLETIER: To purchase them in advance and store them away.

Mr. LEMIEUX: Yes, a bad thing.

Mr. PELLETIER: But the hon. gentleman, (Mr. Lemieux) himself went over to the United States and purchased without tender, and without having asked anybody in this country 100,000 boxes for rural mail delivery, about half of which are stored over this country now, because we do not know where to put them. And this is the

same gentleman who says now that we should have invited tenders for these locks. These 100,000 boxes cost $3 a piece. That makes, if I mistake not, $300,000—a purchase in advance for that amount for which there was no need at all.

Mr. LEMIEUX: Are you quite sure?

Mr. PELLETIER: Of course, I am quite sure. And I can tell him that about 45,000 of these boxes are not yet in use, and the general superintendent of the inspectors has been trying to find places all over the country to store these boxes. If the rural policy as adopted by my hon. friend had been followed it would have taken twenty or thirty years to use all these boxes. And these are the gentlemen who find fault with an action of mine which is clearly in the public interest. There was absolute need of new locks. The old lock could be opened without a key. I have secured a contract with a reliable firm to supply whatever locks are wanted; I am not going to store them away by the forty or fifty thousand. Under these circumstances the Free Press may continue to say what it pleases, but I hold that I have done a good act of administration.

Mr. LEMIEUX: I must congratulate the right hon. the leader of the Government, first upon being present to-night so as to know both sides of this question: and also and above all, I must congratulate him on having forced his Postmaster General to come to terms about these locks which he admitted having purchased by the three hundred and fifty thousand. I desire to explain this case to the right hon. the leader of the House, for I am sure that the Postmaster General is so enraged that he will not appreciate what I am saying to-night. Last week I received accidentally from Quebec a letter informing me that a poor mail conductor by the name of Lorenzo Grenier was the inventor of a new lock for use on the mail bags. And by the same letter I was informed that the poor fellow, who for years and years had striven to sell his patent to the Post Office Department had at last succeeded, but unfortunately for him he had to sell his invention for a song. Two other gentlemen, political friends of the Postmaster General, Dr. Faucher and Aimé Dion, and another a M. Baillargeon, I am also informed, a nephew of the Postmaster General had bought the patent for a song and had sold it back to the Ontario Equipment Company of Ottawa for a huge sum of money. And the Ontario Equipment Company, it would appear, had taken over the patent rights and had succeeded in demonstrating to the Postmaster General that the old lock was, to use his description, a 'rotten lock.' Now, I must say to the right hon. the Prime Minister, of course I did not believe one word of that letter. It was not under oath. It is true, the gentleman who wrote it is a respectable citizen, a citizen of Quebec who knows intimately the Postmaster General. But I did not believe one word of that letter, so I put it aside. But strange to say, on the very day the estimates of the Postmaster General were called, incidentally I put a question to the Postmaster General, and if I was wrong, my hon. friend must admit that he was the one who put me on the wrong track.

Mr. PELLETIER: Will my hon. friend--

Mr. LEMIEUX: I wish to make a connected statement.

Mr. PELLETIER: The hon. gentleman has asked for papers——

Mr. LEMIEUX: I will make a connected statement. This must go to the people connected from beginning to end.

Mr. PELLETIER: I would like to see the letter.

Mr. LEMIEUX (Reading):

Mr. Lemieux: How many new locks have been bought for the mail bags?
Mr. Pelletier: 350,000.
Mr. Lemieux: From whom?
Mr. Pelletier: A firm in Ottawa of which Mr. Carling is the manager; they were the lowest tenderers.
Mr. Lemieux: What is the price?
Mr. Pelletier: One dollar per lock.
Mr. Lemieux : Is it a great improvement?
Mr. Pelletier: Oh, yes, first-class.

So, he knew the lock perfectly well; he was perfectly sure about it all—three hundred and fifty thousand; first-class; one dollar per lock; lowest tenderer. So, I said to myself: The hon. gentleman has called for tenders, he has kept his virtue and he is all right. But I was rather surprised at the number of locks. For, as the Free Press said, I happened to be Postmaster General for six years. Sir Allan Aylesworth was Postmaster General before me; Sir William Mulock was Postmaster General for a number of years. And I may tell the right hon. the leader of the House that since Confederation not 150,000 locks have been purchased for the Post Office Department. But suddenly there is this influx of 350,000 locks at one dollar per lock. 'First-class'—'lowest tenderer,' says the Postmaster General. I accepted the word of my hon. friend. I know the officials of the Post Office Department; I am acquainted with Mr. Smith, who is a perfectly honourable gentleman; I know Mr. Coulter and no more honourable gentleman exists in the Civil Service. I know Mr. Verret, who was my private secretary when I was in the Post Office Department, and whom I promoted to the position

of Assistant Deputy Postmaster General But if I were the head of the department to-day I would not come here and read solemn declarations or letters from my officials; I would accept the responsibility for this $350,000—which, by the way, is just about the price of a small cruiser. The hon. member for Carleton, N.B. (Mr. Carvell) who is very inquisitive, then put a question on the Order Paper, which the hon. gentleman will find in yesterday's 'Hansard,' as follows:

1. Has the Post Office Department recently purchased new locks for mail bags?
2. If so, how many, at what price, from whom, and when?
3. Who is the inventor of said lock?
4. Is there any royalty paid to the inventor? If so, what is the amount of the royalty so paid?
5. Were any tenders invited? If so, in what papers were such tenders advertised, and at what date in each case?

But my hon. friend did not answer the questions without trying to put my name to the front as having fixed the price of the locks at $1 each. I have said, and I repeat it to-night, that I never personally fixed the price of these locks, but the regular officer of the department, Mr. Sidney Smith, recommended——

Some hon. MEMBERS: Oh, oh.

Mr. LEMIEUX: Surely hon. gentlemen do not wish to cheer the boodlers? I say this is one of the worst boodling cases that has ever come before this Parliament.

Mr. PELLETIER: I rise to a point of order. The hon. gentleman, without adducing any proof, has made use of the word 'boodler.'

Mr. LEMIEUX: Yes, and I maintain it too.

Mr. PELLETIER: I say the hon. member is not in order.

Mr. LEMIEUX: I will ask for a committee of investigation from the Prime Minister.

The CHAIRMAN: I think perhaps the hon. gentleman should not use the word.

Mr. LEMIEUX: I say it is a boodling case; I maintain the expression, and I will prove it. I did not say the Postmaster General is a boodler; I said this is a boodling case. Following the example of my predecessors I was able when Postmaster General to run the affairs of the department with an average of 9,000 locks a year, and yet we are suddenly face to face with a proposition for the supplying of 350,000 locks. I say it is a scandal, a robbery and a boodle, and before I conclude I will ask the right hon. the leader of this House to appoint a committee for the investigation of this matter. It will be established that the politicians and the friends of the Postmaster General who have engineered this graft are receiving a large amount of money out of the profits which the Ontario Equipment Company does not earn. Now, let us stick to the facts——

Some hon. MEMBERS: Hear, hear.

Mr. LEMIEUX: I hear the hon. member for Dorchester (Mr. Sevigny); his name has been mentioned in connection with this matter. He has been acting, I am told, for the parties who are preying on the Post Office Department. I hope he does not condone the action of the grafters and boodlers.

Mr. SEVIGNY: I absolutely deny that. I have nothing and never had anything to do with the matter, either directly or indirectly. The hon. member for Rouville still proceeds against me by way of insinuation, but I will have an insinuation to make against him very soon.

Mr. LEMIEUX: As I have said, my hon. friend, in reply to the question of the hon. member for Carleton, N.B., thought it would perhaps be useful to put my name down as the one who had fixed the price of these locks in the department. I repeat again that I never did so; Mr. Sidney Smith, the authority in the postal stores branch, is the one who fixed the price. He said:

In view of which I have no hesitation in expressing the opinion that the prevailing prices paid to Mr. Shepherd by the department, and established so long as ten years ago, do not give him a fair margin of profit, and that it would tend to the production of better work and a superior article, and be to the advantage of the department, were the increase asked for by Mr. Shepherd granted, and I beg to recommend accordingly.

I initialled this recommendation, establishing the price recommended by Mr. Sidney Smith. This, of course, was in respect of only a few hundred locks—not for the 350,000 as in the present case. In order to let my hon. friends on the other side know what quantity we purchased during the several years I was in charge of the department, I may say that in 1907 the department purchased 6,000 locks and 2,000 keys; in 1908, 6,000 locks and 6,000 keys; in 1909, 12,000 locks and 6,000 keys; in 1910, 6,000 locks and 6,000 keys; in 1911, 9,000 locks and 5,000 keys. During my term of office of six months in the year 1911, I had ordered 4,500 locks from Mr. Shepherd but suddenly and without any contract to justify him, and as soon as my hon. friend takes hold of the department, there is a request from the Ontario Equipment Company for 11,162 patent steel clamp locks for one year. For the one year I was satisfied with $4,000 and for the year previous with $5,000. There is suddenly an emer-

gency and $20,000 worth of locks and keys are purchased. There was no contract, but the Postmaster General thought there was an emergency, it was necessary; the locks were very bad, rotten I think was the word used; yes suddenly it became urgent to improve the security of the letters in the mail bags. My hon. friend says that the old locks could be opened with a knife. Any burglar can visit my house at night or the residence of my right hon. friend and break into it, is it necessary because a burglar comes into my house, and breaks my locks that I should ask the mayor of Ottawa to force the eighty thousand or ninety thousand citizens of Ottawa to get new locks from the Ontario Equipment Company? It is simply preposterous, ridiculous, so ridiculous that my hon. friend is obliged to change the terms of his contract. He had purchased this $350,000 worth but was put to shame by the right hon. gentleman who leads the Government and his colleagues.

The CHAIRMAN: Order.

Mr. LEMIEUX: And to-night he promises he will take more time, he has four years in which to buy the locks.

The CHAIRMAN: I regret to interrupt the hon. member, but he is going too far in his expressions.

Mr. LEMIEUX: Is it not interesting?

The CHAIRMAN: I do not want to interrupt you.

Mr. LEMIEUX: Very well, my hon. friend says that the old lock was in a miserable state. Can he tell the House how many mail robberies have taken place during the past year? How many sacks or mail bags were opened in the mail cars? I have not the statistics before me but I daresay that you could count them on your ten fingers. For that reason the hon. gentleman changed the old system of locks which had existed since Confederation. The idea is simply preposterous and justifies an old friend of mine in Quebec in stating that there is a good plum pie in this whole transaction and that political friends and hirelings are sharing in the profits. Am I to understand from the hon. gentleman that he is reducing the quantity to 20,000 a year? Is he going to stick to the 350,000 or has he reduced the number of locks to 20,000. If that is so, of course it is not so bad as the 350,000.

My hon. friend says: I found the old locks in such a miserable state on my return from Europe that I decided to change my policy. But how is it that immediately on taking office and assuming charge of the department, when he had had no time to go to Europe, when all the locks had been purchased by the late Government, he thought proper to buy over 11,000 new locks?

There is something very strange and mysterious indeed in this. My hon. friend glories in stating that the former Postmaster General used to pay one dollar per lock. True, I paid a dollar per lock as recommended by Mr. Sidney Smith but there is quite a difference between paying one dollar per lock for a few hundred or a few thousand in a year, not over nine thousand, and paying one dollar per lock when you make a huge purchase amounting to three hundred and fifty thousand. That is where the scandal comes in. Did my friend make a comparison between the various locks before accepting that patent? Has he called for tenders? He might have called for tenders and he might have selected from amongst the many locks the best one, under the direction of an expert. He did not do that, but the Ontario Equipment Company came to him and said that his friend Dr. Faucher and Mr. Dion were interested in a lock and immediately my hon. friend saw the light and took it. He was put to shame by his colleagues yesterday, and to-day he announced to the country that he will not take the 350,000, yet if he is cheered a little more by his friends on the other side he might perhaps change his mind and think the matter over. Then to-morrow he might say: As I am applauded and cheered by my friends I will stick to the first bargain and will purchase the 350,000 locks. My hon. friend began yesterday by stating that I had fixed the price at one dollar without telling the country that I took an average of eight thousand or nine thousand a year. To-day he comes on with another story and with a dramatic pose he says: I must pause for one moment—this infamous member for Rouville, did he not himself purchase from the United States how many thousand? One hundred thousand rural mail delivery boxes and they are all stored in different places in the country. My hon. friend says every now and then to the House that he is opening rural mail deliveries all over the country, therefore he must use the boxes which I purchased. The orders for rural mail delivery boxes were given on two different occasions, a small order was given when I inaugurated the rural mail deli--ry system. I went to Washington with Dr. Coulter the deputy minister and, we accepted for Canada the standard rural mail delivery boxes of the United States of America. But I was armed with an Order in Council. My colleagues were made aware of what I was doing and I was buying just a small quantity. Then, later on the firm which was manufacturing that box came to Canada and as the rural mail delivery was increasing by leaps and bounds in Ontario, it offered to sell to the department another lot. I said: Yes, provided you manufacture your boxes in the city of Toronto and you will be paid as your boxes are required by the service;

you will manufacture as many as you wish; for my part I am ready to distribute fifty thousand boxes in a certain number of years but you will be paid only as they are needed. What did my hon. friend do? How was he lured? Last year he paid that company the whole amount, which he was not obliged to pay until the boxes had been delivered. I see here by the report of the Auditor General, a very interesting book which it is well to study closely, that the International Mail Equipment Company of Toronto received $150,000. The hon. gentleman was not obliged to pay that in a lump sum; he could have distributed it over the several years that the boxes were needed on the rural mail delivery routes. That is my course as compared with his in reference to the locks and keys which he so providently purchased some time last fall after the recommendations he obtained from his political friends in Quebec. I say to the Prime Minister that this lock is the invention of a poor mail conductor and if anyone should make a profit, it is poor Alonzo Grenier of Quebec. He was forced to sell his invention to three or four political hirelings, who banded together with the Ontario Equipment Company. They took out the patent. They sold to the Government at $1 per lock without any expert passing upon it and they shared huge profits. That is the information I have, and surely the leader of the Government knows enough now to grant an investigation in order to sift this matter to the bottom. Does it not appear strange that the hon. Postmaster General who generally does not lose his wits in the House, answered of his own volition on the 19th of March, that he had purchased 350,000 locks, and to-night he comes before the House and says: Oh no, I am not obliged to take 350,000. I will take them as they are needed. He says the old lock is bad; why then does he not replace it by the new one? It is clear that we are this evening in the presence of a huge graft, of a mammoth boodle. I do not accuse my hon. friend—his good faith was intruded on; his hirelings have put him on the wrong track, and the right hon. leader of the Government in whose honesty I have confidence has set him on the right track in telling him not to give that contract. People are murmuring everywhere in the country that this is graft and that is why the hon. gentleman has made a retreat here this evening. Go and sin no more; these are my last words.

Mr. PELLETIER: In the first place I would like the hon. member for Rouville to send back the official documents which I have lent him.

Mr. LEMIEUX: I beg my hon. friend's pardon; I did not want to keep them.

Mr. PELLETIER: I am the guardian of these documents.

Mr. LEMIEUX: I would like to be your guardian angel.

Mr. PELLETIER: And I must keep them in the archives; it is safer.

Mr. LEMIEUX: Put them under lock and key.

Mr. PELLETIER: The House has been treated to-night by the hon. member for Rouville to this display of Quebec politics.

Mr. LEMIEUX: These are Canadian politics.

Mr. PELLETIER: I shall not lose my temper as the hon. member for Rouville has, and I am not going to travel as far afield as he has done, in this discussion. In the second place, I would like the hon. member for Rouville to return the courtesy I extended to him when I sent the documents over to him at his request, and I now ask him that the letter to which he has referred be sent over to me.

Mr. LEMIEUX: If the right hon. gentleman will give us an investigation, the letter will be produced.

Some hon. MEMBERS: Oh.

Mr. LEMIEUX: And not only the letter but the man who signed the letter will be here.

Mr. PELLETIER: When the hon. member for Rouville asked me to send him the documents. I sent them over to him at once.

Mr. LEMIEUX: Official documents.

Mr. PELLETIER: Now, he has made an accusation or rather an insinuation and he has referred to the contents of the letter he says he has received. I say he is bound by courtesy and the rules of the House to put that letter before us. The hon. member for Rouville is requested by me for the second time to be manly enough to put before the House the letter which he has seen fit to use.

Mr. LEMIEUX: I will put it before the investigation committee; not only the letter but the gentleman who signed it.

Mr. PELLETIER: We have now the fact that the gentleman who has been a member of this House for a number of years and a member of the Government of this country, has chosen to rise in his seat and speak of things as facts whereof he knows nothing himself, and when he is called upon to produce the letter which he has quoted as evidence, he keeps it, if he has it, deep in his pocket. The

hon. member for Rouville has accustomed us in this House to his tactics. We are told that a poor man by the name of Grenier has been cheated out of his patent; I know nothing about it and I would be very sorry if that is true. We are told by the hon. member for Rouville that several gentlemen whose names I have noted have cheated Mr. Grenier—Dr. Faucher, Mr. Dionne, and, the hon. member for Rouville wanted specially in order to throw aspersions on the character of his political adversary, to use the name of Mr. Baillargeon who is one of my nephews and my adopted son. I tell the hon. member for Rouville that the name of my nephew is not in that letter. Show it now. The hon. member for Rouville refuses to answer.

An hon. MEMBER: Coward.

Mr. PELLETIER: Outside of this House the man who would do that would be branded as a coward, but in this House we are guided by parliamentary rules, and we have to refer to people in parliamentary language. What will this Parliament and this country think of a man who has thought fit to bring in here the name of one of my close relatives, and who when told that the name of that gentleman was not in the letter and challenged to show it, keeps his seat and bears his shame in silence? I defy the hon. member for Rouville to rise in his seat and accuse Mr. Baillargeon of having done that.

Some hon. MEMBERS: Get up now.

Mr. PELLETIER: It is his custom to rise in his seat in this House and turn to his political friends who are also friends of mine personally, but when it comes to politics they do not like me because they have received hard blows from me and they have given hard blows in return, and when the hon. member for Rouville to-night makes insinuations, unsupported by evidence, his friends behind him applaud him, but he, if he did the same thing outside this House he would be accused of playing the part of a calumniator. Then, to support their political friends, hon. gentlemen on the other side pounded their desks. I ask them when they go back to their counties to tell their friends that this man who, by making appeals, as he has done to race and religion, aspires to be the leader of his party, has played to-night the shameful part that he has played before the committee and the House. The hon. member has insinuated that I have been called down by my leader. I do not live by politics. I never made my fortune in politics, as some men whom I know have done, and if the time ever comes for me to be called down by my leader, and I should not be able to walk proudly before my colleagues and my friends in this House, the Prime Minister will not be under any need of coming over and speaking to me upon that disgraceful day because I will go out without being told by anybody. But, I shall not go out because the hon. member for Rouville says so; I shall not go out because he chooses to stand up here and make unsupported charges. What would the hon. member for Rouville think of one of my friends on this side who would throw insinuations across the floor of the House, refuse to give the proof and then sit down and be happy for having cast aspersions upon a political adversary? Is that manly?

Mr. LEMIEUX: Give me an investigation.

Mr. PELLETIER: An investigation and yet we do not know the name of a man who has thought fit to make a charge.

Mr. LEMIEUX: Give us an investigation under oath.

Mr. PELLETIER: Let my hon. friend take the responsibility of making a charge. He will not do it.

Mr. LEMIEUX: Give us an investigation.

Mr. PELLETIER: He will insinuate. He has tried to blacken the reputation of men who are amongst the most highly honoured in Montreal and Quebec. He has tried to make Mr. Ducharme, one of the most honourable men in this country, pass for a bad man. He was told to repeat what he had said outside of the House and he would be dealt with properly. He did not do it. To-night, Sir, I say to the hon. member for Rouville: You are behind the lines of Torres Vedras, you are behind your privileges as a member of this House, but come out in the open to-morrow like a man, repeat it in the newspapers what you have said to-night, and we will make you prove it.

Mr. LEMIEUX: Surely, you will give us an investigation?

Mr. PELLETIER: The hon. member for Rouville will insinuate but he will not give proof; he will cast aspersions upon men of unblemished character and try to reduce their reputations to the same level as those which some persons have had during the last fifteen years as politicians and as men. But, he will not succeed. Let him cast aspersions and make insinuations; the country will judge and the country will know what to think of a man who will dare to take the position which the hon. member for Rouville has taken to-night.

Mr. LEMIEUX: Surely the right hon. the leader of the Government——

Some hon. MEMBERS: Sit down.

Some hon. MEMBERS: Order, order.

Mr. PELLETIER: Give him a chance. He is going to read the letter.

Mr. LEMIEUX: Surely the right hon. the leader of the House will not allow this episode to pass without stating whether, in his judgment, he does or does not think an investigation is necessary.

Mr. BORDEN: Mr. Chairman, when the hon. gentleman makes in this House any charges of a definite character, he will find that he will get all the investigation that he wants. What is the situation as far as this is concerned? The situation is that a contract has been laid upon the table of the House and read by my hon. friend the Postmaster General (Mr. Pelletier) which does not render the Government liable for one dollar unless Mr. Sidney Smith, the superintendent of postal stores, shall give his order for the locks referred to. The contract does not render this Government liable for one single dollar, and not one dollar can be paid out of the public treasury for locks, unless this officer, to whom my hon. friend himself has borne testimony as being a faithful and reliable officer——

Mr. LEMIEUX: Hear, hear.

Mr. BORDEN:——shall give his order that the locks shall be purchased. Only in that case can the locks be purchased. Then, as far as the quantity is concerned; no lock can be purchased unless it is required for the public use, and unless the proper officer in the department certifies that it is so required and issues his order for it. Is there any dispute about that?

Mr. LEMIEUX: Yes; my hon. friend the Postmaster General stated last week that they were purchased.

Mr. BORDEN: I am not going by what was stated last week or this week; I am going by the terms of the contract which will govern the action of the department. In so far as price is concerned, does or does not my hon. friend say that the price is too high?

Mr. LEMIEUX: It is the one fixed by the controller.

Mr. BORDEN: Does my hon. friend say that the price is too high or does he not?

Mr. LEMIEUX: I say that I accepted the judgment of Mr. Sidney Smith for a limited quantity at $1. When I was Prime Minister——

Some hon. MEMBERS: Oh, oh.

Mr. LEMIEUX: When I was Postmaster General——

Some hon. MEMBERS: Order, order.

Mr. PELLETIER:

Mr. LEMIEUX:——I accepted the recommendation of Mr. Sidney Smith at the fixed price of $1 for a limited quantity of from 5,000 to 9,000 a year. That was the average quantity. But if Mr. Smith had come to me and recommended that we should pay one dollar apiece for 150,000, I would have said: Wait—pause.

Mr. BORDEN: My hon. friend has not given a very definite answer. I ask him whether he alleges that the price is too large or not or whether he regards it as a reasonable price.

Mr. LEMIEUX: At what date was this order given?

Mr. BORDEN: That price was fixed in 1907.

Mr. LEMIEUX: I accepted that price, but it was for a small quantity.

Mr. BORDEN: It is not a question of quantity at all.

Mr. LEMIEUX: You can see the quantity purchased every year by the reports of the department.

Mr. BORDEN: I am not as familiar as my hon. friend is with the operations of the Post Office Department.

Mr. LEMIEUX: Nine thousand was the largest quantity.

Mr. BORDEN: At all events the present contract is to be in existence for about four years and during that period of four years no locks are to be bought for the department unless they are ordered by the proper officers. During that period, no locks are to be paid for by the Government unless they are ordered. If they are ordered. they are to be paid for at the price of $1 per lock, that is to say, eighty cents for the lock and twenty cents for the key, as was fixed on the 15th day of October 1907. My hon. friend the member for Rouville says that he is not responsible for this price. I would think on all principles of ministerial responsibility, that he and no one else is responsible for it. The report is dated the 15th day of October, 1907, and is signed by Mr. Sidney Smith, Controller of Postal Stores. The price fixed by that report would not control the situation until the then Postmaster General had placed upon the report his imprimateur, and the imprimateur of my hon. friend the member for Rouville was and is placed upon it. Therefore the situation seems to me to be exactly this: that a certain report was made, which would have no effect so far as the Government of Canada is concerned in fixing the price, until it had received the sanction of my hon. friend as Postmaster General. It did receive that sanction; then it came into effect and governed the price for the future. That was six years ago. The price was raised somewhat at that time by reason of the ad-

vance in the cost of material and labour. I would not think that any hon. gentleman, knowing the probable increase in price in both material and labour between 1907 and the present time, would for one moment suggest that the price, which my hon. friend from Rouville thought to be a reasonable price in 1907, is an unreasonable price to-day.

Mr. LEMIEUX: Would the right hon. the leader of the Government fix, as I have fixed under the recomendation of Mr. Smith, the same price for a quantity of say 10,000 as for a quantity of 350,000?

Mr. BORDEN: So far as that is concerned, I can only say that the report upon which my hon. friend fixed his imprimateur is absolutely general as to quantity. It does not define the quantity at all.

Mr. LEMIEUX: If my hon. friend will refer to the Auditor General's Report for the last six years, he will see that the average quantity used was between eight and nine thousand a year, and that since Confederation not 200,000, not 150,000 locks have been purchased.

Mr. BORDEN: My hon. friend appears to be under the impression that a very great number is likely to be provided within the next few years. The report of the officer of the department would indicate that a very considerable number may be required. My hon. friend suggests that on that account the price, which was fixed by him in 1907, is not a fair price for so large a quantity?

Mr. LEMIEUX: Yes.

Mr. BORDEN: As against that, I invite his attention to the fact that in all probability, so far as I understand, the cost of both labour and material has advanced very considerably since the date on which he fixed this price; and that, even for a larger quantity than that which he says was usual from year to year under his administration, it after all would not be an unreasonable price at the present time. That is the way in which I would be inclined to view the price, so far as I appreciate it now; but I am ready to learn about the question of price or anything else in connection with this contract; so is my hon. friend the Postmaster General. If the hon. member for Rouville, or any other member opposite has anything to put forward by way of charges in respect of this contract, let them bring them on. That is all I have to say about the situation. I think I have spoken with sufficient plainness to my hon. friend and to every other hon. member opposite. The situation is that we are following a price which was settled by my hon. friend himself on the 15th day of October, 1907, notwithstanding his disclaimer. So far as the quantity is concerned, not one dollar can be paid out of the treasury of Canada under that contract until an order is given by the proper officers of the department of the Postmaster General. Under these circumstances, it would seem to me that the public interest has been well safeguarded by the terms of this contract. If any hon. gentleman on the other side of the House has a contrary opinion, all I have to say is that we shall be prepared to give to any charges relative to the public interest in respect of this the fullest possible explanation that is desired.

Progress reported.

SUPPLY—CONCURRENCE.

House proceeded to consider resolution reported from Committee of Supply.

Mr. PUGSLEY: It was understood that before the resolutions were concurred in, my hon. friend the Minister of Railways and Canals would give certain information with regard to the operation of certain parts of the Transcontinental which are finished and that he would state the authority under which the commissioner, Mr. Lecnard, had undertaken the operation and also as to the vote out of which the loss on operation is being paid. I think my right hon. friend the Prime Minister so understood it.

Mr. BORDEN: I was not here last night when the discussion took place.

Mr. PELLETIER: I presume he has gone out to get the information.

Mr. WHITE: I understood the Minister of Railways has the information.

Mr. COCHRANE: I may say that I was absolutely wrong last night when I said that the Commission had a right to operate and charge to the construction account. As far as charging to the construction account is concerned, I was in error; according to the Deputy Minister of Justice, they have the right to operate. I have here a memorandum from the Commission which I desire to place on 'Hansard,' and which is as follows:

Memorandum re the operation of that part of the eastern division of National Transcontinental Railway from Edmonton to Moncton by the Transcontinental Railway Commission.

In the early summer of 1912 the question arose of operating with a limited train service that portion of the road from Edmundston to Moncton.

In looking up the papers in connection therewith it was found that during the regime of the former commissioners the Grand Trunk Pacific had offered to operate the road on condition that the Government would deposit in a bank the sum of $50,000 against which all cost would be charged, and to which all re-

ceipts would be credited, the Government to make up the deficit, if any, from time to time.

The present Commission after consideration decided to operate the road themselves, the Justice Department having advised they had that power, but that they could not charge any expenditure made on account of such operation or the deficit resulting therefrom to the cost of construction.

The commissioners have never charged the expenditure on account of operation, but have kept two entirely separate accounts under the headings of construction and operation, but the monies voted by Parliament for the purpose of construction were used for both construction and operation.

In an interview between the Deputy Minister of Justice and the departmental Auditor of the Railway Department, the Deputy Minister advises that we should ask Parliament for a separate vote for operation and the Transcontinental commissioners are this day asking that this be done.

Pending an appropriation by Parliament for the year 1913-14, no accounts will be paid on account of operation and if an amount is appropriated by Parliament for the year 1912-13 for operating expenses, the capital construction vote will be recouped the amount expended on operation in that year.

It might be noted on the western division of the Transcontinental, which is being constructed by the Grand Trunk Pacific Company, that certain sections are being operated and that the cost of operation has been charged to construction and that the receipts have been credited to construction. This practice has obtained for some four or five years.

This is where I was led astray in my statement yesterday.

The question as to whether the Government had the legal right to allow these charges under the mortgage is being submitted to the Justice Department for opinion.

Mr. MACLEAN (Halifax): In reference to the Halifax terminal matters we were discussing last night, might I have the assurance from the hon. Minister of Railways that until the plans and reports of the Engineer's Department are made, no tenders will be asked for the construction of the railroad or the piers or anything else in connection with the project?

Mr. COCHRANE: Until the plans are made?

Mr. MACLEAN: Yes.

Mr. COCHRANE: My hon. friend may have that assurance.

Mr. PUGSLEY: In reading 'Hansard' to-day I notice that my hon. friend the Minister of Railways is reported as stating that he would at once take up with the Grand Trund Pacific Railway Company the matter of getting them to operate; my hon. friend is correctly reported in that?

Mr. COCHRANE: Yes.

Mr. PUGSLEY: In view of the fact that my hon. friend now agrees that the cost of operation cannot be charged up to construction, it would seem desirable, if possible, that the Grand Trunk Pacific should operate themselves.

Mr. GRAHAM: I wish to again urge on the Minister of Railways the suggestion which I made last night that before he decides finally to proceed with this work on the Halifax terminals it would be wise for him to submit these plans to the best expert he can get on terminals anywhere in the world. The Postmaster General suggested that these rural mail boxes were lagging superfluous on the stage. I would suggest that he could use a number in the vicinity of Mount St. Patrick, in South Renfrew, where there has been a requisition for a year and all the requirements of the department complied with but for some reason my last information is that that route has not been started. He could get rid of some of the surplus boxes in that way and serve a number of people who have applied for them.

Mr. PELLETIER: I think members on the other side of the House will be able to say that the policy I have adopted in reference to the rural mail is that all counties have been treated on the same footing. Members opposite have their share and if the hon. member for South Renfrew has a grievance in this matter, if he will put it before us it will receive all the consideration to which it is entitled. I am very happy to say that, because we have had a very good example to-night of the tactics of the hon. member when he leads the Opposition in the absence of the leader of the Opposition, that when a man does something which he ought not to do he stands alone and his chief does not support him.

Mr. GRAHAM: Mount St. Patrick is the locality and I think he will find the petition pretty well signed. I happened not to be leading the Opposition during a certain episode. The leader of the Opposition was sitting at the end of the row all the time.

Mr. McKENZIE: How many miles of new road does the Minister of Railways propose to build at Halifax?

Mr. BORDEN: Five miles double track.

Mr. McKENZIE: Has the minister made an estimate of the probable cost per mile?

Mr. COCHRANE: The double tracking, I think, will cost about $100,000 per mile.

Mr. McKENZIE: After that experience the expense in Victoria will not frighten him.

Resolution read the first and the second time and concurred in.

Mr. BORDEN: The proposed Bill which will be founded on this resolution is not

quite ready. It will involve a little delay to wait for it, so we might adjourn and take it the first thing to-morrow or a little later. After that, or perhaps at the very first, we propose to take up the second reading of the Bill with regard to the treaty between Great Britain and Japan.

On motion of Mr. Borden, the House adjourned at 12.40 a.m. Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, April 2, 1913.

The SPEAKER took the Chair at three o'clock.

THE ROYAL ASSENT.

Mr. SPEAKER read to the House a communication from the Governor General's Secretary announcing that His Excellency the Administrator would proceed to the Senate Chamber this afternoon at 5.30, for the purpose of giving the Royal Assent to certain Bills.

APPOINTMENTS TO HOUSE OF COMMONS STAFF.

Right Hon. R. L. BORDEN (Prime Minister) moved:

That the recommendation of His Honour the Speaker for the appointment of Mr. Ernest Harman as Speaker's steward and permanent messenger, and of Mr. F. C. B. Greer as night watchman on the staff of the House of Commons, laid on the table of the House on the 31st day of March, be concurred in.

He said: It appears from the report of the Clerk to the Speaker that the necessary certificate from the Civil Service Commission has been obtained in respect of both these persons.

Motion agreed to.

OLD AGE PENSIONS.

Mr. J. H. BURNHAM (Peterborough West) moved:

That the Select Standing Committee for inquiry into a system of old age pensions be permitted to hold sittings during the sitting of the House, as recommended by the report of that committee, No. 2, submitted to the House on April 1, instant.

Motion agreed to.

PARLIAMENTARY REPRESENTATION.

On the motion of Hon. W. T. White (Minister of Finance) for Committee of Ways and Means:

Mr. E. M. MACDONALD (Pictou): I desire to direct the attention of the Prime Minister to a matter which probably should have come before the House at an earlier stage of the session, but which I will now bring up on account of the opportunity afforded me under the rules for doing so. What action does the Government propose to take at this session of Parliament with reference to the matter of fixing the minimum representation of the four provinces which originally formed the Dominion of Canada? Last year, on the discussion of the Manitoba Boundaries Bill, I asked the Premier to consider the matter, and he made a very frank statement in regard thereto, which may be found on page 4713 of 'Hansard.' He indicated two methods by which the matter might be dealt with. One suggestion was that a minimum representation should be established for these provinces, and another was that the British North America Act should be amended to the effect that in estimating the one-twentieth diminution which is required under the provisions of sub-section 4 of section 51, only the four original provinces should be taken into consideration, so far as any diminution of the representation of those provinces is concerned. The right hon. gentleman went on to say:

If I am right in the view that some of the judges went upon the grounds which I mentioned a moment ago, it would seem to me that perhaps that suggestion would afford the most reasonable basis for an amendment to the British North America Act.

The right hon. gentleman went on to say he did not wish to be committed to that particular view, but he said in conclusion:

I can only repeat that my hon. friend from Pictou can rest assured that this matter will receive the most careful consideration of the Government.

I understand it is the announced policy of the Government that no redistribution Bill will be introduced during the present session. During this discussion, when the Prime Minister made the statement which I have just read, my hon. friend the Minister of Marine and Fisheries indicated that in all probability a conference of premiers would be held in the period intervening between the last session and the present one, that the matter of representation would be gone into, and that as a result of that conference, some action would be taken by the Government. It is evident that if the Government intend to act in the matter, such action should be taken previous to the introduction of the Redistribution Bill. I need not go over the arguments in favour of some minimum representation being fixed nor of the importance of this matter to each of the four original provinces of confederation. A statement made the other day by a gentleman not directly in public life, the president of the Toronto Board of Trade, on this subject speaking in Ottawa on a non-political occasion in regard to the province of Ontario and its future, was of very great importance

in that he indicated the view now being entertained by gentlemen in these provinces who are not connected with legislative or parliamentary institutions. The situation in a general way is this that all the documents that have come down to us from Confederation show conclusively that the conception of the men of the four provinces who laid the foundation of Canada was that the comparison of population which was to be made in order to determine their representation was a comparison with the population of the then existing Canada. This affords the ground work for the view suggested by the Prime Minister as to a solution of the question. It is true that the courts have given an interpretation of the law as laid down in the British North America Act where they deal with the question in the hard and dry method of legal construction of statutes but the effect of that decision must be lessened by this consideration that courts, when dealing with the construction of constitutional or other statutes, do not look at the statements made by public men at the time as to their view in regard to the construction and effect of the law they are passing. With reference to the Confederation Act, the information which can be gathered from history and from existing documents as to the point of view and understanding of the Fathers of Confederation ought to be the determining factor with this Parliament in dealing with what is admittedly an unfortunate situation in the working out of the Act. The Prime Minister, I am sure, is well seized of the case but I want to press on him the fact that we should at this session, deal with this problem, we must deal with it and have it settled either in this Parliament or, as I apprehend by the Imperial Parliament, which we shall have to ask for legislation, and I bring the question up now with a view to impressing on the Prime Minister the importance of having it dealt with in some way during this session.

Right Hon. R. L. BORDEN (Prime Minister): My hon. friend will acquit me of any intention to be discourteous if I do not answer him at any length this afternoon. The subject is, of course, a very important one. The object which he has in view and which a great many of us would think very desirable indeed, is not to be attained without the solution of a great many difficulties. The representation of the maritime provinces under the last census would be decreased somewhat and so would the representation of Ontario. As long as the principle of representation upon the basis of population is to be maintained in this country it will be somewhat difficult to make satisfactory progress until a conference of the provinces can be arranged and until we can secure, if possible, in that way a basis which will be regarded as satisfactory for the future. It was expected, if I remember correctly, that such a conference would be held last summer, but, as far as I know, it was not held. An intimation has come to me of an informal character that such a conference is likely to be held during the present summer. Whether that intimation is accurate or not I do not know, but I will make inquiries. There will be opportunity for fuller discussion at a later stage. In the meantime, I shall bear in mind the suggestion which my hon. friend from Pictou has offered that action of some kind ought to be taken during the present session.

BRITISH COLUMBIA FINANCIAL TERMS.

Mr. PUGSLEY: I wish to ask about what are stated to be arbitration proceedings between the Dominion Government and the Government of British Columbia upon the question of giving to that province better terms than it now enjoys under the British North America Act. As my right hon. friend is aware, on previous occasions when the question has come up of making any change in the British North America Act so far as the subsidies to provinces are concerned, conferences of representatives of the governments of the different provinces have been held and it has been their conclusions which have influenced the Government of the day to ask for amendments to the British North America Act. I would ask my right hon. friend if it is intended that upon the hearing by the arbitrators between the Dominion and the province of British Columbia, the governments of the other provinces of Canada shall be invited to be present through representatives.

Mr. BORDEN: I do not think that any arrangement has been made thus far for inviting them. If my hon. friend thinks that that suggestion is important I shall be very glad to give it attention. I do not see any reason why they should not attend if it should be so desired.

PROVINCIAL CONTROL OF NATURAL RESOURCES.

Mr. KNOWLES: I would ask the Prime Minister whether there will be any legislation during the present session with a view to giving to the prairie provinces their natural resources.

Mr. BORDEN: I think probably it will be necessary eventually to have a conference with the governments of the western provinces on that subject, as soon as there may be an opportunity of doing so.

Mr. KNOWLES: Then there will be no legislation this session anyway?

Mr. BORDEN: That will depend on what opportunity we have and upon the length of the session. I would not like to make any definite statement to-day.

INQUIRIES FOR RETURNS.

Mr. SINCLAIR: I wish to point out that orders for the production of papers have not been complied with in regard to the expenses of the investigations leading up to dismissals. The orders of the House distinctly specify that among other things a detailed statement of the expenses are to be included in the returns. In most of the orders I have obtained from the House for the production of papers these expenses are not included. In the Post Office Department that is true in the case of Abner Carr, of St. Francis, Nova Scotia, and of Albert Sangster, of Upper New Harbour in the same province. In the Marine and Fisheries Department that is true in the case of H. L. Tory, of Guysborough, fishery officer, and D. S. Hensbee of the reduction works at Canso. In the Railway Department that is true in the case of the dismissal of John Maher, of Mulgrave. This is a very useful and important part of the information we require and I trust that this lack of information will be rectified by the ministers.

Mr. PELLETIER: My understanding is that these accounts would go to the Auditor General, and I think he would keep them. I will see to it that as far as my department is concerned they are brought down.

THE DUTY ON FRUITS AND VEGETABLES.

Mr. MACNUTT: Mr. Speaker, before you leave the Chair, I desire to read a telegram from the Board of Trade of Melville, Saskatchewan, and asked a question.

Melville, Sask., March 31—April 1.

Thos. MacNutt, M.P.,
House of Commons,
Ottawa, Ont.

We wired the Minister of Customs to-day as follows: The Board of Trade of Melville wish to go on record as disapproving any legislation on the part of your Government that will increase the already high cost of fruits and vegetables in Canada, and think that an inspection fee or the raising of duties is unnecessary.

Fred. G. Newton,
Commissioner.

I wish to ask if there is any truth in the rumour that has given rise to this message, namely, as to the raising of the duty on fruits and vegetables.

Mr. WHITE (Minister of Finance): The hon. Minister of Customs is not in his place, and I am not quite sure that I understand what my hon. friend refers to. I gather that it relates to something connected with the duty on fruit.

Mr. KNOWLES: Both duty and inspection.

Mr. WHITE: That telegram is an expression of opinion which we are very glad to have. Perhaps my hon. friend will send the message to the hon. Minister of Customs, or I will transmit it to him. I do not understand that my hon. friend desires any expression of opinion on tariff matters at this stage.

Sir WILFRID LAURIER: What about inspection?

Mr. WHITE: I do not understand what that telegram refers to.

Mr. KNOWLES: The Minister of Agriculture knows.

Mr. BURRELL: I have received one or two messages somewhat similar to that read by my hon. friend. I have also been in receipt, during the past two or three months, of an enormous number of messages, dealing with this subject along different lines, and I may add that the whole subject has been pretty well threshed out before the Agricultural Committee, who subpœnaed expert witnesses to give testimony on all its phases. The reports of the committee will, of course, be published and distributed. At this time it is not possible for me to say anything in regard to inspection matters, or as to how inspection should be carried on in view of the situation in the West. That matter is under consideration, and will be dealt with, and my hon. friend will have an opportunity later on to express his views.

WAYS AND MEANS—SUPPLY BILL.

House in Committee of Ways and Means. (Mr. Deputy Speaker in the Chair.)

Mr. WHITE (Minister of Finance) moved:

1. Resolved, that towards making good the supply granted to His Majesty, on account of certain expenses of the public service for the financial year ending the 31st March, 1913, the sum of $5,350,987.22 be granted out of the Consolidated Revenue Fund of Canada.

2. Resolved, that towards making good the supply granted to His Majesty, on account of certain expenses of the public service for the financial year ending the 31st march, 1914, the sum of $27,693,974.56 be granted out of the Consolidated Revenue Fund of Canada.

Resolutions reported, read the first and the second time, and concurred in.

Mr. WHITE thereupon moved for leave to introduce Bill No. 162, for granting to

His Majesty certain sums of money for the public service for the financial year ending respectively the 31st March, 1913, and the 31st March, 1914.

Motion agreed to, Bill read the first and the second time, considered in committee, reported, read the third time, and passed.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

KENTVILLE EXPERIMENTAL FARM.

Mr. KYTE:

1. When was Alfred Bishop appointed to a position at the experimental farm at Kentville, N.S.?
2. Who recommended his appointment?
3. What are his pay and allowances?
4. What are his duties?
5. Has he satisfactorily performed them?
6. Is any deduction made in his pay for time not spent in connection with said duties?
7. Is all his time spent in and about said duties?
8. How many days has he been absent from said farm from the date of his appointment to March 1, 1913?
9. Who certified as to time actually spent by him in the performance of his duties upon said farm during the summer of 1912?
10. Will the minister bring down all correspondence received by the Government, Minister of Agriculture, or any official re Alfred Bishop before and since his appointment?
11. Has he ever attended any agricultural or horticultural school?
12. Has he any literary or professional qualifications for the position he holds?
13. Is he a representative farmer and fruit grower of the Annapolis valley?
14. What amount was paid for house rent for said Alfred Bishop before he resided on said farm?
15. How much was paid for feed for his horse during the summer of 1912?

Mr. BURRELL:

1. March 15, 1912.
2. A responsible person having the minister's confidence.
3. $75 per month and house.
4. Farm foreman.
5. Yes.
6. No.
7. Practically so.
8. Three days.
9. The superintendent from the time of his appointment July, 1912. Previously he was in charge as foreman manager.
10. Yes. All correspondence as is usual to bring down on such occasions.
11. No.
12. Sufficient for his present position.
13. He is a successful farmer.
14. $15 per month from 1st May, 1912, to 31st December, 1912.
15. $15 per month from 1st May, 1912, to 31st December, 1912.

Mr. KYTE:

1. What is the amount spent on buildings on the experimental farm at Kentville, N.S., since March 1, 1912?
2. What is the amount spent for labour since March 1, 1912?
3. How many buildings have been erected since March 1, 1912?
4. What were they?
5. What was the cost of each?
6. Were any built by public tender and contract?
7. If so, what are the names of tenderers and the figures of each?
8. How much cement was used on the farms since March 1, 1912?
9. What was the brand used?
10. Was cement obtained by public tender and contract?
11. If so, who were the tenderers and the figures of each?
12. If not, from whom was the cement purchased?
13. What was the price of same?
14. Who delivered it?
15. Who checked it?
16. Was any cement delivered to the farm at night?
17. Who was the night checker?
18. Who was foreman of construction of barn and superintendent's house on said farm?
19. What were his wages per day?
20. What was the date he commenced work?
21. What was the number of days work paid for?
22. Was he employed elsewhere during any of the time he was in the employ of the Government?
23. Who fixed the rate of pay of carpenters on the experimental farm during the summer of 1912?

Mr. BURRELL:

1. $31,533.50, including the lumber made on the premises.
2. $15,277.13.
3. Eight.
4. Barn, double tenement house, foreman's house, superintendent's house, dairy building, carriage house, poultry house, greenhouse.
5. Barn, $8,745.06; double tenement house, $7,213.56; foreman's house, $3,599.02; superintendent's house, $10,249.94; dairy building, $165.50; carriage house, $281.60; poultry house, $297.50; greenhouse, $981.32.
6. No.
7. Answered by No. 6.
8. Five hundred and seventy-nine barrels.
9. Sidney and Portland.
10. No.
11. Answered by No. 10.
12. T. P. Calkin & Company.
13. $2.15 per barrel.
14. T. P. Calkin & Company and experimental farm labourers.
15. H. R. Best.
16. No.
17. None.

18. H. R. Best.
19. $4 per day.
20. 20th March, 1912.
21. Two hundred and twenty-six and a half days.
22. Had supervision of some other construction work during early spring.
23. The Minister of Agriculture upon the recommendation of the Director of Experimental Farms.

Mr. KYTE:

1. What did it cost to connect the buildings on the experimental farm at Kentville, N.S., with the town water system, for labour and for materials, respectively?
2. Was there any contract?
3. How much was paid for pipe?
4. How much pipe was used?
5. From whom was the same purchased?
6. Were there any tenders, public or otherwise? If so, who were they and what were their prices?
7. What did the sewer from the farm cost for materials and for labour, respectively?
8. How many yards in length was said sewer?
9. What was the amount of pipe used, the price and from whom purchased?
10. Were there any tenders? If so, what are the names and figures?
11. What was the cost of posts for fence along main road in front of farm?
12. From whom were same purchased?
13. Were there any tenders?
14. What was the cost of digging post holes for same, placing, trimming and painting same?
15. What was the cost of pulling same out after they had been so placed?

Mr. BURRELL:

1. Labour, $516.87; materials, $1,470.99; total, $1,987.86.
2. No.
3. $1,470.99 including hydrants, fittings, &c.
4. 2,900 feet.
5. T. P. Calkin & Company.
6. None.
7. Materials, $409; labour, $534.12; total, $943.12.
8. The main sewer was 1,000 feet long, and 1,800 feet of pipe was used for the purposes of branch sewers to the various buildings on the experimental station.
9. 1,000 feet at 20 cents, $200; 800 feet at 12 cents, $96; 1,000 feet at 10 cents, $100; Y's and elbows, $13; total, $409. Purchased from T. P. Calkin & Company,
10. No. Work done by farm labour.
11. $12.75.
12. John Maloney.
13. No.
14. $12.75.
15. $2.55.

CONTRACTS FOR BUOYS.

Mr. SINCLAIR:

1. How many buoy contracts have been awarded by the Government in the province of Nova Scotia, since October 11, 1911, in which prior advertisements were published asking for tenders?
2. What are the names and the post office addresses of such contractors and the amount of each contract?
3. How many buoy contracts have been awarded in the province of Nova Scotia since October 11, 1911, without advertisement calling for tenders?
4. What are the names and the post office addresses of the contractors referred to in paragraph 3, and the amount of each contract?

Mr. HAZEN:

1. (10) ten.
2. Names, addresses and contract price given on attached list.
3. On the termination of buoy contracts, the practice of the department for years has been to renew or transfer the contract if such could be done for the amount previously paid. In continuance of that policy thirty-three contracts were awarded in Nova Scotia since October, 1911.
4. Names, addresses and contract price given on attached list. (See statement filed with Clerk of House.)

POINTE A CITROUILLE LIGHTHOUSE KEEPER.

Mr. BUREAU:

1. Has Mr. William Brunelle, lighthouse keeper at Pointe à Citrouille, been dismissed? If so, who has replaced him, and by whom was his successor recommended?
2. What is the age of Mr. Brunelle's successor?
3. Is there and regulation imposing an age limit on such officials?

Mr. HAZEN:

1. (a) Yes. (b) Mr. Liboire L'Heureux. (c) Mr. P. E. Blondin, M.P.
2. Sixty-seven.
3. No.

CANADIAN NORTHERN ONTARIO RAILWAY COMPANY.

Mr. MACLEAN (Halifax):

What amounts have been paid since August 28, 1912, by the Minister of Finance and Receiver General to the Canadian Northern Ontario Railway Company, from the proceeds of loans authorized by chapter 6, of the Acts of 1911, and negotiated thereunder?

Mr. WHITE (Minister of Finance): August 30, 1912, $1,780,843.97; October 19, 1912, $862,748.90; December 12, 1912, $1,738,520.13; January 14, 1913, $820,425.69; February 11, 1913, $966,929.90; March 20, 1913, $732,522.66; total, $6,901,991.25.

UNOPPOSED AND UNDISCUSSED MOTIONS.

For a copy of all charges, correspondence, letters, telegrams and other documents relating to the dismissal of Mrs. Maggie Cameron,

postmistress at Achosnach, Inverness county, Nova Scotia.—Mr. Chisholm (Inverness).

For a copy of all correspondence, petitions, letters, telegrams, and other documents in the Department of Trade and Commerce, or any department of the Government, relating to the steamship service, between Mulgrave, county of Guysborough and Cheticamp, Inverness county, during the years 1910-11, 1911-12, and 1912-13, and the service to be continued during the year 1913-14.—Mr. Chisholm (Inverness).

For a copy of all papers relating to the mail contract from Nöel to Walton, county of Hants, during the present year.—Mr. Macdonald.

For a copy of all correspondence, reports and other documents relative to the mail contract between Scotsburn and West Branch River John, Pictou county, since October 1, 1911.—Mr. Macdonald.

For a return showing by quarter section, or fraction of quarter section, all school lands sold in Manitoba, Saskatchewan and Alberta during the calender year 1912; the price per acre at which each separate parcel was sold; the name and address of each purchaser; a list of all school lands sold at above sales which have since been cancelled; the price at which each parcel of said cancelled lands were sold, with the names and addresses of purchasers of each parcel of said lands sold and subsequently cancelled.—Mr. Turriff.

For a copy of all accounts for personal expenses paid by the Government to St. Armour Survaillant, of the Soulanges canal since the date of his appointment.—Mr. Boyer.

For a copy of all correspondence between the Post Office Department and Alleyn Taschereau, advocate, of Quebec, concerning the purchase of new locks for the mail bags.—Mr. Carvell.

For a copy of all correspondence, letters, telegrams, contracts, tenders and reports of Government inspector, in relation to the work and repairs on the public building at North Sydney during the year 1912, and particularly the inspector's report on the damages caused by fire during the construction of said works and repairs; and also a copy of the tenders of Henry Lovell, for the above work.—Mr McKenzie.

1. For a return showing whether the Government cancelled any water lot leases on the Lachine canal?

2. If so, what are the dates of such cancellation and the names of the lessees?

3. How long were the cancelled leases in force and what rental was paid in each case?

4. What are the names of the lessees whose water lot leases on the said canal have not been cancelled, and what rental does each pay?

5. On what basis has the rental been calculated and what method is to be followed in the future?

6. Why were some leases cancelled and others allowed to remain in force?

7. Are tenders to be invited through the press for such water lot leases in future?—Mr. Buchanan:

BRITISH-JAPANESE TREATY.

Right Hon. R. L. BORDEN (Prime Minister) moved second reading of Bill No. 156, respecting a certain treaty of commerce and navigation between His Majesty the King and His Majesty the Emperor of Japan.

He said: Mr. Speaker, it is proper that I should make some explanation to indicate to what extent the treaty which is sanctioned by this Bill differs from the treaty to which Canada gave adherence in 1907. This Bill is of some urgency, inasmuch as the treaty bears date the 3rd of April, 1911, and it must be adhered to by Canada, if at all, within two years from the date at which ratifications were exchanged; that is to say, within two years from the 5th of May, 1911. Those who are familiar with the course of events in connection with the treaties which Japan has consummated during the past twenty years will remember that in 1894 Japan made treaties with many of the civilized nations of the world, particularly with Great Britain and the United States. The treaty with Great Britain was signed on the 16th July, 1894, and in the same year a somewhat similar treaty was signed between the United States and Japan, which treaty, like the treaty with Great Britain, gave full liberty to enter, travel, reside, &c. But Article II of the United States treaty contained a proviso which is not to be found in the treaty with Great Britain; that proviso was in the following words:

> It is, however, understood that the stipulations contained in this and the preceding article do not in any way effect the laws, ordinances, and regulations, with regard to trade, immigration of labourers, police, and public security which are in force, or which may hereafter be enacted in either of the two countries.

The question of immigration into Great Britain from Japan was not a live question, and I presume for that reason no such proviso was contained in the treaty between Great Britain and Japan. However, when that treaty came under the consideration of the Government of Canada, an Order in Council was passed containing this recommendation:

> The Canadian Government, in adhering to this treaty, would desire a stipulation with respect to Japanese immigration similar to that inserted in the treaty between Japan and the United States, and they desire a further definition of the word 'labourers,' by adding thereto the words 'including artisans.'

That Order in Council was dated August 6, 1895, and on the 18th of October, 1895, its purport was transmitted by the British minister at Tokio to the Japanese Government. Later, on the 29th of July, 1896, the new Government of Canada which had come into office, passed an Order in Council on the report of the Minister of Trade and Commerce, recommending that Canada should not adhere to the treaty. However, the British minister at Tokio went on with the negotiations, not being aware apparently

of the second Order in Council, and eventually he arrived at an understanding with the Government of Japan by which they were willing to permit Canada and the other British possessions to accede to the treaty upon the terms set forth in the Order in Council of August 6, 1905, to which I have alluded, and a formal protocol for that purpose was drawn up and assented to by the Japanese Government. I need not enter into that to-day; it is not very pertinent or material to the matter under consideration. The time within which Canada could accede to the treaty having passed, a supplementary treaty or convention was negotiated on the 31st of January, 1906, and ratified at Tokio on the 12th of January, 1906. The effect of this convention was to bring Canada within the terms of the treaty of 1894 to which I have alluded. A Bill was presented to Parliament for the purpose of ratifying the convention which I just mentioned, and this Bill became law on the 30th of January, 1907. Shortly after this Bill became law, immigration from Japan to Canada very greatly increased, and as a result of that the hon. member for Rouville (Mr. Lemieux) who at that time held the portfolio of Postmaster General and Minister of Labour, paid a visit to Japan. That visit resulted in a certain understanding by which the Government of Japan undertook to restrict within certain limits and according to certain stipulations this immigration from Japan to Canada. It is not necessary for me to go very fully into the nature of that arrangement. It is embodied for the most part—not altogether—in the despatch from Sir Edward Grey to the British Ambassador at Tokio, dated the 25th of January, 1908, a copy of which was transmitted by the then Colonial Secretary to the then Governor General on the 5th of February, 1908. It is as follows:

Foreign Office, January 25, 1908.

Sir,—The Japanese ambassador communicated to me on January 21 the terms of the settlement with Canada on the subject of emigration, which were these:

The Japanese Government to grant permission to emigrate to Canada to the following classes of Japanese subjects only:—

(1) Those who have previously been in Canada, their wives and children.

(2) Personal and domestic servants to the Japanese residing in Canada.

(3) Contract labourers and agricultural settlers.

In each of the above cases Japanese consular certificates to be required. In the case of contract labourers the consuls to issue certificates, only when satisfied that such contracts had the approval of the Canadian Government; and in the case of agricultural settlers the certificate to be issued only at the rate of from five to ten labourers per one hundred acres of land owned by the applicants.

I expressed great satisfaction that an arrangement had been come to. I was sure the news of it would have a good effect, and we were very pleased that the matter was settled.

The ambassador told me negotiations were proceeding with the United States on the same lines, except that contract labourers were not allowed by American law.

I am, &c.,

E. Grey.

Then there was an additional letter which I should read as I have read a portion of the correspondence. It was a letter addressed to the hon. Rodolphe Lemieux, Postmaster General and Minister of Labour for Canada, and if I remember correctly was from the Minister of Foreign Affairs of the Japanese Government. It reads as follows:

Tokio, December 23, 1907.

Monsieur le ministre:

In reply to your note of even date, I have the honour to state that although the existing treaty between Japan and Canada absolutely guarantees to Japanese subjects full liberty to enter, travel and reside in any part of the Dominion of Canada, yet it is not the intention of the Imperial Government to insist upon the complete enjoyment of the rights and privileges guaranteed by those stipulations when that would involve disregard of special conditions which may prevail in Canada from time to time.

Acting in this spirit, and having particular regard to circumstances of recent occurrence in British Columbia, the Imperial Government have decided to take efficient means to restrict emigration to Canada. In carrying out this purpose, the Imperial Government, in pursuance of the policy above stated, will give careful consideration to local conditions prevailing in Canada with a view to meeting the desires of the Government of the Dominion as far as is compatible with the spirit of the treaty and the dignity of the state.

Although, as stated in the note under reply, it was not possible for me to acquiesce in all the proposals made by you on behalf of the Canadian Government, I trust that you will find in the statement therein made, proof of the earnest desire of the Imperial Government to promote, by every means within our power, the growth and stability of the cordial and mutually beneficial relations which exist between our countries. I venture to believe also, that this desirable result will be found to have been materially advanced by the full exchange of views which has taken place between us, and it gives me special pleasure to acknowledge the obligation under which I have been placed by your frank and considerate explanations regarding the attitude and wishes of your Government.

I avail myself, &c., &c.,

Tadasu Hayashi.

The Hon. Rodolphe Lemieux,
Postmaster General and Minister of Labour for Canada,
Tokio.

Now, I think it necessary to set forth the relative positions of the United States and Canada in relation to the right of Japanese to enter and reside in Canada, because this will naturally be a matter for consideration

in connection with the treaty which is now under consideration. The present treaty bears date 31st April, 1911, and it is proper that, in the first place, I should indicate to the House the differences which exist between the treaty which we have now and the treaty which Parliament gave its sanction on the 5th of February, 1907. The difference between the two treaties does not appear to be very material. Articles I and II of the treaty of 1894 find their counterpart in articles I and II of the treaty of 1911. Article III of the treaty of 1894 has its counterpart in article VI of the treaty of 1911. Articles IV and V of the treaty of 1894 correspond in all important particulars to articles III and VII of the treaty of 1911. Article VI of 1894 has its counterpart in article IX of 1911.

Mr. LEMIEUX: I assume that the right hon. gentleman will explain the treaty clause by clause when we are in committee. But at this time might I ask him to explain the expression 'They shall be between the territories of the two High Contracting Parties reciprocal freedom of commerce and navigation'—this whole article.

Mr. BORDEN: Of which clause is the hon. gentleman speaking?

Mr. LEMIEUX: The sixth.

Mr. BORDEN: I will come to that in due course; in the meantime I am merely pointing out the clauses in the present treaty which correspond with similar clauses in the treaty of 1894. Article VII of the treaty of 1894 corresponds with article X of the present treaty; article VIII of the treaty of 1894 with article XVI of the present treaty; article IX of the treaty of 1894 with article XIX of the present treaty; article X of the treaty of 1894 with article XVII of the present treaty; article XI of the treaty of 1894 with article XXI of the present treaty; article XII of the treaty of 1894 with article XXIII of the present treaty; article XIII of the treaty of 1894 with article XVIII of the present treaty. Articles XIV and XV of the treaty of 1894 have their counterparts in articles XXII and XXIII of the present treaty; article XVI of the treaty of 1894 corresponds substantially with article IV of the present treaty. Article XVII of the treaty of 1894, which does not appear in the present treaty, relates to the right which subjects of each of the high contracting parties shall enjoy in the dominions and possessions of the other in regard to patents, trade marks and designs. The reason for the omission of this article appears to be that when the treaty was negotiated in 1894, Japan had not acceded to the International Convention for the Protection of Industrial Property. That convention was established in 1883; Great Britain acceded to it in 1884 and Japan in 1899. It was necessary, therefore, that there should be in the treaty of 1894 a clause of this nature, but, inasmuch as both countries acceded to that convention before the vear 1911, and inasmuch as that convention contains all the provisions which are to be found in article VIII, and more elaborate provisions as well, the article in question seems to have been omitted from the present treaty, so far as I understand, for these reasons.

I now desire to invite the attention of the committee to the provisions which are to be found in the treaty of 1911. Article V, which is not found in the treaty of 1894, is as follows:

In case of the death of a subject of one of the high contracting parties in the territories of the other, without leaving at the place of his decease any person entitled by the law of his country to take charge of and administer the estate, the competent consular officer of the state to which the deceased belonged shall, upon fulfilment of the necessary formalities, be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the law of the country in which the property of the deceased is situated.

The foregoing provision shall also apply in case of a subject of one of the high contracting parties dying outside the territories of the other, but possessing property therein, without leaving any person there entitled to take charge of and administer the estate.

It is understood that in all that concerns the administration of the estates of deceased persons, any right, privilege, favour or immunity which either of the high contracting parties has actually granted, or may hereafter grant, to the consular officers of any other foreign state shall be extended immediately and unconditionally to the consular officers of the other high contracting party.

This is merely a reciprocal arrangement for the custody and care of estates of deceased persons by the proper consular authorities, and, so far as I am able to apprehend, no possible objection on the part of this country can be urged against it.

Mr. CARVELL: Has the hon. gentleman considered herein that provision may conflict with the laws of the different provinces regarding the disposition of estates?

Mr. BORDEN: There is a provision in the British North America Act whereby the Parliament of Canada has the right to pass any law for the purpose of carrying any treaty into effect, and there does not seem to be anything in this article which would be detrimental to the interests of this country. Article XI is as follows:

No internal duties levied for the benefit of the state, local authorities, or corporations which affect, or may affect, the production, manufacture, or consumption of any article

in the territories of either of the high contracting parties shall for any reason be a higher or more burdensome charge on articles, the product or manufacture of the territories of the other, than on similar articles of native origin.

The produce or manufacture of the territories of either of the high contracting parties imported into the territories of the other, and intended for warehousing or transit, shall not be subjected to any internal duty.

This provision, which was not contained in the treaty of 1894, but to which there seems to be no reasonable objection, is thoroughly reciprocal in its character, and affords equality of treatment. Articles XII, XIII, XIV and XV relate to the carrying on of commerce, and are all new. Article XII provides that merchants and manufacturers may, in the territories of the other country, either personally or by means of commercial travellers, make their purchases, collect orders, &c., with or without samples. Article XIII provides regulations with regard to the authentication of samples used by these merchants. Article XIV provides that chambers of commerce shall be mutually accepted as competent authorities for issuing certificates for commercial travellers, and article XV provides that limited liability and other companies and associations may exercise in the territories of the other countries their rights and appear in the courts, either as plaintiffs or defendants. This is probably a right which would ordinarily be accorded by the comity of nations; nevertheless provision is made for it in this treaty. The next article containing any new provision is article XX, which provides as follows:

Vessels charged with performance of regular scheduled postal service of one of the high contracting parties shall enjoy in the territorial waters of the other the same special facilities, privileges, and immunities as are granted to like vessels of the most favoured nation.

Article XXV is also new, and is as follows:

The stipulations of this treaty do not apply to tariff concessions granted by either of the high contracting parties to contiguous states solely to facilitate frontier traffic within a limited zone on each side of the frontier, or to the treatment accorded to the produce of the national fisheries of the high contracting parties, or to special tariff favours granted by Japan in regard to fish and other aquatic products taken in the foreign waters in the vicinity of Japan.

So far as the terms of the treaty are concerned, I have dealt with all that seems to me to be of importance at this moment. I shall therefore reserve any further explanations for the committee stage of the Bill, and shall proceed to consider the terms upon which we have thought it advisable to ask Parliament to pronounce its adhesion to this treaty. Before coming to that, however, I may say that upon the denunciation of the treaty of 1894 by Japan, a temporary trade arrangement, which is embodied in chapter 7 of the Acts of 1911, was made between Canada and Japan. This Act will continue in force until July 17, 1913.

An important matter which demanded and received consideration by the present Government, and, no doubt, by the late Government in dealing with the previous treaty, was the control of immigration into Canada from Japan. The treaty was under consideration by the late Administration; and, pending fuller consideration of it, they had presented to Parliament, and Parliament had enacted, the measure with regard to tariff to which I have just alluded.

It should be borne in mind, in considering this treaty, that after Canada had assented to this treaty on the 30th of January, 1907, this Parliament passed a very important enactment with regard to immigration. All our laws in respect of immigration were consolidated in the Immigration Act of 1910, chapter 27, of the Statutes of Canada for that year. Sections 37 and 38 of that enactment which were assented to by both parties in this House without any challenge, are as follows:

37. Regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada that immigrants and tourists shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race, occupation or destination of such immigrant or tourist, and otherwise according to the circumstances; and may also provide that all persons coming to Canada directly or indirectly from countries which issue passports or penal certificates to persons leaving such countries shall produce such passports or penal certificates on demand of the immigration officer in charge before being allowed to land in Canada.

38. The Governor in Council may, by proclamation or order whenever he deems it necessary or expedient,—

(a) prohibit the landing in Canada or at any specified port of entry in Canada of any immigrant who has come to Canada otherwise than by continuous journey from the country of which he is a native or naturalized citizen, and upon a through ticket purchased in that country, or prepaid in Canada;

(b) Prohibit the landing in Canada of passengers brought to Canada by any transportation company which refuses or neglects to comply with the provisions of this Act;

(c) Prohibit for a stated period, or permanently, the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or requirements of Canada, or of immigrants of any specified class, occupation or character.

It is not material or desirable to-day to consider whether or not the Act of 1910, in so far as it provided for actual or possible restriction of immigration into this country, was in conflict with the Act of 1907 which ratified the convention with Japan. There might have been some question about that but apparently no such question did arise and all such questions ceased to be of more than academic interest when the treaty came to an end by reason of its having been denounced by the Government of Japan. I should observe that in 1911, Japan, having denounced the various treaties with the nations of the world which she had entered into in 1894, negotiated a new series of treaties with those nations and perhaps with others. She negotiated the treaty with Great Britain which is now under consideration by the House and also negotiated a treaty with the United States of America. The provision which I have already mentioned as being embodied in the treaty between Japan and the United States of 1894 is not to be found in the treaty between Japan and the United States of 1911. The United States Senate, however, gave its ratification to the new treaty only upon the understanding that it should not be deemed to repeal or affect any of the provisions of the Act of Congress entitled 'An Act to regulate the Immigration of aliens into the United States, approved February 20, 1907.' This understanding was embodied in the President's proclamation, the first paragraph of which is:

And whereas the advice and consent of the Senate of the United States to the ratification of the said treaty was given with the understanding that the treaty shall not be deemed to repeal or affect any of the provisions of the Act of Congress entitled '**An Act to regulate the immigration of aliens into the United States, approved February 20, 1907**'——

But there had been and there then was an understanding between the United States and the Empire of Japan by which Japan, of its own motion, had undertaken to restrict and was actually restricting the immigration of Japanese subjects into the United States and a public announcement in that regard was made in connection with the ratification of the treaty between Japan and United States. The Japanese ambassador at Washington signed and published a declaration providing for the maintenance of the existing control by the Japanese Government of the emigration of labourers. His declaration was in these words:

In proceeding this day to the signature of the Treaty of Commerce and Navigation between Japan and the United States, the undersigned, Japanese ambassador in Washington, duly authorized by his government has the honour to declare that the Imperial Japanese Government are fully prepared to maintain with equal effectiveness the limitation and control which they have for the past three years exercised in the regulation of the emigration of labourers to the United States.

February 21, 1911.

(Sgd.) Y. Ushida.

The treaty between Great Britain and Japan, to which Parliament is now asked to give sanction on behalf of Canada, does not contain any more than does the treaty between Japan and the United States, any special stipulation with regard to the restrictions on the emigration of labourers or artisans from Japan to Canada, and we have therefore thought it desirable, and we so intimated to the Government of Japan, that this treaty, if acceded to by Canada, should be subject to a stipulation which is to be found in the Bill that is now under consideration by this House. Accordingly, section 2 of this Bill is in the following words:

The treaty signed at London on the third day of April, one thousand nine hundred and eleven, between His Majesty the King and His Majesty the Emperor of Japan, set forth in the schedule to this Act, is hereby sanctioned and declared to have the force of law in Canada; provided that

(a) nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act;

(b) Article VIII of the said treaty shall be deemed not to apply to Canada.

Article VIII relates solely to tariff relations between the United Kingdom and Japan, and therefore it is stated in the body of this Bill that it shall have no application as far as Canada is concerned.

I have already laid upon the table of the House the correspondence which has taken place with the Imperial Consul General of Japan in Ottawa. It might be desirable that I should now place that correspondence on 'Hansard' in order that it may be convenient for reference by any hon. member. The correspondence is as follows:

Ottawa, Ont. 7th February, 1913.

Sir,—I have the honour to inform you that the Government are willing to submit to the Parliament of Canada a Bill by which Canada shall adhere to the Treaty of Commerce and Navigation between the United Kingdom and Japan signed at London on the 3rd April, 1911.

2. The adherence of Canada would be upon the condition and with the proviso set forth in the inclosed draft Bill which is submitted for the consideration of the Imperial Japanese Government.

3. The proviso that the treaty shall not be deemed to repeal or affect any of the provisions of the Immigration Act follows the language which was approved by the Imperial Japanese Government in relation to the recent treaty negotiations with the United States of America.

4. The Imperial Japanese Government are doubtless aware, as the fact is, that the Im-

migration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself and makes no discrimination in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment in the inclosed draft Act of Parliament of the proviso which has already been agreed to in the case of the United States.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) R. L. Borden.

Honourable T. Nakamura,
Consul General for Japan,
385 Laurier Avenue E.
Ottawa, Ont.

There was enclosed with that a Bill which is in the form now presented for the consideration of the committee. On March 1, the Consul General of Japan made the following reply:

Imperial Consulate General of Japan.
Ottawa, March 1, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 7th ult., stating that your Government are willing to submit to the Parliament of Canada an Act by which Canada shall adhere to the Treaty of Commerce and Navigation between Japan and Great Britain signed at London on the 3rd of April, 1911, and enclosing for the consideration of the Imperial Government a draft Bill setting forth the conditions and proviso upon which the adherence of Canada will depend.

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government have no objection to the proposed Bill, and that they feel assured that the Immigration Act of Canada of 1910 being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada from all countries including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to be, sir,
Your obedient servant,
(Sgd). T. Nakamura,
Consul General of Japan.

The Right Honourable R. L. Borden,
Prime Minister of Canada,
Ottawa.

To this the following reply was made on March 5, 1903:

Ottawa, 5th March, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 1st instant, in relation to the Treaty of Commerce and Navigation between Great Britain and Japan signed at London on the 3rd April, 1911, in which you communicated to me the reply of the Imperial Japanese Government stating that they have no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910 being applicable to the immigration of aliens into the Dominion of Canada from all countries including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to inform you that the Government of Canada has received this reply with the greatest satisfaction, and that the proposed Bill will be introduced so soon as the pending business now engaging the attention of Parliament will permit.

I have the honour to be, sir,
Your obedient servant,
(Sgd). R. L. Borden.

Honourable T. Nakamura,
Consul General for Japan,
385 Laurier Avenue E.,
Ottawa, Ont.

Mr. PUGSLEY: Before you pass from that, may I be permitted to ask a question for my own information? As I understand it, section 37 of the Immigration Act of 1910, gives authority, as well as section 38, to exclude any place the people of what might not be considered desirable or suitable immigrants, and also to discriminate as to the amounts to be charged to different places. What does my right hon. friend think? Although the Act may not discriminate, does it not give power to the Governor in Council to discriminate?

Mr. BORDEN: It gives no more power to discriminate against Japan, than it does against any other country in the world, including the British Empire itself. We have simply stipulated, as it seemed to us proper to stipulate, that this treaty, if accepted to by Canada, should be subject to the provisions of the Immigration Act, so that Canada should have the same control over immigration into this country which has been insisted upon by our neighbours to the south.

Mr. PUGSLEY: One other question. Has not the Government, by its letter to the Japanese Ambassador, undertaken that there will be no discrimination?

Mr. BORDEN: Certainly not, as our statement goes merely to this extent: We have stated that the Act is of universal application to all the countries of the world, including the British Empire itself and we submit to Parliament the terms of the Bill just as they were presented to the Imperial Consul General of Japan. I would like to say in addition, that it must not be forgotten that a certain control has been exercised under the arrangement made by my hon. friend the member for Rouville (Mr. Lemieux) when he was Minister of Labour, with the Government of Japan, in the latter part of 1907 and the beginning of 1908. I am free to say, in fact, I am very glad to say, that, so far as my observation goes, and so far as any available information indicates, that agreement has been very loyally carried out by the Government of Japan.

Mr. LEMIEUX: Hear, hear.

Mr. BORDEN: I have some statistics which are available in case information on this subject is required when we are in committee. I desire to make this further observation: It will be observed that concurrently with the ratification by the

Government of the United States of the new treaty with Japan, His Excellency the Japanese ambassador at Washington signed a declaration that the Japanese Government were fully prepared to maintain, with equal effectiveness, the limitation and control which for some years they have exercised in regulation of the emigration of labourers from Japan to the United States. We have every reason to believe that as soon as the present Bill shall become law the Imperial Government of Japan will be prepared to make and will make a similar declaration with regard to the maintenance of the limitation and control which they have exercised during the past five years in the regulation of emigration from Japan to Canada. In taking that course they will be following precisely the course which was adopted at the time of the ratification by the United States of the treaty of 1911 between the United States and Japan. In other words, notwithstanding the control of immigration which is maintained by both Canada and the United States, under the stipulation in the one case, and under the proviso in this Bill in the other case, the Government of Japan themselves propose, not only with regard to the United States, but with regard to Canada, to continue the control of immigration which has been practised by that Government in respect to both countries during the past six or eight years.

I need only refer in conclusion to the fact that no country in the world has given greater evidence of advancement, progress and development than the Empire of Japan during the past fifteen or twenty years. The Japanese are undoubtedly a wonderful people, gifted with great capacity, and with great enterprise, and they have, in a remarkably brief period of time, made greater and truer progress in national development and in all these forms of civilization, which, hitherto have more particularly pertained to Europe and America than, perhaps has ever been the case in the history of the world. We have also to take into consideration that by the treaty or convention of the 13th July, 1911, signed a few months after this treaty of commerce and navigation was signed, an alliance for certain purposes, and along certain lines, has been entered into between the Government of the United Kingdom and the Government of Japan.

Mr. LEMIEUX: Has that treaty been renewed?

Mr. BORDEN: It was renewed on the 13th July, 1911 and is to continue in force for ten years from that date; it will therefore continue in force until the 13th day of July, 1921, or for about eight years in the future.

I have not touched very much on the fiscal question, but the Minister of Finance will be able to answer questions with regard to that. Having in view all these considerations, we arrived at the conclusion that the proper course for the Govern ment of Canada to pursue was to present this Bill to Parliament for its approval. I sincerely trust that the ratification may be given at a sufficiently early date to enable notice thereof to be given in Tokio within the time limited by the treaty itself.

Sir WILFRID LAURIER: Mr. Speaker, we on this side of the House have no intention of offering any opposition to the ratification of the treaty which is now sought by the Government, if certain information which we hope to have as the discussion proceeds is on the line we expect. If we do not offer any opposition to the treaty, it is not at all on account of any benefit which we expect to flow from it, but simply on general principles. The treaty which we are asked to ratify does not go very far. It is supposed to be a treaty of commerce, but, in so far as Canada is concerned, there is no commerce at all in it. We approve of the general principle that it ought to be the policy of Canada to extend her trade relations with all the world as fast as possible. Canada is a young, producing country; she produces much more than she can consume, especially of the products of the farm, the mine, the sea and the forest; and it is especially for these products as well as for certain manufactures that we should seek markets abroad. Larger markets will become more and more the pressing need of this country, and it is with the hope that we may open the way for larger markets in Japan and in the Orient generally that we shall give our adhesion to this treaty. The Orient is a field of operations, in so far as commerce is concerned, to which it is essential that the nations of the western world should give their very careful attention. My right hon. friend the Prime Minister has just alluded to the remarkable progress which has been made by Japan. China is following now in the same way, and it is becoming more and more evident that the Asiatic nations, which have been dormant for 2,000 years, are now opening up to the civilization of Europe, and will want, by and by, all the products which our civilization produces, and will therefore offer a vast field for the trade of western nations.

As I said a moment ago, this is a treaty of commerce; but, in so far as Canada is concerned, there is no commerce at all in it. That is the point to which I would address myself. My right hon. friend has gone over the whole treaty, but he has said nothing of article VIII, which is the gist of the treaty. Great Britain, no more on this oc-

casion than on any other, has not been slow to see the advantage that its trade may find in the Orient, especially in Japan, and article VIII provides that the trade of Great Britain shall be given, with respect to certain articles therein mentioned, special treatment. Article VIII reads as follows:

The articles, the produce or manufacture of the United Kingdom, enumerated in part I of the schedule annexed to this treaty, shall not, on importation into Japan, be subjected to higher customs duties than those specified in the schedule.

The articles, the produce or manufacture of Japan, enumerated in part II of the schedule annexed to this treaty, shall be free of duty on importation into the United Kingdom.

Here are the articles of English produce which may be imported into Japan at special rates, which are not to be increased under any circumstances so long as the treaty lasts: paints; linen yarns; tissues of cotton, including velvets, plushes, and other pile tissues, with piles cut or uncut; cotton, grey and other; plain tissues, not otherwise provided for; bleached cottons; tissues of wool and mixed wool; tissues of wool and cotton, of wool and silk, or of wool, cotton and silk; iron, in lumps, ingots, blooms, billets, and slabs; pig iron; plates and sheets, not coated with metals; plates and sheets, coated with base metals, tinned, ordinary and galvanized. As a corresponding benefit, the following articles of Japanese production shall be admitted into Great Britain free of duty:

Habutae of pure silk, not dyed or printed.
Handkedchiefs of habutae of pure silk, not dyed or printed.
Copper, unwrought, in ingots and slabs.
Plating of straw and other materials.
Camphor and camphor oil.
Baskets (including trunks) and basketware of bamboo.
Mats and matting of rush.
Lacquered wares, coated with Japanese lacquer (urushi).
Rape-seed oil.
Cloisonne wares.

I do not know why Canada should not get the benefit of article VIII of the treaty, in so far as we could have derived any benefit from it. I do not think we are in a position to export wool or woollen goods to Japan, but I am not sure that we cannot export cotton to Japan. It is a well known fact that there is a mill in Quebec which was, up to lately, manufacturing exclusively for the Chinese market, and I do not know but that it is continuing to do so to-day. It seems to me that the same mill might very well have found a market in Japan for a similar class of wares. Nobody could object to the admission into Canada of the wares of Japanese production which are here enumerated as a quid pro quo for special treatment of a selected list of articles of Canadian manufactures in the markets of Japan. Why we have been especially exempted from the effect of article VIII of the treaty is a point upon which my right hon. friend has not touched, and upon which we shall desire some explanation when we go into Committee of the Whole on the Bill. The previous treaty with Japan was not very satisfactory to us, it had been negotiated from a British point of view, and Canadian goods were not considered at all. We were hoping to negotiate a treaty with Japan which would be more suited to our own conditions and under which we would have a better field than we have under this clause, which deals particularly with English wares. For instance, we thought that we would find in Japan a market for canned fish, lumber, tin, zinc and similar goods. When, in the year 1911, the treaty was renewed, we had no time, pressed as we were with other duties, to enter into negotiations for a separate treaty. In 1911 we introduced and had passed in this Parliament a Bill which contained this provision:

2. No prohibition shall be maintained or imposed on the importation into Canada of any article the produce or manufacture of the dominions and possessions aforesaid, from whatever place arriving, which shall not equally extend to the importation of the like article the produce or manufacture of any other country, provided however that this section shall not be applicable to the sanitary or other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

3. This Act shall not be brought into force unless and until the Governor in Council is satisfied that no other or higher duties are or will be imposed, and that no prohibitions are or will be maintained or imposed, so long as this Act remains in operation on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of Canada, from whatever place arriving, than are imposed, or maintained or imposed, respectively, on the like article produced or manufactured in any foreign country on its importation in the said dominions and possessions; but nothing in this section shall be applicable to the sanitary or other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

This legislation was accepted by Japan, provided Japan should receive similar treatment to that which we extended to other countries. As I understand, the moment the present treaty is ratified this legislation becomes null and void, and we shall be without any protection for our commerce in that country.

Mr. BORDEN: The provisions of the treaty give to each country most favoured nation treatment in the other.

Sir WILFRID LAURIER: I have only observed that treaty gives favoured treatment as to navigation. I shall be glad to

hear that we shall have most favoured nation treatment in Japan for our trade.

Mr. WHITE (Minister of Finance): Article VIII provides for that.

Sir WILFRID LAURIER: If that be so, my observations would not apply. The only advantage which my hasty reading of the treaty has enabled me to find for Canada is in article XXI:

The coasting trade of the high contracting parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws of the United Kingdom and Japan respectively. It is, however, understood that the subjects and vessels of either high contracting party shall enjoy in this respect most favoured nation treatment in the territories of the other.

We have the stipulation there that, if any advantage is given to any nation with regard to navigation, Canada shall receive the same treatment. The next paragraph is important:

British and Japanese vessels may, nevertheless, proceed from one port to another either for the purpose of landing the whole or part of their passengers or cargoes brought from abroad, or of taking on board the whole or part of their passengers or cargoes for a foreign destination.

That is important; it is important for the Canadian Pacific Railway Company, which has steamers plying between Vancouver and Japan, and it is important for the Grand Trunk Pacific Company, which no doubt will have a line of steamers plying between Prince Rupert and Japan, for, under this provision the steamers can go from port to port and discharge their passengers and cargo without molestation. This is the only advantage to Canada which my reading of the treaty has enabled me to find. The Minister of Finance tells me that article VII provides for most favoured nation treatment in the matter of trade. It reads:

Articles, the produce or manufacture of the territories of one high contracting party, upon importation into the territories of the other, from whatever place arriving shall enjoy the lowest rates of customs duty applicable to similar articles of any other foreign origin.

No prohibition or restriction shall be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the high contracting parties, into the territories of the other, from whatever place arriving which shall not equally extend to the importation of the like articles, being the produce or manufacture of any other foreign country. This provision is not applicable to the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons, or of cattle, or of plants useful to agriculture.

In exchange for this concession, what do we give Japan? Article I gives very wide powers to the Japanese people, amongst others:

The subjects of each of the high contracting parties shall have full liberty to enter, travel, and reside in the territories of the other, and, conforming themselves to the laws of the country—

1. Shall, in all that relates to travel and residence, be placed in all respects on the same footing as native subjects.

2. They shall have the right, equally with native subjects, to carry on their commerce and manufacture, and to trade in all kinds of merchandise of lawful commerce, either in person or by agents singly or in partnerships with foreigners or native subjects.

3. They shall in all that relates to the pursuit of their industries, callings, professions, and educational studies be placed in all respects on the same footing as the subjects or citizens of the most favoured nation.

4. They shall be permitted to own or hire and occupy houses, manufactories, warehouses, shops, and premises which may be necessary for them, and to lease land for residential, commercial, industrial and other lawful purposes, in the same manner as native subjects.

These are very wide powers, and they are of the class to which the people of British Columbia have always objected. Under this treaty, Japanese coming to Canada have the same privileges of residence, occupation, manufacture, and commerce, as may be employed by the subjects of His Majesty. My right hon. friend says he has guarded against that by providing in the Bill, that the treaty shall not effect in any way the Canadian Immigration Act; but, unless that be supplemented by something else, it is of no benefit whatever to the people of Canada, especially the people of British Columbia. The Immigration Act provides:

No immigrant passenger, or other person unless he is a Canadian citizen or has a Canadian domicile, shall be permitted to land in Canada or, in case of having landed in or into Canada, shall be permitted to remain therein, who belongs to any of the following classes, hereinafter called forbidden:

(a) Idiots, imbeciles, feeble-minded persons, epileptics, insane persons and persons who have been insane within five years previous;

(b) Persons afflicted with any loathsome disease, or with a disease which is contagious or infectious, or which may become dangerous to the public health, whether such persons intend to settle in Canada or only to pass through Canada in transit to some other country. . .

(c) Immigrants who are dumb, blind or otherwise physically defective. . .

(d) Persons who have been convicted of any crime involving moral turpitude.

(e) Prostitutes and women and girls coming to Canada for any immoral purpose and pimps or persons living on the avails of prostitution.

(f) Persons who procure or attempt to bring into Canada prostitutes or women or girls for the purpose of prostitution or other immoral purposes.

(g) Professional beggars or vagrants, or persons likely to become a public charge.

(h) Immigrants to whom money has been given or loaned by any charitable organization.

Now, the application of the Immigration Act to Japanese in the face of this treaty simply means that the Department of the Interior may reject at our ports such persons as are here described. But the able-bodied, the sound in limb and mind, the vigorous, the strong, will be able to come in and compete in the labour market with our people. That is what the provision means, or it means nothing.

Mr. BORDEN: Is the right hon. gentleman reading the statute or the regulation?

Sir WILFRID LAURIER: The statute itself. I come now to sections 37 and 38 of the same Act:

37. Regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada that immigrants and tourists shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race, occupation or destination of such immigrant or tourist, and otherwise according to the circumstances. . .

38. The Governor in Council may, by proclamation or order whenever he deems it necessary or expedient:

(a) prohibit the landing in Canada at any specified port of entry in Canada of any immigrant who has come to Canada otherwise than by continuous journey from the country of which he is a native or naturalized citizen and upon a through ticket purchased in that country or prepaid in Canada;

(b) prohibit the landing in Canada of passengers brought to Canada by any transportation company which refuses or neglects to comply with the provisions of this Act.

I come now to the clause which is most in point:

(c) Prohibit for a stated period or permanently, the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or requirements of Canada or of immigrants of any specified class, occupation or character.

You may say that under this law it is possible for the Governor in Council to prohibit the entry of Japanese generally, under the word 'race;' in other words, to close the ports of Canada against the Chinese, the Siamese, or any other Orientals, including the Japanese. But, in view of the relations which we have with the Japanese people at the present time, to which relations the right hon. gentleman has just alluded; in view of the treaty of peace and amity which we have with the Emperor of Japan, which was negotiated by Lord Lansdowne nineteen years ago, and was renewed by Sir Edward Grey two years ago, does anyone believe that my right hon. friend will take it upon himself to exercise the powers he has obtained and exclude the Japanese by Order in Council from landing in Canada? I say without hesitation that my right hon. friend would not dare to exercise such a right, although he may have it. He would be precluded by the higher consideration of the interests of the Empire; he would be precluded by the higher consideration that this would be offering an indignity to a friendly people, which would be not only not in accordance with the amity of nations, but fraught with most dangerous consequences. The right hon. gentleman sent a copy of the Bill in his letter to the Japanese Consul, and he has read that letter. I will take the opportunity of reading it again, because it brings very near to us the answer which was given by the Japanese Consul in which the Consul told my right hon. friend, if not in so many words, yet very effectively, that he would not enforce such a clause. My right hon. friend's letter to the Japanese Consul was as follows:

Ottawa, Ont., 7th February, 1913.

Sir,—I have the honour to inform you that the Government are willing to submit to the Parliament of Canada a Bill by which Canada shall adhere to the Treaty of Commerce and Navigation between the United Kingdom and Japan signed at London on the 3rd April, 1911.

2. The adherence of Canada would be upon the conditions and with the proviso set forth in the inclosed draft Bill which is submitted for the consideration of the Imperial Japanese Government.

3. The proviso that the treaty shall not be deemed to repeal or affect any of the provisions of the Emigration Act follows the language which was approved by the Imperial Japanese Government in relation to the recent treaty negotiated with the United States of America.

4. The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment in the inclosed draft Act of Parliament of the proviso which has already been agreed to in the case of the United States.

I have the honour to be, Sir.

Your obedient servant,

R. L. Borden.

Hon. T. Nakamura,
Consul General for Japan,
385 Laurier Avenue E.,
Ottawa, Ont.

Now, here is the answer:

Imperial Consulate General of Japan,
Ottawa, March 1, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 7th ultimo,

stating that your Government are willing to submit to the Parliament of Canada an Act by which Canada shall adhere to the Treaty of Commerce and Navigation between Japan and Great Britain, signed at London on the 3rd of April, 1911, and inclosing for the consideration of the Imperial Government a draft Bill setting forth the conditions and proviso upon which the adherence of Canada will depend.

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government has no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910, being applicable, as stated in your note to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to be, Sir,
Your obedient servant,
T. Nakamura,
Consul General of Japan.

To the Rt. Hon. R. L. Borden,
Prime Minister of Canada,
Ottawa.

The Japanese Consul there said most effectively to my right hon. friend: Very well; we agree that you shall put it in the agreement that this Bill shall remain in force, but it should not be applied to Japan. No other construction can be put upon it. But all this is beside the question.

My right hon. friend, in the closing sentences of his remarks, referred to the only reason that has induced him to ratify this treaty, and that is the agreement which was made by my hon. friend the ex-Postmaster General (Mr. Lemieux) in 1907, whereby the Japanese Government themselves undertook to restrict their own emigration, an agreement which, as was stated by my right hon. friend, has been most loyally adhered to by the Japanese Government.

Mr. BORDEN: Did my right hon. friend understand me to say that that was the only consideration which induced me to adhere to the treaty? I do not wish to be so understood.

Sir WILFRID LAURIER: I am sorry my right hon. friend takes that view. If that is not the reason which has induced him to do so, will my right hon. friend say that, if the Japanese Government were to withdraw from the agreement of 1907, he would advise the ratification of the present treaty? If the Japanese Government were to tell him to-day that they did not propose to restrict their own immigration, I venture to say my hon. friend would not take another step towards the ratification of this treaty, because he would be under the certain necessity, in view of the strong agitation in British Columbia in respect of Japanese immigration, of closing the doors of Canada to the Japanese people. I am well aware of the nature of the prevailing opinion in British Columbia in this regard, and I do not find fault with it. In British Columbia, in California, in Australia, in South Africa, wherever Asiatic labourers come in contact with labourers of European descent, there has always been friction; and this friction will be unavoidable so long as the standard of living as between European and Asiatic labourers is not brought to an approximately common level. The conditions of living to which the Asiatic labourer has been accustomed for centuries are such that he can afford to live upon a wage altogether out of proportion to that which is necessary to the European labourer, and that is the reason why there has always been friction between them. We did not hesitate some years ago to exclude by statute Chinese people from coming to this country; but when consideration had to be given to the question of excluding the Japanese by hostile legislation the late Government would not do so, for the simple reason that the Japanese were our allies, and we did not care to submit them to that indignity. We proceeded in a different way. My hon. friend the Postmaster General of that day went to Tokio and negotiated an agreement with the Japanese Government, under which they undertook to restrict their own emigration. Could anything be more effective? Since the making of that agreement perfect harmony has existed between the two nations, and we have enjoyed the good-will and friendship of the Japanese people.

My right hon. friend read a part of the letter of the Secretary of Foreign Affairs in Japan, addressed to the Postmaster General of that time, which was as follows:

In reply to your note of even date, I have the honour to state that although the existing treaty between Japan and Canada absolutely guarantees to Japanese subjects the full liberty to enter, travel and reside in any part of the Dominion of Canada, yet it is not the intention of the Imperial Government to insist upon the complete enjoyment of the rights and privileges guaranteed by those stipulations when that would involve disregard of special conditions which may prevail in Canada from time to time.

Acting in this spirit, and having particular regard to circumstances of recent occurrence in British Columbia, the Imperial Government have decided to take efficient means to restrict emigration to Canada. In carrying out this purpose, the Imperial Government, in pursuance of the policy above stated, will give careful consideration to local conditions prevailing in Canada, with a view to meeting the desires of the Government of the Dominion as far as compatible with the spirit of the treaty and the dignity of the state.

Although, as stated in the note under reply, it was not possible for me to acquiesce in all the proposals made by you on behalf of the Canadian Government, I trust that you will find in the statement therein made proof of the earnest desire of the Imperial Government to promote, by every means within our power, the growth and stability of the cordial and mutually beneficial relations which exist between our countries. I venture to believe also that this desirable result will be found to have been materially advanced by the full exchange of views which has taken place between us, and it gives me special pleasure to acknowledge the obligation under which I have been placed by your frank and considerate explanations regarding the attitude and wishes of your Government.

I avail myself, &c., &c.,

Tadasu Hayashi.

That letter was dated December 23, 1907. Following is the agreement which was included therein:

The regulations (a) would be sent at once to the governors of the several prefectures of Japan, and the regulations (b) to the consuls of Japan in Canada.

(A)

The following classes of emigrants only are those to whom the Japanese Government will grant permission to emigrate to Canada.

1. Emigrants having previously resided in Canada and holding certificates of such residence issued by the Japanese consular authorities in the Dominion, and the wives and children of such emigrants.

2. Emigrants specially engaged by Japanese residents in Canada for bona fide personal or domestic service, upon production of written evidence of such engagement, attested by the competent Japanese consular authorities.

3. Contract emigrants, where terms of the contract, works to be done, names and standing of the intended employers are satisfactorily specified; such contracts to be accompanied by a certificate from the Japanese Consul of the district where the labourers are to be employed.

In addition to the above, emigrants brought in under contract by Japanese resident agricultural holders in Canada and especially required for the promotion of such agriculture; such contract to be accompanied by the certificate of the Japanese consular authority in the district where the labourers are to be employed.

(B). Copy of Memorandum to Consular Authorities.

The consular authorities to whom application is made for the issue of a certificate attesting the genuineness of contracts for the employment of Japanese labour in Canada shall not issue the certificate unless they receive satisfactory evidence that such contract has the approval of the Canadian Government.

As an exception to this rule, Japanese consular authorities in Canada may issue certificates to Japanese resident agricultural holders who require Japanese labour for the working of their agricultural lands at the rate of from five to ten labourers per one hundred acres of land held by the applicant. It is necessary, however, that before issuing these certificates all Japanese consular authorities shall exercise great care to ascertain the bona fides of the applicant and will take into close consideration the existing state of the labour market and of public feeling.

This is the agreement which was made, and which my right hon. friend has in mind. My right hon. friend said a moment ago that he had reason to believe that as soon as this treaty had received the sanction of the Governor General the Japanese Government would issue a declaration similar to the declaration made by the Japanese Ambassador when the treaty with the United States was effected. Here is the statement of my right hon. friend in his own language:

It will be observed that, concurrently with the ratification by the Government of the United States of the new treaty with Japan, His Excellency the Japanese Ambassador at Washington signed and published a declaration that the Japanese Government were fully prepared to maintain with equal effectiveness the limitation and control which for some years they have exercised in regulation of the emigration of labourers from Japan to the United States. We have every reason to believe that as soon as the present Bill shall become law, the Imperial Government of Japan will be prepared to make and will make similar declarations with regard to the maintenance of the limitation and control which they have exercised during the past five years in the regulation of emigration from Japan to Canada.

The method which has been adopted of having with such a government as the Japanese Government an understanding on mutual good faith, which has been carried out for five years, is certainly the best solution of that problem. And now that we have these explanations on the part of my right hon. friend, I think there is no reason why we should refuse our assent to the treaty. It does not go very far, and I shall ask later on why the commercial part of it has not been made applicable to Canada. So far as it goes, we shall be quite happy to give it our sanction.

Mr. BORDEN: As we shall be summoned to the Senate in a few moments, I propose to move that the debate be adjourned, to be resumed this day.

Mr. WHITE (Minister of Finance: I understood my right hon. friend to say that he desired some further information or an explanation with regard to the commercial aspect of the treaty. I thought my right hon. friend agreed, after looking at article VII, that we received most favoured nation treatment, and I think that covers the point adverted to.

Article VIII of the treaty, by its express terms, is limited to the United Kingdom. The phrase used in the other articles is 'between the high contracting parties,' and in order to make it certain that article VIII did not apply to Canada, we have on record a letter from the Consul General of Japan containing the express statement that article VIII does not apply. But we have the advantage, so far as Japan is concerned, of most favoured nation treatment. Article VII refers to articles of foreign origin and provides that importations into Japan, the produce and manufacture of Canada, are to receive as favourable treatment as articles of any other foreign origin. There are treaties in existence between Japan and France and Germany providing for most favoured nation treatment and even if a question arose as to the word 'foreign origin' in article VII, Canada is entitled to the most favoured nation treatment and consequently to the same treatment that France and Germany or any other nation enjoying most favoured nation treatment with Japan will receive. I may say that if it had stood alone, if that had not been the position, Canada, in my estimation, would still not have been justified in giving adhesion to article VIII because I could show my hon. friend, to his satisfaction, that by reason of the most favoured nation treaties to which we are subject, the present treaty and the other favoured nation treaties which are applicable to Canada, if the goods mentioned in schedule 2 in the treaty were to be admitted to Canada free, as they are to be admitted to the United Kingdom free, then of course the other favoured nations would be entitled to receive from Canada precisely the same treatment, and the result would be that they would be able also to export to Canada on a free basis all the articles mentioned. The result would be important not only so far as revenue is concerned, but so far as some of the industries of this country are concerned. However, I do not think the question arises for the reason that article VIII does not apply and we get the benefit of most favoured nation treatment from Japan.

Sir WILFRID LAURIER: I shall take it up when we return at eight o'clock.

Mr. BORDEN: Article VIII, by its terms, does not apply to any of the dominions, but only to the United Kingdom.

Sir WILFRID LAURIER: That is true.

Mr. BORDEN: In the other articles the expression is 'the high contracting parties.' In article VIII it is 'the United Kingdom.' Shortly after the treaty was signed an interpretation was agreed upon by which it was distinctly stated that article VIII had application only to the United Kingdom.

On motion of Mr. Borden, the debate was adjourned, to be resumed this day.

THE ROYAL ASSENT.

A message from His Excellency the Administrator, by the Gentleman Usher of the Black Rod:

Mr. Speaker: His Excellency, the Administrator, desires the immediate attendance of your honourable House in the Chamber of the honourable the Senate.

Accordingly, Mr. Speaker, with the House, went up to the Senate Chamber.

And the House being returned:

Mr. SPEAKER: I have the honour to report that the House having attended His Excellency, the Administrator, in the Senate Chamber, His Excellency was pleased to give, in His Majesty's name, the Royal Assent to the following Bills:

An Act respecting Dominion Trust Company.

An Act respecting the Canadian Northern Ontario Railway Company.

An Act respecting the Pacific and Hudson Bay Railway Company.

An Act respecting the Shuswap and Okanagon Railway Company.

An Act respecting the Southern Central Pacific Railway Company.

An Act to incorporate the Quebec, Portland and International Short Line Railway Company.

An Act respecting the Cariboo, Bakerville and Willow River Railway Company.

An Act respecting the Niagara, St. Catharines and Toronto Railway Company.

An Act respecting the Kettle Valley Railway Company.

An Act respecting the Ottawa Gas Company.

An Act respecting the Athabaska Northern Railway Company.

An Act respecting the Algoma Eastern Railway Company.

An Act respecting the Guelph and Goderich Railway Company.

An Act to incorporate the North West Guarantee and Accident Insurance Company.

An Act to incorporate the Dominion North Western Railway Company.

An Act respecting the Huron and Ontario Railway Company, and to change its name to 'The Toronto and North Western Railway Company.'

An Act to incorporate the Regal Trust Company.

An Act for the relief of Beatrice Emma Mayers.

An Act for the relief of Alfred Milton Durnan.

An Act for the relief of Minnie Kate Clappison.

An Act for the relief of George Geddes McDonald.

An Act for the relief of Frederick Frank Saunders.

An Act for the relief of Elizabeth Adelaide Rayner.

An Act for the relief of Mary Susan Marlatt.
An Act for the relief of Frances Lagora Anderson.
An Act for the relief of Ruby Christian Foy.
An Act for the relief of Malcolm Smith.
An Act for the relief of John Caldwell Richards.
An Act for the relief of George Daniel Ingleby.
An Act for the relief of Walter Wargrave Hughes.
An Act for the relief of William Froste.
An Act for the relief of William Monds.
An Act for the relief of Charles Frederick Tarling.
An Act for the relief of Jesse Wilbert Hearns.
An Act for the relief of Louise Marguirette Ruth Ridge.
An Act for the relief of Edward MacKay Creighton.
An Act for the relief of Nathan Louis Nathanson.
An Act for the relief of Fanny Maria Gogarty.
An Act respecting New Orleans and Grand Isle Traction, Light and Power Company, Limited, and to change its name to 'New Orleans and Grand Isle Railway, Light and Power Company, Limited.'
An Act respecting Ebro Irrigation and Power Company, Limited.
An Act for the relief of Mabel Lacey.
An Act for the relief of Isabella Lee Brewster.
An Act to incorporate the Calgary and Fort McMurray Railway Company.
An Act to incorporate the Canada Hail Insurance Company.
An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1913, and the 31st March, 1914.

At six o'clock, the House took recess.

After Recess.

The House resumed at eight o'clock.

BRITISH-JAPANESE TREATY.

The adjourned debate on the motion of Mr. Borden for second reading of Bill No. 156, respecting a certain Treaty of Commerce and Navigation between His Majesty the King and His Majesty the Emperor of Japan, was resumed.

Hon. RODOLPHE LEMIEUX (Rouville): Mr. Speaker, I do not know that I can add to the very admirable speech which has been delivered by the right hon. the leader of the Opposition on this treaty of commerce between Canada and the Empire of Japan. Yet, as in the past, I have been more or less interested in some of the features of this treaty, I may be entitled to express my opinion on this important matter. First of all, I sincerely congratulate the right hon. the leader of the Government on this his first diplomatic venture, since he has been called upon to fill the high office of Prime Minister of Canada. The fact that he has been able to negotiate this treaty, demonstrates that Canada, although one of the overseas dominions and although subject in her international relations to the British Foreign Office, under the very liberal constitution we are blest with is in these matters competent to deal directly with nations willing to trade with us. I congratulate the right hon. the Prime Minister on the measure of success he has attained in these negotiations; I thank him for his kindness in handing me a few days ago the correspondence he has had with His Excellency, Mr. Nakamura, the Imperial Japanese Consul at Ottawa.

We know that Japan is not the least powerful ally of our Mother Country, Great Britain, and Japan is to-day one of the world's great powers. Japan is great, not alone through military achievements which place her side by side with the leading nations of the world, but, great because of her civilization; and her attainments in education, in literature, in science, in arts. I have visited Japan, I have studied her history, and to her progress in the arts of modern civilization I can bear testimony. I am glad Canada is called upon to adhere to this treaty, in which are included and presented for our consideration, two features of commerce and immigration. I regret that of late years our expectations of an extensive commerce with Japan have not been realized. I have the latest figures issued by the Department of Trade and Commerce, and I find that the trade from Japan to Canada is much larger than the trade from Canada to Japan, the balance of trade being against us in this instance, as in our trade with the United States. These are the figures:

Trade of Canada with Japan.
(From Canadian Returns.)

Years ended December 31.	Imports into Canada from Japan.	Exports from Canada to Japan.
1910..	2,372,412	688,000
1911..	2,294,875	436,375
1912..	3,616,040	851,887

Trade of Japan with Canada.
(From Japanese returns.)

Years ended December 31.	Imports into Canada from Japan.	Exports from Canada to Japan.
1910..	423,363	2,122,372
1911..	166,298	1,995,011
1912..	330,903	2,394,515

There is no reason, Sir, why in the years to come the inter-trade between Japan and Canada should not greatly develop. It is to be expected that when the National Transcontinental railway is completed from ocean to ocean, and when there is a line of steamers established between Prince

Rupert and Yokohama, Canada will be able to develop a trade of some magnitude with this remarkable country. Canada occupies an unequalled strategic position from the trade point of view, as the medium of commerce between Europe and Asia, because, when the port of Prince Rupert is fully equipped and the National Transcontinental railway in operation, Prince Rupert will be the nearest port on the American continent to Japan, and a vantage point par excellence through which to develop commerce. Wheat, one of our staple products, is destined to be an article of very general consumption by the people of Japan. The wheat at present consumed in Japan is shipped from Oregon, Washington, and other Pacific coast states. It is admitted that it is of much inferior quality to that produced in our prairie provinces, which can be conveniently and cheaply exported to Japan when the transportation facilities now under construction are completed. Before I speak of the Canadian Pacific railway service, may I say that since the Osaka exhibition some years ago at which Canada was represented, there have been organized in the large Japanese cities bakeries which sell bread to the people at a very low price. This was started by Canadians at the exhibition of Osaka, and the custom has been maintained ever since. As we all know, the Japanese as a rule consume rice, but the best rice produced in Japan is exported, and so the consumption of wheat becomes every day more a matter of course in Japan. If the Canadian Pacific railway were not congested at Vancouver and Victoria with the line it has, there could be established a much larger export from Canada to Japan; but as we all know, especially as my hon. friends from British Columbia know, the steamers of the Canadian Pacific railway, the Empress of Japan and the Empress of China, are much too small, and are on the point of being replaced by larger steamers. But up to the present time it has been impossible for the Canadian Pacific railway to promote the wheat trade between Japan and Canada. The time is fast approaching when that trade will be greatly increased. The articles which are being sold by Canada to Japan and which may become the basis of a trade between the two countries, as I see by the monthly report of the Department of Trade and Commerce in May, 1902, consists of the following:

Animals, living; arms, clocks, watches, instruments, tools; bicycles and parts thereof; butter; books and stationery; cheese; comestibles in cans; cotton duck; fertilizers; fish, salted salmon and trout; flour; leather and manufactures of; machinery; metals, iron and steel; lead (pigs, ingots, slabs); metal manufactures; milk condensed; paper, printing; pulp; soap; timber, lumber, planks and boards; and tobacco, leaf.

And in another column we find the imports into Canada from Japan. I would not, for my part, object, should it be found necessary for the betterment of trade between Canada and Japan, to the increase of the subsidies to the Canadian Pacific railway line of steamers. The Canadian Pacific railway, we all know, are the pioneers of that trade, and in the far East they have certainly been the advertisers of Canada. Long before we had an agent in Yokohama and Tokio there was an agency of the Canadian Pacific railway, and that agency, which I visited on my trip to Japan, was known all over Japan, Manchuria and Korea. It is situate in the quarters where the wealthy merchants and wealthy traders meet every week.

Now, besides the question of trade with Japan, there is the question of immigration; and certainly this is a most important question in its effects upon the fair province of British Columbia. Perhaps it would be better for me to examine for a few moments the question of Japanese immigration into the United States, before I speak of that immigration into Canada. For, after all, the problem in British Columbia is on the same lines as in the states of the neighbouring republic. The Japanese increased in numbers in British Columbia after they had invaded, so to speak, the states of California, Oregon and Washington. To speak of the progress of that immigration into the neighbouring states is to speak of its progress in our own province of British Columbia. In the eighties there was practically no Japanese immigration into the continent of America; a Japanese in those days was a curiosity on this continent. I have here the statistics published in a book, a most interesting work, which has just been printed 'American-Japanese Relations' by Kiyoshi K. Kawakami. I see that in 1886 there were seven Japanese immigrants in the United States of America. One must come down to 1891 to find any considerable number of Japanese on this continent. I find that in 1891 there were 1,161 Japanese in the western states. And from that year the immigration grew until, in 1907, it had reached high-water mark at 30,226. Now, the first Japanese immigrants were induced to come to the United States, as they were induced to come to Canada, by our own selves—that is by the white population. When the exclusion of Chinese was pronounced by the American Government, the large owners of orchards in the United States, and the great railway companies of the West themselves imported contract labour; and that is the reason why from 1891 to 1907, the Japanese immigrants came in such large numbers. But they did not come directly from Japan. When the influx was at its height, they were coming from the islands of Hawaii, to which islands they had

been attracted by the sugar plantations. And when, later on, the earthquake at San Francisco brought to a standstill the labour market in California, there was further inducement which brought to the state of California more of the Japanese labourers from Hawaii.

This explains why in 1907, the Japanese immigration had reached the highwater mark of 30,226 in the western states. It is a fact which redounds to the credit of the Japanese people that, as soon as they took root in the United States, they immediately became keen competitors not only of the other yellow races, but of the white race itself. There are no paupers amongst them; they were not a charge on the community; there were fewer illiterates amongst them than amongst the immigrants of all the other races and they worked in the United States for the same wages as those paid to white labourers. One can well understand the spirit of antagonism which developed itself against the arrival of these keen competitors. They had scarcely become established in the continent of America when the people began to realize that they were one of the best and most active races of the world. The yellow races, such as the Hindus and Chinese, were not consumers of what is produced by the manufacturers in the United States, whilst by the statistics which I have in my hand it is established that the Japanese as soon as they came in contact with the white people in the United States, became consumers of the national product of that country to as great a degree as the white people themselves. I stated a moment ago that a large influx took place in 1907, and that it was caused not only by certain conditions in the islands of Hawaii, a possession of the United States in the Pacific ocean, but was also the result of the earthquake at San Francisco and the state of the labour market in the state of California. The agitators of the western states immediately organized what are called exclusion societies, formed for the purpose of operating against the immigration of Japanese and Koreans. In the United States, as in Canada, the Chinese are practically excluded, and they can enter the country only by paying a heavy head tax. The societies in question held meetings, especially in San Francisco and in the states of Oregon and Washington, and had permeated throughout the province of British Columbia. The agitation in 1907, had reached such a stage that President Roosevelt thought it necessary to enact a law directly against the Japanese and Koreans. He had made a promise in regard to the matter to the mayor of San Francisco in 1907, and in February of that year the following provision was inserted in the Immigration Act:

That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any other country than the United States or to the canal zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labour conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the canal zone.

On the basis of this provision President Roosevelt, on March 14, 1907, issued a proclamation excluding from continental United States, Japanese and Korean labourers, skilled or unskilled, who had received papers to go to Mexico, Canada or Hawaii, and come therefrom. But, Sir—and this is the point I wish to emphasize, because, after all, similar conditions prevail in Canada in respect of the present treaty—whilst the late President of the United States, by an amendment to the Immigration Act, and by proclamation, was excluding the Japanese and the Koreans from the United States, the Government of the United States was despatching to Japan the then Secretary of State, Mr. Taft, for the purpose of negotiating with the Japanese an arrangement or understanding by which the Government of the United States would not be called upon to exclude the Japanese or the Koreans, but that the Government of Japan, of its own volition, would restrict the immigration by the issuing of passports. Permit me to quote from this book, entitled American and Japanese Relations, the following paragraph:

> Meanwhile the American Government entered into a negotiation with the Japanese Government with a view to securing its co-operation in the enforcement of the immigration regulations. Japan willingly acceded to the American request, and suggested plans for the control of immigrants. Thus an understanding was reached, contemplating that the Japanese Government should issue passports to continental United States only to such of its subjects as were non-labourers or were labourers who in coming to the continent sought to resume a formerly acquired domicile, to join a parent, wife or children residing there, or to assume control of an already possessed interest in a farming enterprise in this country; so that the three classes of labourers entitled to receive passports to the continental United States have come to be known by the following designations: first, former residents; second, parents, wives or children of residents; third, settled agriculturists.

That the experiment has worked satisfactorily in the United States is established by the following words found in the report of the Commissioner General of Immigration for the last year:

The experiment certainly, with the co-operation of the Japanese Government, much more completely accomplished the exclusion of Japanese labourers as defined in the regulations putting the arrangement into effect, than have the Chinese exclusion laws ever operated to prevent the immigration of Chinese labourers as defined under such laws, and is working at this moment with a greater degree of relative success.

Figures are quoted giving the number of emigrants going from Japan to the United States since this understanding was agreed upon by the two governments in 1907.

You have here briefly the history of the movement of immigration between Japan and the United States, the regulations which were adopted, the understanding which was come to and carried out between the two governments, and you have the results. It has worked satisfactorily and I say that we in Canada, in a much lesser degree as regards the number of immigrants, have succeeded as they have in the United States and I am proud to say that the Government of Japan have carried out the spirit and the letter of the understanding which was arrived at in 1907. Might I be allowed to quote from the official reports of the United States? Let us take the first report of 1908-09, after the agreement came into force. The Commissioner General of Immigration reports as follows at 221 of the House documents, volume 81:

To section 1 of the Immigration Act, approved February 20, 1907, a proviso was attached reading as follows: That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any other country than the United States or to any insular possession of the United States, or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labour conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.

Further, the commissioner adds:

In order that the best results might follow from an enforcement of the regulation, an understanding was reached with Japan that the existing policy of discouraging the immigration of its subjects of the labouring classes to continental United States should be continued and should, by co-operation of the governments, be made as effective as possible. This understanding contemplates that the Japanese Government shall issue passports to continental United States only to such of its subjects as are non-labourers or are labourers who in coming to the continent seek to resume a formerly acquired domicile. . . .

It will be seen, therefore, that the report for the past fiscal year covers a novel phase of the immigration question, viz., the exclusion from the continental portion of this country of certain classes of aliens, such exclusion being based in part upon the provision of law mentioned, but principally upon the mutual understanding of the two countries affected.

The same report has been made from year to year since 1908 and, as I stated a moment ago, the same satisfactory result has been achieved in the United States owing to the understanding which was negotiated by ex-President Taft on behalf of the United States Government with the Empire of Japan. As I stated, similar conditions exists in Canada as in the western United States. The first yellow immigrants who came to Canada were the Chinese coolies, they came after the discovery of the Cassiar and Kootenay mines, but they came in much vaster numbers about thirty years ago for the construction of the Canadian Pacific railway in the passes of the Rocky mountains. After the construction of the Canadian Pacific railway was completed they did not return to their country of origin, but settled in the plains and in the various cities until there was, in 1844, a very serious anti Asiatic agitation on the part of the white people of British Columbia. A commission was appointed by the Government of Sir John A. Macdonald, consisting of the late Sir Adolphe Chapleau, the late Mr. Justice Grey and the late Mr. Nicholas Flood Davin, who for many years sat as a member of this House, to investigate the grievances of the white people of British Columbia. We all know the conclusions of the commission, it recommended to the Government the imposition of a head tax of fifty dollars which later on, in 1900 I believe, was raised by the Government of Sir Wilfrid Laurier to $100 and finally to its present figure of $500. Until 1892 or 1894 there were very few Japanese citizens in the province of British Columbia and, as in the case of the United States, they were feared, not because they were a charge on the community, not because they were considered as an inferior race, far from it, but because of their aggressiveness in business, as traders and as citizens generally. There was some slight agitation around 1900, and representations were made by the Canadian Government to the Japanese authorities and we all remember the orders issued by the Minister of Foreign Affairs of Japan. On the 2nd of August, 1900, he issued an order to the governors of prefectures. Japan, like France, is divided into so many departments and in each department there is a prefect and there are governors. The order read:

To the governors of the prefectures. You are hereby instructed to prohibit entirely, for the time being, the emigration of Japa-

nese labourers for the Dominion of Canada or for the United States.

(Signed) Viscount Aoki,
Minister of Foreign Affairs.

In 1902 that took place in British Columbia, and I may say that this agitation was only following the one in the neighbouring states. The legislature of British Columbia passed no less than twenty-two Acts for the exclusion of the Japanese, which Acts were all disallowed by the federal authorities.

In 1902 the Japanese Government was represented in Canada by a gentleman of very great ability, one of the most prominent Japanese consuls in America at that time; I refer to Mr. Nossé. Mr. Nossé was made aware of the agitation which was taking place in British Columbia, and on several occasions he gave assurances to the Government of Canada that the immigration of contract labourers from Japan would be restricted by the Government of Japan. I think that at that time the number specified was five labourers from each prefecture of Japan; at all events the total did not exceed 200 or 250 a year, which was quite a reasonable figure. Canada, like the United States, felt that the Japanese could not be treated on a footing of equality with the Chinese. At that time there had arisen a new Japan. A nation which had been dormant, so to speak, for many centuries, restored its legitimate monarch in 1867, and later on, in 1889, after sending its statesmen throughout the world to study the civilization of Europe and America, it adopted the parliamentary institutions which we ourselves enjoy. In 1894, having become more open to the methods of Occidental civilization, Japan sought to revise her treaties. All her treaties had been negotiated up to that time with very special tariff rates and with rights of exterritorially which were most humiliating to her sense of honour. In 1894, the first nation to negotiate a treaty with Japan, a treaty of amity and commerce, was Great Britain, and Canada adhered to it. Later on, as was stated this afternoon, a treaty of alliance was concluded by Lord Lansdowne, the then British Foreign Minister, between Japan and Great Britain, which treaty was renewed by Sir Edward Grey a few years ago. Therefore, Canada as part of the British Empire, could not treat the Japanese as an inferior race. The Japanese are not an inferior race; their civilization entitles them to the greatest consideration, and, as I stated in opening my remarks this evening, their literature, their system of education, their military achievements, their naval power, and their extensive commercial attainments, have placed the Japanese people really within the concert of Europe. In 1902 we could not, as some people were clamouring for us to do, enact against that great people any laws of exclusion, any more than we could to-day enact laws of exclusion against them.

In 1905, therefore, Canada adhered to the first treaty which had been signed between Great Britain and Japan. Let me for one moment refer to Canada's action, as regards that first treaty, on the question of immigration. I do not wish to open old sores, but we all know that there was a strong party in British Columbia which for many years advocated the exclusion of Japanese as of all other Oriental immigrants. The late Government were told that they could have done indirectly what we were being asked to do directly; we were told that we could, for instance, enact legislation similar to that adopted by Natal in South Africa. We were told that we could have availed ourselves of the legislation passed by Queensland in Australia. It is not necessary for me to re-open old sores. Let me just say that I cannot believe, and the present leader of the House cannot believe, that at any time during the last twenty years Canada would have been justified in passing the Natal Act or in adopting the legislation of Queensland; which legislation has not been enforced by Queensland since it became part of the Commonwealth of Australia. On this subject I would like to refer the House to the explanations given by Sir Ernest Satow, who for some years was the ambassador of Her Late Majesty the Queen to Japan. Sir Ernest Satow said:

It seems obvious that the Japanese government, who have taken nearly four months to consider their reply, desire to be in a position to terminate the treaty whenever any of the colonies that might accede to it with this proviso proceeded to legislate against the free immigration of Japanese labour, and I could not conceal from His Excellency my feeling that this was not a very friendly attitude to take up.

I assured him, however, that as far as I could foresee, there would, in all probability, be no necessity for either Canada or the Australian colonies placing restrictions on Japanese, who usually lived on the same scale as Europeans in foreign countries, and that no disadvantage was likely to result to Japan from consenting to this proviso. As His Excellency was aware, no such legislation had even been resorted to in the past.

Let me give the concluding sentence, which gives the key to the whole situation, as far as Japan is concerned in matters of this kind. Says Sir Ernest Satow:

I think it is not difficult to understand why the Japanese Government feeling that such provisions are calculated to place them in the eyes of the world on a level with the Chinese, should endeavour, while apparently consenting to them, to render them practically inoperative from the beginning.

That is to say, that, if at the time of our first treaty, we had enacted similar legisla-

tion to that passed by Queensland, the Japanese Government would have notified Canada immediately that the treaty would be at an end after six months and the treaty would have been of no avail. Therefore, we accepted, and rightly so, the assurances which were given by the representative of Japan in Canada as to the restriction of immigration to Canada. I shall not weary the House by reading these assurances, but I am pleased to say that, from the moment that Viscount Aoki, in 1900, gave his pledge until the assurances of Mr. Nossé were given in 1907, Japan lived up to those assurances. But suddenly, as in the case of the United States, there was an influx of Japanese into British Columbia. I explained a moment ago, that, in 1907, into California, Oregon and Washington, but especially into San Francisco, there came, chiefly from the Island of Hawaii, a very large number of Japanese labourers. This gave rise to the drastic legislation of President Roosevelt, followed by the understanding which was arrived at by the Japanese Government and Mr. Taft, who acted as the special envoy of the American Government. In 1907, a similar condition of things was found to exist in British Columbia and the causes were the same. It has been found that the immigrants did not principally come from Japan, but from the Island of Hawaii and that the movement had been engineered by some immigration companies in British Columbia and in Hawaii. The Japanese Government must be acquitted of the charge which was made at the time against them that they had been false to the assurances given by their representative in Canada, Mr. Nossé. On the contrary, the Government of Japan always lived up to the assurances given and always pursued the policy towards Canada and the United States that had been agreed upon. We all remember the riots that took place in September, 1907, due to paid agitators who trekked from the United States to Vancouver in order to arouse public indignation against the Japanese. These riots were very regrettable and the Government of the day did its duty in investigating them and in paying a fair indemnity to the Japanese citizens who had been so ill treated in the streets of Vancouver.

It was under these circumstances that I was dispatched by the Canadian Government to Japan to negotiate an understanding with the Government of that country. The right hon. the leader of the House was kind enough to refer to that mission this afternoon in terms of reserved praise, and he was kind enough to read the basis of the agreement. Let me refer to it again. I take no credit to myself for the relative success of the mission. If I succeeded at all, I owe it entirely, as I stated at the time, to the help given to my own humble self by the British ambassador at Tokio, Sir Claude MacDonald, and I owe it to the liberality and fair play of the then Foreign Minister of Japan, Count Tadasu Hayashi, and also to the fact that Japan, being an ally of Great Britain, was interested in maintaining the best spirit possible between the most important colony of the Empire and the Empire of Japan itself. Now, let me refer to the basis of the understanding which was negotiated by myself in 1907. It has been read by my right hon. friend but I shall read it again.

Tokio, December 23, 1907.

Monsieur le ministre:

In reply to your note of even date, I have the honour to state that although the existing treaty between Japan and Canada absolutely guarantees to Japanese subjects full liberty to enter, travel and reside in any part of the Dominion of Canada, yet it is not the intention of the Imperial Government to insist upon the complete enjoyment of the rights and privileges guaranteed by those stipulations when that would involve disregard of special conditions which may prevail in Canada from time to time.

Acting in this spirit and having particular regard to circumstances of recent occurrence in British Columbia, the Imperial Government have decided to take efficient means to restrict emigration to Canada. In carrying out this purpose, the Imperial Government, in pursuance of the policy above stated, will give careful consideration to local conditions prevailing in Canada, with a view to meeting the desires of the Government of the Dominion as far as is compatible with the spirit of the treaty and the dignity of the state.

Although, as stated in the note in reply, it was not possible for me to acquiesce in all of the proposals made by you on behalf of the Canadian Government. I trust that you will find in the statement herein made proof of the earnest desire of the Imperial Government to promote by every means within their power, the growth and stability of the cordial and mutually beneficial relations which exist between our countries. I venture to believe, also that this desirable result will be found to have been materially advanced by the full exchange of views which has taken place between us, and it gives me special pleasure to acknowledge the obligation under which I have been placed by your frank and considerate explanations regarding the attitude and wishes of your government.

I avail myself, &c., &c.,
(Sgd.) Tadasu Hayashi.

This was the basis of the understanding. My right hon. friend the leader of the Opposition read this afternoon the synopsis of the agreement arrived at between the authorities in Japan and Canada, a synopsis which can consistently be published without breaking any state secret. The right hon. gentleman knows that this agreement has been lived up to by the Empire of Japan, and the best evidence of the good faith of the Japanese authorities is contained in the pamphlet; Immigration Facts and Figures issued by direction of

the Hon. Robert Rogers, Minister of the Interior, in 1912. In 1907-8, the year of the great influx of Japanese into Canada, there came 7,001 while in 1908-9, the year the agreement was negotiated, between Canada and Japan there were only 495 Japanese immigrants entering Canada; in 1909-10 there were 271; in 1910-11 there were 437; and in 1911-12, there were 755. Last year, for what cause I know not, there was a material increase in the number of Japanese immigrants, over the previous years, but neither the Government of Canada nor the government of Japan is responsible for this, because, in what has been made public of the agreement, it is stated that the Japanese who already had a foothold in Canada could bring in bona fide domestics for their use, and members of their families. I would suppose that last year a large number of the Japanese residents of Canada brought their relatives over. To the credit of Canada, which trusted Japan, and to the credit of Japan, the Japanese government has lived up to the agreement of 1907. While congratulating my right hon. friend on concluding this treaty, I have to regret that Canadians are not to have a share in the good things which the people of Great Britain can claim, as set forth in the special schedules mentioned in Article VIII.

Mr. WHITE (Minister of Finance): Does my hon. friend say that Canada does not get the benefit of that schedule?

Mr. LEMIEUX: I understand that to be so, but I may be wrong.

Mr. PUGSLEY: It is expressly excepted in the Bill.

Mr. WHITE (Minister of Finance): Canada gets the most favoured nation treatment.

Mr. PUGSLEY: Yes, but Article VIII gives special privileges to the United Kingdom, and that article is expressly excepted in this Bill ratifying the treaty.

Mr. WHITE (Minister of Finance): Would France and Germany and the United States, by reason of getting the most favoured nation treatment, also derive the benefits of that particular article? However, when I come to speak, I will deal with that question.

Mr. LEMIEUX: I speak with some reservation on that point, but no doubt the Minister of Finance will make a statement with regard to it. On the whole, I congratulate the Government on the happy negotiation of this treaty, and though it is vague in terms as to our participation in the special benefits which Great Britain enjoys, I shall be pleased to hear that Canada will share in these benefits.

The paramount question for me is the friendly relations which henceforth will exist between Canada and Japan. I am pleased with the treaty, in the first place, because it is negotiated with Japan the ally of Great Britain, in the second place, because we will reap material commercial advantages from it when the Grand Trunk Pacific railway has been completed, and, in the third place, because it will bring us into closer contact with that remarkable country and its wonderful people, from whom, even we, can learn much. We have been discussing the question of the Canadian navy; and also the possibilities of ship-building. Sir, in these matters we have much to learn from Japan. Twenty-five years ago, Japan was one of the dormant countries in Asia, but through the organization of her military and naval forces she suddenly became a great power. She sent her young men to Europe and America and they returned to Japan learned in the ways of modern civilization. Their laws were reformed, universities were rounded, professors were brought from the most highly-cultured of civilized nations. An elite was formed. The Japanese navy is now second only to the British navy; a fact which is in no small measure due to the efforts of the late Admiral Sir Archibald Douglass, who, by the way, was born in Quebec. Admiral Douglass spent twenty years in Japan. He trained her naval officers.

Mr. PUGSLEY: Do they build their own ships in Japan?

Mr. LEMIEUX: Certainly; they build their own ships and they have splendid shipyards; they train their own men, and in their universities they have a corps of professors and engineers, to teach naval achitecture. However, I do not care to talk navy at this time. I simply wish to emphasize this fact, that Japan is a great nation, and we cannot afford to let some of our people speak as wildly as they have spoken in recent years about that fine race. Why, their universities, their high schools, their elementary schools, are to say the least the equals of ours. As regards their literature, I cannot speak from personal knowledge, of course but the competent authorities are unanimous in saying that it is one of the most beautiful in the world. And every Japanese of education speaks at least one or two languages—speaks English or German, and many of them speak French. You cannot go into any store of Tokio or Yokohama, you cannot go into any village or visit any church without finding somebody able to speak the English language. And yet there are people in this country who speak with

great levity about that people. I say that the Japanese race is the equal of any of the races of this world.

Now, the treaty will be adopted by this House. Section 2 of this Bill deals with questions of immigration, as follows:

Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act.

The Immigration Act, as I stated this afternoon, contains no clause excluding the Japanese or the Koreans as does the immigration law of the United States of America. The only exclusion in this country is against the Chinese. The only prohibited classes in Canada are those enumerated in the sections which have been quoted in this debate. These provisions of the law apply to every country in the world—to the English immigrant, to the French, the Belgian, the Norwegian or any other. Therefore, the anti-Japanese, if there are any left in British Columbia, will not find much consolation in section 2 of the Bill. But there was more than this. Though this section is inserted in the Bill it is distinctly understood with the Japanese Government that at all events there will not be any descrimination against the Japanese immigrant. That is clearly stated, and it speaks highly for the diplomacy of the Japanese consul. As shown by the correspondence read here to-day, the Prime Minister wrote to the Consul General of Japan and told him of this Bill, clause 2, of which I have just quoted, stating:

The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country.

And the Consul General for Japan in Canada answers:

Having reported the matter to my Government, I am in receipt of a reply stating that the Imperial Government have no objection to the proposed Bill, and they feel sure that the Immigration Act of Canada of 1910, being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada of all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in these respects.

In other words, the Government of Canada has put the Japanese race on a footing of equality with the English, the Belgians, the French and all great races of the world. And I congratulate the Government upon that fact. It is expressly stated in the correspondence exchanged between this Government and the representative of Japan in Canada that there will be no discrimination in future against the Japanese. Therefore, the policy of conciliation which was unalterably preached by the right hon. leader of the Opposition when he occupied the position of Prime Minister has been accepted and vindicated by the Government of the day, as against the policy of exclusion which was advocated by the friends of the Government in the province of British Columbia. Mr. Speaker, I say that in at least three different general elections a wave of sentiment was worked up by the Conservative party in British Columbia against the presence of the Japanese in that province. I explained under what circumstances the influx of 1907 took place. I have explained how that influx culminated, and what understanding we were successful in obtaining from the Government of Japan. I have proved beyond the shadow of a doubt that that agreement has worked successfully, and has been lived up to by the Government of Japan. And to-day I am pleased to know that the Government of Canada admits that it was a fair understanding that it was successful and that it must be maintained.

Mr. BELAND: Are we to understand that this new clause in the Bill will not further restrict Japanese immigration into Canada?

Mr. LEMIEUX: It will not restrict Japanese immigration.

Mr. BELAND: Is that the contention of the Government also?

Mr. LEMIEUX: Certainly, the right hon. gentleman mentioned it this afternoon in so many words, and I wish in conclusion, to quote to my non. friend the last words of the right hon. the leader of the House.

It will be observed that concurrently with the ratification by the Government of the United States of the new treaty with Japan, His Excellency the Japanese ambassador at Washington signed and published a declaration that the Japanese Government were fully prepared to maintain with equal effectiveness the limitation and control which for some years they have exercised in regulation of the emigration of labourers from Japan to the United States. We have every reason to believe that as soon as the present Bill shall become law the Imperial Government of Japan will be prepared to make and will make a similar declaration with regard to the maintenance of the limitation and control which they have exercised during the past five years in the regulation of emigration from Japan to Canada.

Therefore we shall hear no more of exclusion, but due respect will be given to the understanding arrived at between the Government of Canada and the Government of Japan in 1907; a policy of conciliation is to be substituted for that policy of exclusion which has been heralded all over the country as being the only desirable.

I wish to apologize to the House for the lengthy remarks I have made on the present occasion. Having followed month by month the carrying out of the agree-

ment between Japan and Canada, I am pleased to reiterate the statement that the Japanese Government has lived up to that agreement most faithfully. I am glad that the time has gone by when politicians will support a policy of exclusion as against that great race, now that the right hon. leader of the Government has adopted the policy of conciliation introduced by the Government of the right hon. gentleman who is now leader of the Opposition. This action redounds to the credit of my right hon. friend, and I am pleased to congratulate him on his conversion, as well as his success in the present negotiations.

Hon. MARTIN BURRELL (Minister of Agriculture): The Prime Minister has given a resume of the history of the matters which led up to the previous Japanese treaty and the treaty which this Government is proposing to acquiesce in at the present time, and all the matters relating thereto, from the point of view of commerce as well as of immigration. It is not my intention at this hour to deal at any great length with this question, which has been one of great controversy ever since I have had the honour of occupying a seat in this House, and, indeed, for years previous. The right hon. gentleman who leads the Opposition and the hon. member for Rouville, who has just taken his seat, both made some observations in connection with this matter, and I would like to make a brief reply touching on some of the points which they raised. My right hon. friend said it was not his intention to oppose the ratification of this treaty, and I gather from the concluding remarks of the hon. member for Rouville that he takes the same attitude. They both regard the treaty as of no particular benefit to Canada, commercially, but they approve of it on general principles as—I think these were the words of my right hon. friend—perhaps tending to open the way to larger markets in the Orient. He especially mentioned the fact that the trade in cotton and other articles of commerce might be very greatly increased, and I would like to make a remark or two in connection with the trade aspect of this question, because as hon. gentlemen know—at least those who were members of the last Parliament—I never shared the very optimistic views of some gentlemen of this House, especially some of our friends opposite, with regard to the probable results of a treaty with Japan in regard to trade in the Orient. I know that my right hon. friend and many hon. members on the other side of the House, especially some of our friends opposite, have entertained very optimistic views with regard to results of a treaty with Japan as far as trade in the Orient is concerned. I know that my right hon. friend and many members on the other side of the House in previous debates expressed an extraordinarily optimistic view as to the enormous trade that was to result from the operation of the last treaty with Japan. My hon. friend who has just taken his seat has rather dissipated any illusions in that regard by the quotations he has made. I may say that when this matter came up and was threshed out thoroughly on May 18, 1911, at the time the late Minister of Finance (Mr. Fielding) was making a provisional arrangement for the continuance of a trade arrangement with Japan, I ventured to put on 'Hansard' a review of the trade statistics with Japan covering a period of six years, three years previous to the date of the treaty and three years subsequent to that time. I would like to add that I must agree with my right hon. friend in this; while I do not think that there are any extraordinary advantages—at least not any so great as some people anticipate—to flow from this treaty, it is probably good on general principles, and Oriental trade might to some extent be benefited to, and, at all events, it may put us in line with the most favoured nations, to warrant the conclusion that the treaty should be consummated. I would like to say a word or two as to the cherishing of any great illusions in regard to the question of trade, because my hon. friend from Rouville has referred to one or two items in connection with this matter, as has also the right hon. the leader of the Opposition. My right hon. friend refers to the matter of cotton, and I might point out that in the years previous to the old treaty, the export of Canadian cottons amounted to $67,613 in 1905, in 1906 $26,000 and for the three years subsequent to the ratification of that treaty the export of Canadian cotton steadily diminished, until in 1910 it amounted to only $9,804. In the year 1908 Japan exported $21,000,000 worth of cotton yarns and fabrics. I give these figures as an illustration of my belief that it is not well for us to cherish any illusion on this point. The matter of the wheat trade was also very fully discussed at that time, and I pointed out to the House that in regard to wheat and other agricultural products Japan is not likely to increase her trade very much from our shores, for two reasons, one of these being that Japan is a highly protective country. I would commend this to the consideration of the hon. member for Red Deer because I know with what enthusiasm he pursues the belief that tariffs are universally tumbling and that nations in general are adopting free trade. The little island of Japan, with a territory of not more than twice the extent of the riding which I have

the honour to represent, and with more than 50,000,000 of people, not only had a tariff on wheat amounting to twelve and a half cents a bushel under its old tariff, but under the tariff made effective two years ago, they have increased that protective duty. Similarly on flour and similarly on nearly all agricultural products, none of which do we get a preference on. In spite of the hope that some good may result from treaties with Japan, that we may look forward to some expansion of our Oriental trade, I do not think that anyone should run away with the idea that we are going to obtain extraordinary trade advantages from a treaty with that nation at the present time. I shall point out what Mr. Fielding himself said at that time in reference to this whole matter. He said:

It is true, as the hon. member for Yale-Cariboo has pointed out, that trade with Japan is not so extensive as we could desire. Our exports have not been increasing in the way we all at one time hoped, but we all agree that, although the trade is not all we could desire, we do not want to diminish it or to find ourselves at a commercial disadvantage in Japan as compared with other countries.

And that, I think, is perhaps the sanest and soundest way of putting it.

I was pleased and surprised to hear the rather enthusiastic way in which the hon. member for Rouville endorsed the proposition of large subsidies to shipping companies in this country and his assertion that the Canadian Pacific railway is deserving of a very much larger subsidy in regard to Oriental trade.

Mr. LEMIEUX: I certainly would favour a larger subsidy to the Canadian Pacific if that larger subsidy would give us an improved service to the far East. I think that the Canadian Pacific railway is entitled to special privileges as regards their steamer service because the Canadian Pacific railway was the pioneer and has rendered great service not only to Canada but to the British Empire by establishing that pioneer line of steamers to the Orient.

Mr. BURRELL: I am sure it is pleasing to the House and to the Canadian Pacific to hear the sentiments expressed by my hon. friend. We can appreciate the possibilities of development of that traffic on the Pacific when we realize that in 1884 the Japanese had not a single vessel anywhere but in the coasting trade in their own waters, and that in 1908, only twenty-four years later, they had over five thousand vessels, with a tonnage of 1,534,000 tons, and that they had built up that trade by annual subsidies of something like $4,000,000 to ship construction and shipping companies.

I do not wish to take up the time of the House with respect to this phase of the treaty, but I would like to say a little on the other aspect of it, namely that of immigration. A large influx of people of a strange race, holding different traditions and different ideals to our own, not having anything, practically, in common with our own social or industrial life would be likely to create a condition, that would be, to a large extent, a menace to our own national life. The right hon. gentleman who leads the Opposition and my hon. friend from Rouville have both referred at some length to this subject which, as most gentlemen know, is one of great importance to anybody who comes from British Columbia, and perhaps, in reality, of no less importance to every Canadian, whether in the west or the east. I have nothing very seriously to object to in the general tone of the remarks offered by these two gentlemen. I think possibly my hon. friend from Rouville may almost be forgiven for the somewhat strong party tone he gave to his closing remarks. That, I suppose, is but natural under the circumstances.

Mr. LEMIEUX: I thought I was reserved.

Mr. BURRELL: This question has been threshed out many times in this House. Perhaps some things have been said on both sides that might better have been left unsaid. The debate to which I have referred, that of May 18, 1911, took up a lot of time on this very question and as it does not very often fall to the lot of men in this House to take precisely the same stand when they are on the side of the Government as they did when in opposition, I hope the House will pardon me, as it is relevant to the subject to which I am referring, if I read a short passage taken from my own speech on May 18, 1911, when in opposition and to say to my hon. friend from Rouville very candidly as to our friends opposite, that I hold the same views at the present time—and I am very glad that I have not to swallow myself as sometimes happens in political life. I said:

In a debate of this kind we should not lose sight of the fact that we are all Canadians trying to deal with an immensely grave question and to deal with it in the best interests of the future of Canada. And I must enter rather a protest against the tone of the remarks of my hon. friend the Minister of Labour (Mr. King) who told us there were two ways of dealing with this question, one by conciliation or diplomacy, and the other by 'defiance,' to use a word which he repeated several times, the very plain imputation being that those who do not agree with the particular form of diplomacy which he favours were following the other method. I think that is very regrettable. I can assure the Minister of Labour and the other members of the Government that the average man in British Columbia regards this question as of

supreme national importance; he is not looking at it in the narrow-minded way. And I think it was gratuitous folly also almost to assume that we are 'hurling defiance' at another nation on a question which should be above that method of treatment. This is all the more to be noted because nearly every one of the members of this Government have come round to the views in favour of restriction that they now entertain simply through the opinion in British Columbia expressed year after year. I do not wish to weary the House, but I could quote passage after passage from the Prime Minister (Sir Wilfrid Laurier), the Postmaster General (Mr. Lemieux)—although he came round sooner than the others—the Minister of Agriculture (Mr. Fisher), and many other members of the Government to show that they did not understand the gravity of this question or appreciate our view until the constant reiteration of those views compelled them to look into the question, and to their gradually being converted to the views we hold, though their methods of solving the problem may be different. The Government tells us that ours is simply a policy of harsh legislation, while theirs is a policy of diplomacy. One thing is certainly true—that no Canadian has the right to forget that for the people of Japan and for ourselves, the time has come, when we should look this question frankly in the face and recognize that Oriental immigration into western Canada is an impossible thing without creating violent friction between the two countries.

I think I may fairly claim to have spoken what was the true sentiment of my own province in that day and I say now that I hold to the views that I then expressed. My right hon. friend has urged that the Immigration Act as we have it put in this treaty, viz., making the treaty subject to the Act, is of little use, and he rather intimated that the only reason my right hon. friend the Prime Minister had for putting this treaty into effect was because of the agreement to which my hon. friend from Rouville has referred. I would ask what are the facts as to the agreement which has been discussed to-night and on many other occasions? Our whole position, is that the principle of the control of a nation's immigration by itself should be recognized, and that in so far as we are concerned any agreement should be made as formal and as open as possible so that people may know exactly where they stand. In this connection I may be permitted also to quote a passage from the remarks I made on May 18, 1911:

> I hold we should solve it by having admitted the principle of our inalienable right to control our own immigration. But, if we were to make any other arrangement, the arrangement the United States have in this treaty is far ahead of anything we have. It means a contract, practically, on the part of a recognized plenipotentiary of Japan to maintain restriction which has almost amounted to exclusion in the past three years, and in addition put the whole matter under the immigration law of the United States, which, in spite of anything said here to-night, I fail to see it done in our case.

Now, that was our position, as far as it went some years ago, and I think as far as it goes to-day. My right hon. friend takes the ground in reference to the correspondence which has passed between the right hon. the Prime Minister and the representative of Japan in Canada, that it would be impossible to have our Immigration Act operating notwithstanding that it is there. In that respect, I would like to make this remark, that the late Minister of Agriculture, when he was in the House when the previous debate took place, made this statement in regard to the old treaty:

> Mr. Fisher: Our Immigration Act applies to the people of Japan as well as to all other people as regards disabilities of any kind contained in that Act. That is a statement I make with the full responsibility of the Government.

What does that mean? It means that the former Minister of Agriculture, who spoke with the authority of the Government, stated in regard to the very Act we have been discussing to-night, the Immigration Act, that it actually operated in regard to the old treaty, and therefore, the very clause in that Act which has been discussed, clause 38, and which has been referred to by my hon. friend as one impossible of operation, was, according to the former Minister of Agriculture actually in a position to be operated even in spite of the fact that the treaty did not specifically mention it. In further reference to that, I might quote a remark made by the former Minister of Finance (Mr. Fielding). He was asked, what about control, if there was a heavy influx of Japanese immigrants.

> Mr. Fielding: But we have control. If we are not satified, if any day we believe that more Japanese are coming into the country than we think is desirable, all we have to do is to enforce such laws as the Parliament of Canada may see fit to pass to that end.

Now, I ask, what becomes of any treaty under those conditions, when Mr. Fielding at that time admitted that notwithstanding that treaty, if there was a large influx of Japanese in violation of that agreement, Canada would then turn round and enforce such laws as she had, or make such laws as was deemed necessary to shut them out? I would ask my hon. friend from Rouville, or my right hon. friend (Sir Wilfrid Laurier) what became of the treaty in that case. You were in this position, you would turn round, and in the face of the treaty, which did not allow you to do any such thing, you would make a new law in direct violation of the treaty. That was the position. Surely, it is a far better state of things to embody in the treaty a law which in extraordinary and unlooked for circum-

stances would safeguard the nation without violating treaty obligations because the treaty is subject to the operation of that law.

Mr. PUGSLEY: What becomes of the assurance and undertaking of this Government that there shall be no discrimination against the Japanese as compared even with the subjects of the British Empire?

Mr. BORDEN: There was no such assurance; there was merely a statement that the Act had operation in respect to all countries in the world, including the British Empire itself.

Mr. PUGSLEY: I beg my right hon. friend's pardon, it says there shall be no discrimination.

Mr. BORDEN: I beg my hon. friend's pardon, it does not say anything of the kind.

Mr. BURRELL: I am just pointing out what the former Minister of Finance intimated. We had a treaty, not subject to our immigration law, and Mr. Fielding said that if Japanese came in in large numbers then the thing to do would be to pass new laws absolutely forbidding them, which would practically be done in violation of the terms of the treaty. If we assume that the Japanese people would break such an agreement as they had made, I would ask where would we be if we had not an arrangement of this kind. We would be absolutely helpless; we would be tied and bound to the treaty. If they broke it—I do not wish to think that they would, I do not believe they would—but assuming that they did break the agreement, and this country were unhappily flooded with Japanese, then I maintain that you do have control over the situation that you did not have before because you have embodied in that treaty the principle of control which every nation ought to have in making the treaty subject to the operation of the Immigration Act. We believe that the treaty did over-ride the Immigration Act, I am referring to the last treaty, and it is obvious that the inclusion of that Immigration Act, making this treaty subject to it, would leave us free to act without violating the terms of the treaty.

The hon. member for St. John raises the point about discrimination. I maintain there is no discrimination. After all these things are to be looked at very largely from an economic point of view. That clause which has been referred to, clause 38, is not to be considered discrimination. If the very existence of the nation were jeopardized by a vast influx of people whose characteristics were so fundamentally different that they formed in any sense a national peril, such circumstances would have to be met whatever nation or race was concerned, and the operation of such a clause might well be invoked to save the country from any such jeopardy. That is not discrimination against any one nation. That is leaving a clause there to be operated against what? Against all the world if the peculiar circumstances should justify a nation in exercising the rights which it undoubtedly has in regard to immigration. I am not saying that in this case we doubt the good faith of the Japanese Government. I can cordially endorse what my hon. friend from Rouville said in that connection. We do not believe, and I would be very loth to say that the Japanese Government would break faith in this matter. But no man can tell what might happen in the remote future with a nation like Japan, or with any nation. No man can tell what development of popular feeling might arise in the trend of governmental affairs, and it would be impossible for any government at present in power to say that such regulations as they might lay down would always be lived up to. In that respect I do not think this Government expects for a single moment that the Japanese would in any sense break faith, and therefore, there is no expectation on the Government's part that there is any likelihood of a resort to the exercise of our immigration laws to which the treaty is made subject. But we ought to feel very well satisfied that the principle of control over its immigration by this nation is placed in that treaty with another nation. The Japanese are a brave and proud people; they are a people who are on friendly terms with ourselves; they are a people who by the alliance with Great Britain have many things in common with us, calculated to make for the peace of the world, and everyone of us who has followed, as a great many in this House have followed the development of that nation, and watched the extraordinary genius of its people cannot but hope that such friendly relations will be maintained as will be an honour to both Great Britain and Japan and ourselves.

Just one or two words more in reply to my hon. friend from Rouville (Mr. Lemieux). He has on this occasion and on several other occasions laid a great deal of stress on the character of this agreement, and on the fact that we should not have called for something more definite. What we say is that we had a right to expect that, if we were to rely to any extent on agreements with other people, we had a right to expect that there should be a more formal recognition of the terms of the agreement than there had been in the past. In spite of anything that my hon. friend might say, I would like to call this passage of Mr. Fielding's speech to his attention. I refer my hon. friend to 'Hansard' of May 18, 1911, page 9451 where, referring to the assurance of the Japanese people, Mr. Fielding says:

That assurance so given has been fully lived up to. It is fair to the Japanese Govment to say though that it was never a matter of treaty, but a somewhat loose understanding.

That is how Mr. Fielding himself described that agreement and, when the Finance Minister of that day described the agreement, of which the people of British Columbia could never get the terms, as a somewhat loose understanding how can my hon. friend complain if the people of British Columbia, who are vitally interested in this matter, want it put more plainly as a matter of public record and in a somewhat more open way? A gentleman who was a member of this House but who is now, happily or unhappily here no longer, Mr. Mackenzie King, the late Minister of Labour, in concluding a speech upon this subject, remarked that we ought to take a lesson from the United States. We are glad to take a lesson from them in this case and we have said in the past, and said several times, that, regarding an assurance of that kind, it would be a better thing for this country, and a fairer thing, if we had some specific and formal assurance, such as is practically the rider to the United States treaty, instead of what was described by Mr. Fielding himself as a somewhat loose understanding.

It is only fair to state that, in regard to this whole matter, the position taken by the Government, in passing this treaty with the conditions which are attached, will put the people of Canada in a better position. It will be a matter of congratulation, not only to the people of British Columbia, but to all Canadians, that there has been something like a general recognition of the principle of control over their own immigration that all people should have and that any guarantees given by a particular power should be given in an open and straightforward way, as we hope they will be given under the circumstances mentioned by the Prime Minister. I have only to say, like my hon. friend from Rouville (Mr. Lemieux), that there have been a good many strong things said in the past upon these matters. I do not wish any more than he does to open old sores. I would like to say that this matter is far and above any question of mere party; it is a matter of national and vital importance to this country, and that it not only affects profoundly the destiny and welfare of that portion of Canada known as British Columbia, but in so far as it affects the welfare and national life of the people there, it equally affects the people on the Atlantic seaboard and in the province of Ontario. This question is bound up with the welfare of the whole people of Canada and it would be doubly regrettable if at any time there should be a clash of races or friction engendered by an influx of those people whose traditions are so different from ours and whose economic standpoint is so fundamentally at variance with our own.

In dealing with this matter, and with the Japanese nation, whom we all respect and admire, we are glad that their self-respect is retained unimpaired by having an agreement of this kind under which they can restrict the emigration of their own people, but no less is it due to the people of Canada that they should have their own self-respect preserved by a clear and open recognition of the principle that all matters of national concern should be dealt with as they have been dealt with here. I think this is a happy solution of a good many difficulties that have occurred in the past in connection with Japan and we as Canadians may feel that we are now entering upon a phase of our relationship with these people that will always make for a continuance of friendly relations and a strengthening of our mutual good-will.

Hon. WILLIAM PUGSLEY (St. John): Mr. Speaker, I notice that my hon. friend the Minister of Agriculture (Mr. Burrell) deals with this question as if now, for the first time, we were entering upon a state of happy relations with the Japanese Empire. It is curious how differently one looks upon questions of this kind from the viewpoint from which he has the opportunity of regarding them. I am sure, Sir, that, if some two or three years ago, this Bill had been presented to the House, and my hon. friend, who has just taken his seat, had been here and in opposition, he would have criticised the Bill just as strongly as he criticised the arrangement which was made by my hon. friend from Rouville (Mr. Lemieux). My hon. friend congratulates himself that, when he spoke on this subject, I think, in 1911, he expressed a view which prevents him from finding it necessary to swallow himself to-night or to swallow his previous convictions. What did my hon. friend say upon that occasion? He stated that it was not consistent with the honour and dignity of the Canadian people that immigration into our country should depend upon regulations which were made by another country and, for that reason, he criticised the arrangement which had been made by my hon. friend from Rouville. What is the Government stating to us to-night? Is it not that they expect, when this Bill goes through, to have made public a declaration of the Government of Japan that the agreement already existing will be continued? That agreement is either of value to Canada or it is not. It does not lie in the mouths of hon. gentle-

men opposite to say that being obliged to rely upon that agreement is inconsistent with the honour and dignity of the Canadian people, and, at the same time, express gratification that the Japanese Government is going to continue the arrangement. In other words, according to hon. gentlemen opposite, the Government of Japan is going to continue an arrangement that is not consistent with the honour and dignity of the Canadian people. I for one congratulate the Government that hon. gentlemen upon the other side of the House have at last had to come to the conclusion that an arrangement was made by my hon. friend from Rouville which has operated greatly to the advantage of both of these countries and that it was an arrangement which was creditable to the great Japanese Empire and to the people of Canada? I am glad that they have come to the conclusion that it is desirable, in the interests of the Canadian people as well as in the interests of the people of Japan, that this arrangement should be continued.

I am forced to the conviction that there is really very little advantage in this treaty in so far as the people of Canada are concerned. Take the commercial aspect of the question; of what great advantage is it to Canada? It is true that Canada is to receive, while the treaty lasts, most favoured nation treatment; in other words, that goods from Canada shall enter Japan at the same rate of duty as goods from the United States, France and other countries. I had not the opportunity of being present during the whole of the discussion, but, in so far as I know, we have no statement given to the House as to the rates of duty on goods from the United States, France and other countries, to which reference was made in a casual way by my hon. friend the Minister of Finance (Mr. White) when he interjected an expression during the debate on the subject. By Article VIII of the treaty, goods from the United Kingdom can enter Japan at a certain rate of duty, and for some reason Canada is to be deprived of the benefit of that clause.

Mr. WHITE (Minister of Finance): Has my hon. friend considered this aspect of it? If these goods from Great Britain go into Japan free, and if, by their most favoured nation treaties with France and Germany and the United States, France and Germany and the United States become entitled to have their goods of the same kind go in free also, which follows; then, being entitled as we are under article VII to the most favoured nation treatment, is not Canada in the same position as France and Germany and the United States which have most favoured nation treaties with Japan?

Mr. LEMIEUX: In estimating the consequences of that clause in the treaty, has the Minister of Finance an idea of what approximately would be the increase of trade between Canada and Japan?

Mr. WHITE: I have somewhat full information, which I shall be glad to give in Committee.

Mr. PUGSLEY: The Minister of Finance says that if the goods enumerated in this article come in free or at a certain rate of duty, then the goods from France and the United States would come in at the same rate of duty as the goods from England, and Canada, by reason of being entitled to the same benefits that France and the United States would receive, would also get her goods in at the same rate of duty as the goods of the United Kingdom. That is a roundabout way of getting the benefit of a treaty, which might be better secured by allowing article VIII to come into operation. Why does the Bill provide that article VIII shall not apply to Canada?

Mr. WHITE (Minister of Finance): The treaty was negotiated between the United Kingdom and Japan, and by its terms article VIII applies only to the United Kingdom; but in order to make that more clear there has been an exchange of correspondence setting out that it does not apply to Canada, and in consequence the goods which under article VIII and the schedule are to be admitted free to Great Britain, would not be admitted to Canada free. We consider it would be a disadvantage to Canada if they were admitted free.

Mr. PUGSLEY: That is another thing altogether. The Minister of Finance says that the same thing will be obtained in a roundabout way.

Mr. WHITE: We get the benefit.

Mr. PUGSLEY: The Minister of Finance says that because it would be a disadvantage to Canada, Article VIII is not made applicable to Canada, and yet he says that if this treaty goes into effect the identical result will be brought about in an indirect way.

Mr. WHITE: Not the identical result; only so far as Canadian exports to Japan are concerned, not so far as Japanese exports to Canada are concerned.

Mr. PUGSLEY: Is the Minister of Finance quite sure that is so? France has a treaty with Canada, and, if this treaty goes into effect, Japan will have the right, under the favoured nation clause, to get its goods into Canada at the same rate of duty as France.

Mr. WHITE: She has that to-day, and has had it for the last two years; but that is the French rate, and it is a different rate from the rate provided in that treaty.

Mr. PUGSLEY: If my hon. friend puts it on the ground that it would be against the interests of Canada to have the reciprocal arrangement which is provided for by article VIII, and that the same result would be brought about by reason of the favoured nation clause, then I can understand that there might be a reason for providing that article VIII should not apply to Canada. But the Minister of Finance has given another reason which does not appeal to me; he says it only applies to the United Kingdom and not to Canada, and if that is so why does the Bill provide it shall not apply to Canada? If it does not by its terms apply to Canada, why is it necessary to insert a section in the Bill declaring that it shall not apply, and if it does apply to Canada, of course it would be applicable if this section were not in the Bill.

While dealing with the commercial aspect of the question, I may say that I find by article VI it is provided that there shall be between the territories of the two High Contracting Parties reciprocal freedom of commerce and navigation. I presume that would be qualified by the subsequent words of the section which would mean freedom of commerce, subject to the laws of either country. By this article:

> The subjects of each of the high contracting parties shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce, and, conforming themselves to the laws of the country to which they thus come, shall enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation as are or may be enjoyed by native subjects.

By that section, the ships of Japan would be entitled to the same privileges in Canadian ports as are enjoyed by the citizens of Canada or by the ships of Canada, and if there were nothing else in the treaty, the ships of Japan under that section would be entitled to come, not merely to one port in British Columbia, but to engage in the coasting trade. That is prevented by article XXI which provides that the coasting trade of the high contracting parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws of the United Kingdom and Japan respectively. In other words, by this treaty, Canada is surrendering all right to control her own coasting trade so far as the ships of Japan are concerned. Does the Minister of Finance think it is in the interests of Canada that we should give up that right and vest it in the Parliament of the United Kingdom? Surely the Government of Canada could never have intended such a thing; surely they must have overlooked that by one clause of the treaty the people of Japan and the ships of Japan are given an absolute right to come to not only one port but all the ports of British Columbia and to have there absolutely the same rights which the citizens of Canada and the ships of Canada are entitled to exercise, and, that so far as any limitation upon this right is concerned, it shall depend upon the coasting laws which may be enacted by the parliament of the United Kingdom.

Mr. TURRIFF: Can they come on our inland waters?

Mr. PUGSLEY: Really, except as regulated by the Parliament of the United Kingdom. We propose to surrender by this treaty absolutely the right to deal with our coasting laws so far as the Empire of Japan is concerned. Now, is there any answer to that? Can there be any answer to that made by the Government of Canada? I have no doubt, my right hon. friend, with his great ingenuity will be able to give an answer to that satisfactory to himself, but I doubt if he can give one satisfactory to the people of the country.

Mr. BORDEN: In the first place, it is the same as in the treaty of 1894.

Mr. PUGSLEY: Suppose it is.

Mr. BORDEN: I have never heard it contended that we, under that treaty, had given up our coasting trade.

Mr. PUGSLEY: The Prime Minister must realize that many things have happened since 1894. The Government of Japan has engaged in the steamship business, and the vessels of Japan are coming in great numbers during the last few years, into the ports of British Columbia, and there is considerable dissatisfaction among the people of British Columbia by reason of their grasping a great part of the steamship trade there. The situation is becoming an acute one; and if this treaty goes into effect it will be more acute. The fact that this provision was in the treaty of 1894, a treaty framed, not by Canada but by the United Kingdom, is no answer to the complaint that we surrender the right to control the coasting trade so far as the ships of Japan are concerned, and propose to vest in it the Parliament of the United Kingdom instead of in this Parliament.

Now, as we are not to gain very much in a commercial way, what is the advantage of our passing this treaty? We have, so far as immigration is concerned, a very satisfactory and friendly arrangement with the Government of Japan. At present the legislatures of the different provinces are free to pass such laws as, within their legis-

lative authority, they may see proper to pass. But the moment we pass this treaty, we tie the hands of the legislatures of British Columbia and of the other provinces of Canada, because no law can be passed, even though otherwise within the legislative jurisdiction of the province, which in any way conflicts with this treaty. It seems to me that, unless there is something very important obtained by the passing of the treaty, we should do nothing to tie the hands of the legislature of British Columbia and the legislatures of the other provinces, when in view of the circumstances to which I need not refer but which are known to all, it is desirable to leave these legislatures free to legislate as from time to time they may think in the best interests of the people they represent. We know the difficulty that occurred in the United States not many years ago. The legislature of California sought to enact certain laws in regard to education which were contended to be against the treaty between the United States and Japan. There was a great deal of excitement; the federal Government was bound to interfere, and of course had a right to interfere under the treaty between the two countries. But there was intense dissatisfaction, and I think most people will agree that unless there was some great advantage in the treaty between the United States and Japan—there may have been—it would have been much better, much more conducive to harmony between the two races in the state of California, at all events it would have been better for the people of the state of California, that they should be free to make and enforce such legislation as they thought in the best interest of their people. The Prime Minister is seeking to convey the impression that he has accomplished a great object, and something which would be of enormous benefit to the people of Canada, because he has provided in the Bill that the treaty shall be subject to the Immigration Act of 1910. Let me call attention somewhat carefully to what has taken place in regard to that. The first correspondence we have is from the Prime Minister, addressed to the Consul General of Japan at Ottawa. this letter was written on the 7th of February, 1913, and contained the following words:

The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment in the enclosed draft Act of Parliament of the proviso which has already been agreed to in the case of the United States.

These are strong words to use towards the representative of the Japanese Government, and strong words for the leader of a party which has used such unjustifiable language in the past in regard to the Japanese immigration to our country. In these words you have the assurance, given by the leader of the Government preparatory to the enactment of a law to bring this treaty into force, that the Immigration Act treats the citizens of Japan in every respect as the citizens of any other country in the world including the British Empire. Now, I take it that the very clever gentleman who represents the Imperial Government of Japan was aware of the terms of the Immigration Act of 1910, and I presume that he never allowed it to escape his mind that that Act made provision that the Governor General in Council might make regulations applying in a different way to different races. I presume he was aware that they might impose a head tax of a large amount against the people of one country and no head tax against the people of another country. I presume he was aware that that Act confers the authority upon the Governor in Council to exclude from Canada any people whom the Governor in Council may believe to be, by reason of climatic conditions, not suited to make successful Canadian settlers. He would be aware, therefore, that while the Act itself does not discriminate against the people of any country, power is given by the Immigration Act of 1910 to the Governor in Council to discriminate in the most strenuous manner against the people of different countries in the world. And what does he do? He does not accept the language of the Prime Minister, but sends the following reply

Ottawa, March 1, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 7th ultimo, stating that your Government are willing to submit to the Parliament of Canada an Act by which Canada shall adhere to the Treaty of Commerce and Navigation between Japan and Great Britain, signed at London on the 3rd of April, 1911, and inclosing for the consideration of the Imperial Government a draft Bill setting forth the conditions and proviso upon which the adherence of Canada will depend.

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government have no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910 being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no dis-

crimination will be made against Japanese subjects in this respect.

I have the honour to be sir,
Your obedient servant,
(Sgd.) T. Nakamura,
Consul General of Japan.

The Right Hon. R. L. Borden.
Prime Minister of Canada,
Ottawa.

There you have the declaration of the Imperial Government of Japan that, in bringing this treaty into operation, so far as Canada is concerned, they understand that there will be no discrimination against Japanese subjects, and that they will be treated in exactly the same way as the people of all other countries in the world are treated, including the citizens of the British Empire. That is the clear understanding of the Imperial Japanese authorities as to the intention of this Government. And what is the reply which my right hon. friend the Prime Minister makes to that? He agrees absolutely with the statement which the Imperial Japanese Government makes as to the policy of Canada in the future. This reply is as follows:

Ottawa, Ont., 5th March, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 1st instant, in relation to the Treaty of Commerce and Navigation between Great Britain and Japan, signed at London on the 3rd April, 1911, in which you communicated to me the reply of the Imperial Japanese Government stating that they have no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910 being applicable to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to inform you that the Government of Canada has received this reply with the greatest satisfaction, and that the proposed Bill will be introduced as soon as the pending business now engaging the attention of Parliament will permit.

I have the honour to be sir,
Your obedient servant,
(Sgd.) R. L. Borden.

Hon. T. Nakamura,
Consul General for Japan,
385 Laurier Avenue E.,
Ottawa, Ont.

In other words, this is, to my mind, an assurance as broad as language can make it that, notwithstanding the terms of the Immigration Act of 1910, in the treatment accorded to subjects of all countries, including those of the British Empire, no discrimination will be made against Japanese subjects. In view of these communications, and in view of the clear understanding of the Imperial Japanese Government as to the intention of this Government in the future so far as immigration is concerned, if any Order in Council were passed which would in any respect place a citizen of Japan in a different position from that of a citizen of any other country in the world, including the British Empire, the Imperial Japanese Government would have reason to complain that the Canadian Government had committed a breach of faith, inasmuch as they had made this treaty with the understanding that there should be no discrimination of any kind by Order in Council or otherwise, against the citizens of Japan. My right hon. friend should know that in the restricting of immigration he must rely upon that most satisfactory arrangement made between my hon. friend the member for Rouville and the Government of Japan some years ago, and which, as has been asknowledged by the Prime Minister, has been faithfully lived up to by the Government of Japan. The people of Japan are a highly advanced and intelligent people. Japan has advanced in all lines in recent years, and holds a position among the first nations of the world. She wants to stand, so far as her relations with the rest of the world are concerned, upon as high a plane as the people of the most advanced and most powerful nations of the world. We can well understand the objections Japan would raise if her citizens were, by legislation, prohibited from entering any country in the world; and we can well understand how she would desire to control her own emigration. Japan evidently feels bound to carry out in the most sacred way any obligations or arrangements she enters into, and she has, as has already been acknowledged on both sides of the House, strictly adhered to the arrangement made between the Imperial Japanese authorities and this Government.

I have already referred to the position taken by the Minister of Agriculture when he was a member of the Opposition in this House. I would like to have heard from the hon. member for Victoria (Mr. Barnard), who has expressed in this House the strongest disapproval of the conduct of the late Government in not providing for the exclusion of Asiatics. It is well known that in the election of 1908 this question was a burning topic in British Columbia, and so strongly did the people feel upon the subject that the leaders of the Conservative party there seemed to have thought that it would be of enormous advantage to them to circulate a telegram setting forth the position the Conservative party took upon this very important, and, what seemed to many of the people of British Columbia, this very vital question. It may be in the recollection of some hon. gentlemen of the House that a telegram was sent out at that time in the following words:

The Conservative party stands for a white Canada, the protection of white labour and the absolute exclusion of Asiatics.

It turned out afterwards that the telegram, which purported to be from the leader of the Opposition, was a forgery, but it goes to show the state of public feeling upon this question, when members of the Conservative party should have felt justified in resorting to such extraordinary methods in order to influence public opinion in that province. I find that the hon. member for Vancouver (Mr. Stevens), has also had something to say upon this question. In a very nicely printed and neatly bound pamphlet which was circulated broadcast over this country my hon. friend says.

Mr. STEVENS: Not very broad, only two hundred.

Mr. PUGSLEY: I hope they went where they would do most good.

Mr. STEVENS: Stick to the facts.

Mr. PUGSLEY (reading):

If we allow the argument of the 'treaty' to influence us, we will find, in the course of a few years, that there will be a solid Japanese vote capable of deciding any election in the Pacific coast province, with the result that our western policy will be directed by Japan, because these Japanese voters will still be loving subjects of the Mikado.

We are just ten years too late in facing this question. Then it was simple; but, thanks to the absolute breach of faith on the part of the Federal authorities with the West, and the insane action of Sir Wilfrid's Cabinet in accepting the Japanese treaty in full, when he was urged by Joseph Chamberlain to reserve all rights re immigration, we are to-day faced with a question that is complicated because of the 'interests' involved. It must be faced, and now is the opportunity for the people of the West to present this whole question at Ottawa so that it will receive the consideration which the seriousness of the situation demands.

This is no time to discuss academic questions of foreign diplomacy with Downing street, but it is a question, as far as London is concerned, of 'Canada or Japan, take your choice.' Or, as far as Ottawa is concerned, 'British Columbia or Japan.' We are too deeply interested in the integrity of the Empire to worry over an Oriental subterfuge which may, or may not, exist in the Anglo-Japanese treaty—we claim it does not.

I hope that in view of the fact that my hon. friend is now sitting to your right and supporting the Government which has introduced this Bill he will repent the violent language which he used on the occasion to which I have referred and that he will see and endeavour to induce his constituents to see that after all the late Government took the only reasonable and proper course. They entered upon a stage of diplomacy, they endeavoured to make an arrangement with the Imperial government, and succeeded in making an arrangement which, during all the years that have passed since it was entered upon, has worked to the satisfaction of the people of Canada and of the Empire of Japan. I trust that my hon. friend will see that he was mistaken in his opinion as to the course of the late Government upon this most important question, and that when he comes to speak, as I trust he will, upon this subject, which excites so much attention in his own province, he will say that that was a proper arrangement and that the late Government, and especially the hon. member for Rouville (Mr. Lemieux), then the Minister of Labour, are deserving of infinite credit for having brought about that satisfactory arrangement with the Empire of Japan and that he will congratulate the present Government upon having taken steps to receive the assurance of the Japanese Government that when this Bill becomes law the arrangement entered into by the late Government, which has proved mutually beneficial and satisfactory, is to be continued and that he will express the hope that it will result in still further improving the friendly relations which now exist between these two nations.

Mr. H. H. STEVENS (Vancouver): We have listened for some hours to some rather disjointed opinions, with the exception of the remarks of the hon. member for Rouville with regard to his individual trip to Japan. Apart from that we have had disjointed remarks and unsupported statements on this very important question. I had expected that hon. gentlemen opposite, when they had given to this very important measure some consideration, would come to the House prepared to discuss this trade agreement on the basis which I think its significance merits. The hon. member who has just taken his seat has referred to an article written by myself a year ago. During his remarks he inferred that it was written some years ago and that I had changed my mind. He managed to quote a single clause from one part of the pamphlet but I shall introduce my remarks by quoting another clause as follows:

This article will be devoted largely to Japanese immigration, reserving for future articles the other two. There is a tendency among same Anglo-Saxons to treat the Japanese as an inferior race and to patronize them; viewing their presence in the country as a picturesque element, simply another dash of variety to our already cosmopolitan population. Others, again, with imagined Christian piety, serious but blind, look upon it as a religious duty to give every assistance possible to these 'sojourners from a foreign and heathen land.' Still others welcome them as industrious and docile workers, who do not strike, who work cheaply and thus add to the employer's profits in various lines of industry.

In the first place, we wish to say, that the Japanese are of a race not to be despised.

They are quick, intelligent, and skilful imitators. They are brave, and strong in physical constitution. They are ambitious, and have views of a future when their race shall dominate the world's affairs. They have a country which, geographically speaking, has an important strategic position. They have about fifty millions of one distinct race, and must have more room. They are keen, determined, and have a foreign policy which spells destiny.

I simply quote that in order that the inference and insinuation of the hon. member that I reflected on the Japanese race as a race shall be dissipated. I wish to say most emphatically that as a result of two visits to Japan and of coming in contact with these people on our coast for twenty years, I have the highest estimation of the Japanese as a modern and up to date nation. However, I do not fail to recognize that there are industrial questions which obtrude themselves upon the people of Canada in connection with the immigration of Japanese. There are social and ethical questions, all of which it is the duty of the people of Canada and particularly of the Government to study with a view to protecting the interests of the people of the country as a whole.

I shall touch upon the immigration side of the question a little further on. Some reference has been made to the commercial side of trade with the Orient and particularly with Japan. We have recognized that there are advantages in that trade if it can possibly be developed. The chief difficulty in the development of trade with Japan has largely lain in the fact that Canadian manufacturers, business men and exporters have not attempted to exploit the markets of Japan as they should have done and might have done. This treaty contains certain clauses and provisions which will go to encourage the establishment of Canadian agencies in Japan and of Japanese agencies in Canada, thus immediately supplying this pressing need in connection with the commerce of the two countries. The hon. gentleman who has just taken his seat referred to article VI, and charged that if the Bill passed it would surrender—I think that was the word he used—the rights of Canada in regard to the control of its own ports. Permit me to refer to article VI. It says:

The subject of each of the high contracting parties shall have liberty freely to come with their ships and cargoes to all places, ports and rivers.

Because of this clause he claims that we would turn over to Japan the control of our ports, subject only to laws which might be passed by the United Kingdom, but he failed to note the following clause:

Conforming themselves to the laws of the country to which they thus come.

Mr. STEVENS.

That, Mr. Speaker, absolutely protects the rights and privileges of the Dominion of Canada, so far as its treaty with Japan is concerned. I think that the basis upon which British shipping, which has been acknowledged for many years to be the most important of any nation in the world, has been built is the principle of freedom of navigation, and I think it behooves Canada rather to take a leaf out of the book of the history of this great industry in the Motherland, rather than to attempt by any means to restrict the commerce of other nations with ports on our coasts. I have absolutely no fear as regards the coasts and ports of British Columbia in conection with the Japanese treaty. Permit me to point out that it will be more distinctly an advantage to Canada's shipping in Japan than it will be to Japanese shipping in Canada. Japan can only trade with the ports of British Columbia, whereas Japan is an island similar to Great Britain, and consequently physically and geographically lends itself to the advantageous development of Canadian shipping rather than to the development of Japanese shipping in Canada. I say that the reasonable interpretation, nay, Sir, the correct interpretation of this clause, demonstrates that it will be a distinct advantage to Canada. We are not seeking to have the whole plum; we recognize that in this treaty there must be give and take. It is the fundamental principle of a treaty that there must be a certain amount of give and take between the contracting nations. Consequently, I differ from the hon. member for St. John (Mr. Pugsley) in this regard. I believe that Canada must be prepared to make certain concessions in order to receive advantages which shall be equal and in some cases very likely greater.

Reference has been made to exclusion of Article VIII of the treaty from the Canadian treaty. The hon. member for St. John, the right hon. the leader of the Opposition, and the hon. member for Rouville (Mr. Lemieux), made the statement that the omission of this clause from our treaty militated very seriously against the Dominion of Canada. Article VII, as the Minister of Finance has well pointed out, provides that:

Articles, the produce or manufacture of the territories of one high contracting party upon importation into the territories of the other, from whatever place arriving, shall enjoy the lowest rates of customs duty applicable to similar articles of any other foreign nation.

But, Sir, if you will examine this schedule you will find that a large proportion of the articles, which, according to the schedule enter free into the United Kingdom, now enter Canada free of duty. The right hon. gentleman (Sir Wilfrid Laurier) said in criticism of the action of the Government in omitting article VIII: Why should not Canada have the advantage of the free importation at a low rate of duty of these

articles from Japan? I shall give the present rates of duty on these articles entering Canada:

Habutae and handkerchiefs of pure silk, free.
Copper, unwrought, in ingots and slabs, free.
Plaiting of straw and other materials, free.
Camphor and camphor oil (I presume), free.
Baskets, including trunks and basket ware of bamboo, 27 per cent.
Mats and matting of rush, 22 per cent.
Rape-seed oil, free
Lacquered wares. 20 cents.

Hon. gentlemen will recognize that Canada gets a distinct advantage on all these things; we admit several classes of them free so that this article affects Canada very little, and in any case article VII neutralizes any damage that might possibly be done by article VIII.

I wish to refer very briefly to the class of trade that it is possible to develop with Japan. The right hon. the leader of the Opposition asked why should not we have the right to export tin to Japan. There is not an ounce of tin produced in Canada, we import our own tin. There are very few places in the world where tin is produced. The Straits Settlements, I think, now produce the largest quantity. It is also produced in Tasmania and one or two other places. There are some articles which can be exported from Canada and which at present form the bulk of our exports, such as: Milk and cream, flour, machinery, various kinds of cured fish, lumber, wood pulp and paper. I believe that the Government should take into consideration at the earliest possible day some measure whereby our exports of pulp and paper to Japan and other countries of the world would be encouraged, because Canada enjoys the distinction of having within her bounds the largest area of pulpwood of any country in the world, and this particular industry could be made one of the greatest in Canada, probably ranking with that of any other country.

The hon. member for Rouville made some very strong, and, I think, partisan references, as did the hon. member for St. John, to the attitude of the present Government in connection with the restriction of immigration to Canada. They have urged repeatedly that clause 2, which says that:

Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act.

—is practically of no value. The hon. member for Rouville says that it is of no value whatever, and the hon. member for St. John made a similar statement. Without desiring to weary the House, I think it would be only right for me to lay before the House some facts in connection with this matter, some very important and significant facts.

Mr. SPEAKER: It seems to me that for some time past there has been a strong inclination to wander from the discussion of the principle of the Bill, and to go into other lines which are hardly cognate to the second reading of this Bill. It would be desirable, as far as possible to keep to the principle of the Bill so that the second reading might be disposed of in a reasonable time.

Mr. STEVENS: Am I to understand that it is out of order to discuss the principle of immigration in connection with this Bill?

Mr. SPEAKER: I am not desirous of curtailing debate, but I have been listening for some time and it seems to me that each speaker goes beyond the reasonable limits of the principle of the Bill in taking it up clause by clause, and discussing the clauses individually, consequently wandering into fields of discussion which are either reviving arguments that occurred in the House years ago or producing others in rebuttal of argument not on this Bill at all, that took place years ago.

Mr. STEVENS: I wish to strictly confine myself to actual arguments that have been made in connection with the Bill at the present time, and I trust that, if I violate in any regard the rules of the House, you will promptly call me to order. I shall most gladly conform to the ruling of the Chair, but I shall endeavour to avoid any such reference. It is important that we should have before us some definite understanding as to the views of the Imperial Government in connection with this particular clause and in connection with the matter of immigration. It is to that point that I wish to draw attention. On July 20, 1898, in discussing the treaty which immediately preceded this, and in discussing it in reference to this particular clause which I am now discussing—clause 2—Hon. Joseph Chamberlain, then Secretary of State for Foreign Affairs, in a despatch to His Excellency the Governor General of Canada, the Earl of Aberdeen, states that:

Restrictive legislation of the type of which the legislation in question appears to be is extremely repugnant to the sentiments of the people and Government of Japan.

—and asks His Excellency

to impress on his ministers the importance, if there is any real prospect of a large influx of Japanese labourers into Canada, of dealing with it by legislation of Dominion Parliament on the lines of the Natal Act.

I draw attention to that to demonstrate to this House that, in so far as the Foreign

Office was concerned, they were absolutely in favour of the Dominion Parliament dealing with the question along given lines. I may say in passing that the Japanese people have objected to being discriminated against as a race. That is the sole objection of the Japanese race. I do not blame them for objecting on that basis. While the great question of Asiatic immigration has sometimes agitated the public mind in British Columbia very seriously, the people of British Columbia do not desire to injure in any sense the dignity or pride of any particular race but, recognizing the industrial factors that enter into this question, they have been forced to take certain action. There are a great many points that I should discuss, but I pass them over owing to the lateness of the hour. This statement from the Secretary of State for Foreign Affairs was repeated many times but nothing was done by the then Dominion Government. The Government and people of British Columbia passed a large number of Acts and resolutions which have already been referred to by the hon. member for Rouville. There are 120 resolutions and Acts of the provincial legislature referring to Asiatic immigration of various kinds including Japanese. It was because of the repeated efforts of the people and Government of British Columbia that the Japanese Government, recognizing the rights of the people of the Pacific coast and of Canada, voluntarily, without any suggestion from the Dominion Government, restricted emigration to Canada. It was long before the hon. member for Rouville went to Japan and negotiated his famous arrangement. It was in the year 1902 that it was first done, and according to that hon. gentleman's own statement to-night, the influx in 1907 which caused the great agitation in British Columbia, was not the result of the withdrawal of this restriction by the Japanese Government, but it was the result of a movement of immigration by way of Honolulu and other ports. I want to make it clear that, up to the time the present Government took office, the Government of Canada never turned a hand to restrict the immigration of Asiatics other than in connection with the Chinese which I shall refer to at this point. The hon. member for Rouville said that there was a tax of $500 placed on the Chinese, which practically excluded them. What are the facts? Every year during the last seven years, from 5,000 to 7,000 Chinese have come into this country and paid the head tax of $500. They come here because there was a wealthy Chinese syndicate formed to pay the head tax of these immigrants and which holds them in this country in virtual slavery, a subject that I shall bring to the attention of the Government at a later day. But, on no occasion did the late Government make any attempt to deal with this question. Up to the year 1905 absolutely nothing was done. In 1905 Mr. Lyttleton asked the Dominion Government if they intended to adhere to the treaty. Earl Grey answered as follows:

My Prime Minister earnestly hopes that you will press immediate entry of Canada into Anglo-Japanese treaty.

That was in response to a suggestion by the Imperial Government to this effect:

Referring to your confidential despatch of June 7, should Japanese Government be informed that your government wishes to adhere to treaty, 1894, and supplementary convention of 1895, under same terms and conditions as Queensland in 1897, which Japanese Government then agreed to extend to any other colonies adhering within prescribed period namely, that stipulations contained in first and third articles of treaty shall not in any way affect laws, ordinances and regulations with regard to trade, immigration of labourers, &c.

Thus, in 1905, the British Government asked this Government if they wished to adhere to the treaty subject to the immigration laws then in force. Earl Grey replied that his Prime Minister (Sir Wilfrid Laurier) earnestly hopes that you will immediately press the entrance of Canada into the treaty. But, there came another wire: 'What have you to say in connection with restricted immigration?' The Canadian Government refused to take any cognizance whatever of the advice of the Imperial Government in regard to immigration. Mr. Lyttleton again suggested that they should do so, with the result that a further telegram went to this effect:

Referring to your telegram of July 14, responsible ministers prepared to adhere to Japanese treaty, 1894 and supplementary convention of 1895 absolutely without reserve. Minute of council and despatch followed by mail.

A minute of Council followed in exactly the same terms reaffirming the statement that the late Government adhered to the treaty without reserve. Yet, hon. gentlemen who were members of that Government, stand in their places to-day and charge the present Government with not properly protecting immigration into this country, charging that the clause which has been placed in this Act, and which makes the immigration laws of Canada absolutely applicable to this Act, or, in other words, makes this Act and its terms subject to those laws, has absolutely no effect. What I contend, Mr. Speaker, is that this clause, introduced into this treaty wisely by the leader of the Government, makes a vague and mute suggestion clear and plain. In other words, we say to the people of Japan

that we are willing to adhere to the treaty, that we are willing to enter into amicable treaty relations with you as regards commerce if you will continue to stand by what was agreed to in connection with the immigration law.

I want to refer briefly to what I think are the very unfair references which have been made to the correspondence which took place between the Right Hon. Mr. Borden and the representative of His Japanese Majesty's Government. The hon. member for St. John (Mr. Pugsley) and the hon. member for Rouville (Mr. Lemieux) also, said that this clause would not restrict immigration from Japan in any regard and, that it would not have the same effect as the provision in that regard in the treaty with the United States. I shall endeavour to clear up this point, which has been frequently misrepresented by the hon. gentlemen opposite, and to do that I shall refer to the correspondence. In a letter to the Japanese Ambassador, dated February 25, 1911, the Assistant Secretary of State for the United States says:

By the resolution of the Senate, the advice and consent of the Senate to the ratification of the treaty quoted is given with the understanding, which is to be made part of the instrument of ratification, that the treaty shall not be deemed to repeal or affect any of the provisions of the Act of Congress entitled 'An Act to regulate the immigration of Aliens into the United States,' approved, February 20, 1907.

I call particular attention to this language in that letter:

Inasmuch as this Act applies to the immigration of aliens into the United States from all countries, and makes no discrimination in favour of any country, it is not perceived that your Government will have any objection to the understanding being recorded in the instrument of ratification.

The Right Hon. Mr. Borden, in a letter to the Hon. Mr. Nakamura, Consul-General for Japan, uses this language which is practically the same as the language used by the Secretary of State for the United States which I have quoted:

The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration aliens into Canada from all countries, including the British Empire itself, and makes no distinction in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment in the enclosed draft Act of Parliament, of the proviso which has already been agreed to in the case of the United States.

It is the pride of Canada and of the British Empire that no discrimination is made against persons, or classes, or races, in their legislation; it is our pride that every man receives a square deal under the British flag. At the same time I want to impress on the attention of the House a fact that is frequently lost sight of, and that is that immigration into Canada, or Australia, or any part of the British Empire, is a privilege which we extend to the people of the world, and it must be remembered that there is no obligation or duty on our part to extend this privilege if we do not see fit to do so. Replying, on March 1, 1913, to the letter of the Right Hon. Mr. Borden, Mr. Nakamura, Consul-General for Japan says:

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government have no objection to the proposed Bill, and that they feel assured that the Immigration Act of Canada of 1910 being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

It will be seen, therefore, that once the Imperial Government of Japan was assured that the Immigration Act was designed to apply to all countries alike, they were perfectly satisfied. They had the impression, erroneously, I believe, that it was the desire to pass legislation in connection with the immigration laws discriminating against this race or that, but when they found that the power as given to the Governor General in Council, in sections 37 and 38 of the Immigration Act was not a discrimination against the Japanese race, the Japanese Government expressed their entire satisfaction.

Mr. TURRIFF: Would the hon. member and the people of British Columbia be perfectly satisfied with that arrangement under the treaty, without the understanding which was made with the Japanese Government by Mr. Lemieux?

Mr. STEVENS: The statements contained in this correspondence, read impartially in the light of the situation as it then existed, would be sufficient for any reasonable man, but in addition to that we have the assurance of the leader of the Government this afternoon that the representatives of the Imperial Government of Japan have assured him that the arrangements which have been made—the gentleman's agreement if you wish to call it so—will be continued. I wish to state that on the whole, the immigration relations existing between Canada and Japan today are satisfactory to the people of British Columbia. The only thing that has been wrong in connection with the Japanese arrangement is, that the public have had no official assurance in regard to it. The hon. member for Rouville (Mr.

Lemieux) knows perfectly well that his arrangement is a private state document, and the people of Canada and the people of British Columbia know nothing about what is in that state document.

Mr. LEMIEUX: This state document is in the hands of the Minister of Foreign Affairs in Great Britain, of the British ambassador at Tokio, is known to the Japanese authorities, and, what is more important still, to the Government of Canada. Of course, it is a secret document, but there are many secret documents in the world.

Mr. STEVENS: That is all quite true, but the people of the country know nothing about it. I venture to say that there are not 200 men in the entire Dominion of Canada who have the faintest idea of the contents of that document, and they have to rely on the assurances which have been given from time to time that that document will protect them.

Mr. MACDONALD: Do not the people of British Columbia know that immigration from Japan was stopped as a result of this arrangement?

Mr. STEVENS: The effect of that arrangement has been to restrict immigration from Japan, and we have observed in the last few years that immigration from Japan has been kept within reasonable bounds. Last year only 322 males came from Japan, 300 females, and a certain number of children, which is evidence of the fact that the spirit of the agreement has been kept.

Mr. LEMIEUX: Hear, hear.

Mr. STEVENS: Let me remind the hon. member for Rouville and the right hon. the leader of the Opposition that this arrangement was voluntarily put into force by the Japanese Government in 1902, and the fact that the hon. member for Rouville went to Japan in 1907 had very little to do with it. There was a change of conditions in 1907 on account of the influx of Japanese from Honolulu, but the hon. member (Mr. Lemieux) himself has said that the Japanese Government was not aware of it until it actually took place and were not responsible for it. The restriction of immigration was instituted voluntarily by the Japanese Government, as a result of the agitation in British Columbia, and the repeated demands of the Imperial Government and the Government of British Columbia has resulted, up to the present, in keeping immigration from Japan within reasonable bounds. The Prime Minister stated this afternoon that so far as this agreement, or voluntary restriction of immigration from Japan, is concerned, it would be continued by the Japanese Government and that will satisfy the people of British Columbia that the present Government of Canada is alive to its duties and ready to protect the interests of the country. I believe that this is a dignified agreement, and a dignified method to deal with this question. The people of Japan have said that this provision of our Bill does not offend them, that it does not affect their national dignity or their national pride; and at the same time, the immigration is duly and properly restricted. It seems to me that hon. gentlemen opposite have lost sight of the fact that this clause must be read in connection with the agreement that we have before us, and which has been so well and so ably enunciated by the leader of the Government. I may contrast this attitude and this legislation with the attitude and legislation of my right hon. friend opposite. In 1896, he wired to British Columbia that 'The views of the Liberals of the West will prevail with me.' He did not say 'the views of the country, or of the province, or of the provincial legislature.' That was rather a one-sided compliment to pay to the people of British Columbia. Did these views prevail? Unfortunately, they did not. The right hon. gentleman appointed a commission, which has been referred to by the hon. member for Rouville, which reported distinctly in favour of Dominion legislation on this matter and on this line. What was done? Absolutely nothing. I challenge any of the members opposite to show one single act which was done by their party during their term of office to restrict immigration, other than the Chinese head tax, which is totally ineffective. So, there is a great contrast between the position taken by hon. members of the Opposition when in power and that taken by the present Government since they came into office.

A question was raised which I would not refer to had not the hon. member from St. John rather rubbed it in. He pointed out that there was no protection under this clause, and said that at any time we might have a great influx of Japanese. In the first place, with the experience we have had, I think we can treat with entire confidence the assurance of the Japanese Government, and so far as I am concerned I cast no discredit upon them. But should such a contingency arise with the Japanese Government, if they were unable to control it, or neglected or violated in any way their undertaking, it is within the hands of this Parliament to deal with that under section two, sub-section (a) of the Act. In other words, while that clause is not needed at the present time, for the protection of immigration, it is there to protect the West

and maintain the dignity and privileges of this country and of this Parliament, should occasion arise. There are many other phases of this question which I should like to deal with, but the hour is so late that I shall refrain from going into any other matters. I conclude by congratulating the Government upon making this very satisfactory arrangement, an arrangement that we in the West have looked forward to for many years. I would suggest to this Government the advisability of opening with China negotiations along the same line. I have had the pleasure of travelling in the Orient, both in Japan and in China, to some considerable extent, and I can assure you, Mr. Speaker and this House, that the time is coming at no very distant day when it will be an exceedingly advisable thing for a country to have commercial relations with these eastern countries. I hope the right hon. the Prime Minister will take that into his consideration, and in the proper time and in the proper way will bring in some such measure as that now before us.

Motion agreed to, Bill read the second time, and House went into committee thereon. (Mr. Deputy Speaker in the Chair.)

On section 2—treaty approved.

Mr. W. M. GERMAN (Welland): I would ask the Prime Minister, if this is one of the matters, according to his opinion, which would come within the scope of the Imperial Parliament under the Imperial federation, which he spoke of in this House some few weeks ago? This is a treaty in regard to foreign policy. I heard the right hon. the leader of the Government say a few weeks ago that instead of there being five foreign policies in the Empire, there should be one; and instead of there being five navies, there should be one. It appears to me that this is a question which comes particularly within the realm of that discussion. We in Canada for very many years strove to secure a condition of autonomy whereby we could make our own foreign treaties. This is such a treaty, and I venture to say that there is no man to-day in Canada who would say that the Parliament of Canada should not deal with these matters rather than have them dealt with by the Imperial Parliament as would be the case under an Imperial federation scheme such as was propounded by my right hon. friend. I would particularly like to know what his views are in regard to such matters. I for one—and I think the members on this side generally agree with me—am firmly of opinion that Canada should manage affairs of this kind herself, and that we should not be tied up in an Imperial federation which should endeavour to manage the foreign affairs of Canada through an Imperial Parliament in England or any other part of the Empire, made up of representatives of different parts of the Empire. I feel rather strongly on this question, because it is one of the questions that the Liberals in Canada have been agitating for many years. The control of our own affairs in Canada has been one question which Liberals have struggled for ever since my earliest recollection—that the Parliament of Canada should control the affairs of Canada, that though we are a part of the Empire and loyal to the British flag and to British institutions, we desire to manage our own affairs.

It would, I think, be impracticable at the present moment to relegate such a matter as this to a parliament composed of representatives of the different parts of the Empire, because Canada's particular necessities and requirements might differ very materially from the necessities and requirements of the other portions of the Empire. Since the last visit of my right hon. friend to England, when, in my opinion, he fell into the arms of the aristocratic jingoes in that country, including Mr. Winston Churchill, he has gone back on the Liberal teachings of his youth in endeavouring to bring about a condition of affairs which will not be satisfactory to the people of Canada. In dealing with such an important matter as this I cannot do better than direct the attention of the right hon. gentleman to a speech he made in this House a few weeks ago, when he said that it is for us to consider whether we shall have one foreign policy or five foreign policies; one navy or five navies. When a question of this kind is before the Committee of the Whole House I think we should understand from the hon. gentleman what his views are on the matter, because this is not the last that is to be heard of it. I have no doubt that the Navy Bill will again come up for discussion in this House, unless the right hon. gentleman decides to abandon it, and the question about which I am in doubt is with regard to the right hon. gentleman's views on the matter. I believe that we in Canada are capable of managing our own affairs, still remaining true and loyal to the British Empire, at the same time building up our own country, and retaining the right to arrange our own treaties with foreign governments. It is to the credit of Canada and Canada's statesmanship that the British Government has decided to allow us to do that, knowing full well that as an integral part of the Empire, we are prepared to do our duty and still engage in the active management of our own local affairs.

Mr. BORDEN: I am afraid that is too comprehensive a subject to discuss upon the consideration of the title of this Bill. My hon. friend has said, however, that there will be a further opportunity of discussing it during the present session.

On section 2:

The treaty signed at London on the third day of April, one thousand nine hundred and eleven, between His Majesty the King and His Majesty the Emperor of Japan, set forth in the schedule to this Act, is hereby sanctioned and declared to have the force of law in Canada; provided that

(a) Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act;

(b) Article VIII of the said treaty shall be deemed not to apply to Canada.

Mr. OLIVER: I would like, if I am in order, to deal with the reference in this section to the Immigration Act, as it is today, becoming a part of this treaty. If my understanding is correct, that, from my point of view, would not be satisfactory. I had something to do with the framing of the provisions of the Immigration Act, and, as my right hon. friend has given the House to understand, they seem to be comprehensive and to suit the purpose for which they were intended. I claim the compliment, and appreciate it very much, but my experience in dealing with matters of immigration has led me to come to the conclusion that there is no possibility of providing any form of words to-day that will infallibly meet the conditions that may arise to-morrow. If we regard the Immigration Act of to-day as being practically incorporated in this Bill, I say, looking at the matter from the standpoint of a Canadian, that the provision of the Bill which so stipulates is not satisfactory. My suggestion is that subsection (a) of this clause be amended to read as follows:

Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act of Canada now or hereafter in force.

That is to say that whatever the immigration law of the Dominion of Canada provides at any future time shall be a part of this treaty. The first duty that the Government of Canada owes to the people of this country is to protect the standard of Canada's citizenship. We have heard objections in the past to the restriction and regulation of immigration on the ground that it was discriminating against this or that or the other race or nationality, and that the people of such and such a race or nationality were just as good as we were. That is not to the point. I do not contend that this or that or the other race or nationality is not just as good, or even better, than we are. That is not the question. Parliament and Government of Canada have upon them the responsibility of maintaining the standard of citizenship according to the conditions and ideals of the present population of this Dominion. And all other considerations—let them be of religion, good-will, or imperial relationship—should take second place to this, which should be the dominant and guiding principle.

governing this Parliament and this Government dealing with immigration matters. I take the liberty of saying that in so far as my humble connection with immigration affairs in this country has been concerned, that was the standard that was aimed at, and it was very largely lived up to under my administration. I have the privilege of supporting the same principle in opposition that I had of demonstrating as a member of a government and I would place as strongly as I may before the Government and before Parliament that this is the paramount duty of the Government and Parliament. We are giving our adhesion to-day to a treaty which is to be in effect for ten years and if there is any lack in the provisions of this treaty that we are assenting to to-day then it is to remain for that period, a period long enough to establish such changes in the population and therefore in the ultimate ideals and destiny of this country that it places a serious responsibility on our heads. It is true it has been said that on one hand the interests of Canada are protected by an understanding, an agreement between Canada and the Empire of Japan, an agreement that certainly has been effective in the past and that has been lived up to loyally by the Empire of Japan in regard to which agreement I would be the last to make any complaint. In my judgment we could not have made any reasonable provisions in our Immigration Act without absolute provision for discrimination that would have had anything like as good an effect as the arrangement that was made. Again the Immigration Act as it stands to-day provides for discrimination, which is an essential principal of the Act; there may be discrimination exercised by the Government of the day and if I understand the provision this Government has entered into an understanding with the Government of Japan that there shall not be discrimination against the people of Japan in regard to immigration to Canada. The provision is simply that the Government of Japan has made an understanding with the Government of Canada that immigration from Japan to Canada shall be restricted, so that the Government of Canada has established an understanding with the empire of Japan that under the terms of our Immigration Act there shall be no discrimination against Japanese immigrants coming into Canada. I can scarcely help recalling under those circumstances the remarks of the Minister of Agriculture or the hon. member for Vancouver (Mr. Stevens) who on this occasion and others asserted and reiterated and vociferated the demand that Canada should be supreme in her own House in regard to immigration matters and that her position should be laid down clearly on the statute book. That is the position that I desire to place before the

House to-day, that when we are incorporating our Immigration Act into this treaty, which is to last for ten years, an understanding is not good enough. It is not a sufficient protection to the interest of the people of Canada. Leave the Immigration Act out of the treaty with Japan and depend on your understanding if you please; but do not put the written word of the Immigration Act into the treaty and then depend on your understanding and say that your immigration is not going to be limited. I urge very strongly that if this section is to be maintained in its present form, that is to say if the Immigration Act of Canada is to be incorporated, there should be added to this subsection the words 'of Canada now or hereafter in force,' or such other words as may be apt to the purpose.

Mr. BORDEN: My hon. friend is mistaken, in the first place, in his idea that the treaty will last for ten years necessarily. It can be denounced by either party on one year's notice.

Mr. OLIVER: Am I right in the statement that it is drawn to be in force ten years?

Mr. BORDEN: So far as Great Britain and Japan are concerned, but there is a separate division in respect to the dominions that accede to it by which they have the right to abrogate it separately at any time on giving twelve months notice to that effect.

Sir WILFRID LAURIER: Then our connection with the treaty will last so long as the treaty lasts unless it is abrogated by ourselves on one year's notice.

Mr. BORDEN: Which may be given at any time and that is the reason I said to my hon. friend that it does not necessarily last for ten years, it can be terminated on one year's notice. So far as the other observations of my right hon. friend are concerned, I adhere to what I said a moment ago as to the very comprehensive character of the provisions in the Immigration Act. I think they are sufficient to guard us properly in that respect, and I do not think there is necessity for any such amendment as he proposes. No such provision is to be found in the negotiations between the United States and Japan. The provision which they regarded as satisfactory is in effect, and almost in the very words, the same as that which we have adopted here. Ours, it is true, forms part of a statute; theirs merely forms part of the treaty by means of public declaration and of the proclamation of the President of the United States, assented to by His Excellency the Japanese Ambassador at Washington. For that reason, it does not seem to me the amendment my right hon. friend suggests is a necessary one.

Sir WILFRID LAURIER: That matter being disposed of, might I ask the hon. the Minister of Finance why article VIII is not included in the treaty? There are some important respects in which it might apply as well to Canada as to Great Britain. We could have no objection, I am sure, to the admission free of duty of the articles mentioned in the treaty as coming from Japan, that is to say:

Habutae of pure silk not dyed or printed; handkerchiefs of Habutae of pure silk, not dyed or printed; copper, unwrought, in ingots and slabs; plating of straw and other materials; camphor and camphor oil; baskets, (including trunks) and basket ware of bamboo; mats and matting of rush; lacquered wares, coated with Japanese lacquer; rape-seed oil, and cloisonne wares.

On the other hand, we would have a tariff provided for paint. Paint is an article which is largely manufactured in Canada now, and its production has increased. I think there are one or two plants west of lake Superior. It seems to me that if we had that article included we could export it to Japan, and the same remark applies to cotton. I would like to know—the matter must have been given consideration—why that feature of the treaty was put aside.

Mr. WHITE (Minister of Finance): I am afraid my right hon. friend has forgotten what transpired in 1911 when his Government made a temporary arrangement to continue the favoured nation policy with Japan which both countries had enjoyed by reason of the adhesion of Canada to the treaty of 1894. The correspondence shows that the reason why that temporary arrangement was made for two years was precisely that my predecessor my right hon. friend's Finance Minister, objected to article VIII. No doubt my right hon. friend will recall that my predecessor took the view, and quite properly that article VIII while applicable to the conditions of trade existing between Japan and the United Kingdom was not applicable to the conditions of trade existing between Canada and Japan. Holding that view, as he did, he suggested that a temporary arrangement should be entered into and the result was that in the year 1911 a temporary arrangement, which is still in existence, but which expires on July 17th, was entered into and validated by chapter 7 of 1 and 2 George V, and assented to on May 19, 1911.

Sir WILFRID LAURIER: I remember.

Mr. WHITE: The Act was not to be brought into force until the Governor in Council was satisfied that

No other or higher duties are or will be imposed, and that no prohibitions are or will be maintained or imposed, so long as this Act remains in operation, on the importation into the Dominions and possessions of His Majesty the Emperor of Japan of any article the produce or manufacture of Canada, from whatever place arriving, than are imposed, or maintained or imposed, respectively, on the like article produced or manufactured in any foreign country on its importation into the said dominions and possessions.

The position since 1906, has been that there was a convention between Canada and Japan by which Canada gave adhesion to the treaty of 1894, which provided, so far as commercial arrangements are concerned, for most favoured nation treatment. The arrangement then made and validated by the legislation of 1907, by my right hon. friend's Government, was as I have stated, continued in respect of the most favoured nation treatment by the legislation of 1911, and is still in effect. That brings us down to the present treaty. As I said a moment ago, the existing arrangement would expire on July 17, but when this Bill becomes law, it will of course supersede it. Coming to the treaty itself, my right hon. friend expressed a doubt at first which I think has been cleared up in his mind, as to article VIII. The Bill itself, deals with article VIII, so I think no question arises with regard to that. But apart from the Bill, I desire to remind my right hon. friend that not only was there an exchange of notes with regard to that matter by which it was agreed that article VIII did not apply to Canada, but by the express terms of article VIII its interpretation does not apply to any of the dominions but only to the United Kingdom. I think that is perfectly clear, but at all events no question can arise because the Bill specially encludes article VIII. My right hon. friend then desired to be assured as to the position with regard to the articles mentioned in the schedule to the treaty and as to which maximum rates are fixed when the articles are imported from Great Britain. I pointed out to my hon. friend from St. John (Mr. Pugsley) that Canada will get the advantages of that provision of the treaty which will be enjoyed by the United Kingdom, and for this reason: Japan has a most favoured nation treaty with France, with Germany, and I believe with the United States. These are foreign nations so far as Canada is concerned, and those nations will have the same rights as Great Britain so far as the Japanese tariff is concerned, because they are favoured nations. Under the terms of article VII of this treaty:

Articles, the produce or manufacture of the territories of one high contracting party, upon

importation into the territories of the other, from whatever place arriving, shall enjoy the lowest rates of customs duty applicable to similar articles of any other foreign nation.

In the result, Canada will get the benefit of the tariff treatment extended to that list of articles mentioned in the schedule when imported from Great Britain, but Japan will not be able to export to Canada free of duty the articles mentioned in the schedule which she is entitled to export to the United Kingdom free of duty, because all we are agreeing to give to Japan is most favoured nation treatment. In other words, Japan has in this treaty the benefits of the French treaty which goes the farthest so far as favoured nation treatment is concerned, in relation to Canada. I think I have cleared up those two points, but I should like to deal a little further with the schedule itself. I frankly state that I agree entirely with my predecessor, and I suppose he agreed with his Government, that that article as it stands in the treaty is not suitable to the commercial conditions existing between Canada and Japan. It is suitable to the conditions between Japan and the United Kingdom.

Mr. TURRIFF: Would the hon. gentleman explain why it is not suitable to our conditions?

Mr. WHITE: In the first place, the article mentioned in part II of the schedule which may be imported into Great Britain free include mats, matting, certain manufactures of silk and other things and if they were admitted free into Canada, France and other nations enjoying the most favoured nation treatment from Canada, by virtue of subsisting treaties, would have to be given the very same treatment. These goods, when imported from France, or the other nations that I have referred to, would also be free.

Sir WILFRID LAURIER: Do you think that we are likely to import mats and matting from France?

Mr. WHITE: Silk is an important item. The result is that the question of revenue would have to be considered in addition to the question of the effect upon certain Canadian industries. Another point that was made by my predecessor was that in so far as part I is concerned, Canada would not be likely to benefit very much if it had the advantage of that schedule, as was admitted by the right hon. the leader of the Opposition. The only question to which he called attention was that of cotton. Our entire exports of cotton manufactures are very small indeed. I have been looking at the figures in the returns of the Department of Trade and Commerce. We export a cer-

tain amount of cotton waste and manufactures of cotton, but it is comparatively small amount. As to the other items of yarns, wool and iron, there would be very little advantage to Canada. Canada would have the advantage of it in so far as exports to Japan are concerned, but, if we had to give the one for the other, in so far as I am concerned, I would say that the advantage would be entirely with Japan and not with Canada.

My hon. friend from Rouville asked me if I had any information as to trade. I am disposed to agree with my hon. friend from Vancouver (Mr. Stevens) that the trade between Japan and Canada could be substantially increased if our manufacturers and others would push for that trade and adapt their wares to the necessities and requirements of the Japanese people. The principle exports from Canada to Japan are fish, lumber, breadstuffs and, curiously enough, sewing machines. In 1908 $200,000 worth of lead was exported to Japan and none in 1912. It appears that the export trade has decreased in wheat, flour, printing paper, condensed milk and lumber. In 1905 we exported to Japan goods to the value of $500,000; 1908, $700,000 and 1912, $500,000. According to our records, we sent to Japan, wheat, $10,000; wheat flour, $25,000; coal, $58,000; fish, $193,000; sewing machines, $73,000, and planks and boards, $60,000. Our entire exports to Japan are very much smaller than I should like to see them. They are more notable by reason of the large trade which the United States had with Japan. The United States, having a very much larger population, would naturally have a larger trade than Canada. But I find for example, that while Canada according to the Japanese records, exports $20,000 worth of wheat flour, the United States exports $800,000. Canada exported in 1911, $7,000 worth of building materials as against half a million dollars worth from the United States. Of timber and lumber, Canada exported $34,000 worth and the United States $380,000 worth, and of condensed milk Canada exported $3,000 worth and the United States $500,000 worth.

Mr. LEMIEUX: May I ask if the United States have any special tariff upon that article?

Mr. WHITE: I think they have the most favoured nation treatment the same as we have. Of pulp for paper manufacture Canada exported none, the United States $25,000, while from other countries Japan procured $1,350,000 worth. I suppose that would come from a part of their own territory and northern Asia. Of agricultural implements, the United States sent them $125,000 worth, and other countries $140,000 worth. Apparently Canada sold them nothing in that line. I should point out that the Japanese tariff is very high in regard to a number of articles which Canada might reasonably expect to sell them, notably upon wheat, flour, butter, sole leather, automobiles, and certain other articles. In regard to our imports, I find that the balance of trade is against us. As I have said, our exports are of a comparatively small amount while, on the other hand, the imports from Japan of merchandise, dutiable and free, for 1904, were $2,000,000. They declined until 1908, then advanced to $2,200,000, and in 1912 they were $3,000,000 therefore, we buy a great deal more from Japan than we sell to her. But, I think that, if our manufacturers were more active, and would adapt their wares more to the needs of the Japanese people, there would be a chance of increasing the export trade from Canada to Japan. Personally, I should like to see that accomplished.

Mr. LEMIEUX: There is the question of rates and of the steamship service.

Mr. WHITE: We import from Japan tea, rice, silks, brimstone, linens, earthenware and cottons, and we also import sugar to the value of $500,000. The following articles showed an increase during 1912 as compared with 1908: beans, brooms, brushes, cottons, fancy goods, fish, nuts, raw silk, brimstone; while the following have decreased: earthenware, manufactures of silk and tea. As far as the commercial part of the treaty is concerned, it is a continuation of the arrangement we have had since 1906. The balance of trade is in favour of Japan, but I have hopes that our trade will increase in lumber, fish and sewing machines, and I see no reason why it should not increase in agricultural implements.

There was one other matter referred to by the hon. member for St. John (Mr. Pugsley) and I am sorry he is not here; that was the coasting trade. I think he is clearly wrong in his reading of article XXI. He referred to article XXI and stated that the coasting trade of the high contracting parties was excepted from the provisions of the present treaty and would be regulated according to the laws of the United Kingdom and Japan respectively. My hon. friend evidently had the idea that would give the Japanese coasting rights in Canada, but he entirely overlooked the last paragraph in article XXI:

It is also understood that, in the event of the coasting trade of either country being exclusively reserved to national vessels, the vessels of the other country, if engaged in trade to or from places not within the limits of the coasting trade so reserved, shall not be prohibited from the carriage between two ports of the former country of passengers holding through tickets, or merchandise consigned on through bills of lading to or from places not within the above-mentioned limits,

and while engaged in such carriage these vessels and their cargoes shall enjoy the full privileges of this treaty.

It is perfectly clear that the coasting trade is not covered by the treaty, and that the coasting laws of Canada will have to be observed by the Japanese just the same as by the people of any other nation. In view of the general approval of the Act as it stands, I shall not take up further time.

Sir WILFRID LAURIER: I remember the circumstances very well which induced the Government to suspend judgment before they became a party to the Japanese treaty. The treaty has been made from the point of view of the United Kingdom and the articles which are enumerated are of such character as can be produced in Canada, and while their free importation would be of advantage to the United Kingdom it would be of little advantage to Canada. We were in hopes we would be able to negotiate a treaty of our own in which we would give due prominence to articles produced in Canada, which would be suited to the Japanese market, but to the great misfortune of the country we had to leave office, and, our successors have made no effort to have a separate treaty, preferring to eliminate clause 8. I understood the Minister of Finance to say that the articles of British manufacture which are mentioned, and are going to have the benefit of the treaty, were excluded in the case of Canada by article VIII, yet article VII would give us the same treatment with regard to these articles; is that the interpretation?

Mr. WHITE (Minister of Finance): Yes. It was argued here to-night that Canada was apparently losing something by not admitting these articles from Japan, free of duty, but of course we have control of our own tariff, and we can do that if we like at any time.

Mr. McKENZIE: The Prime Minister stated that certain regulations would be made under the Immigration Act. Will he tell the committee if any regulations have been made under the Immigration Act of 1910 affecting Japanese immigrants or immigrants from any other country, coming into Canada?

Mr. BORDEN: There are none specially naming the citizens of Japan, so far as I am aware.

Mr. McKENZIE: Then, if I understand the correspondence aright, no regulations can be made hereafter by the Government of Canada to change the complexion of the law from what it now is. The law on its face shows what it is, and it does not discriminate against any nation whatever. The correspondence between the Prime Minister and the Japanese authorities shows that the Japanese authorities said that upon the face of the text of that Act it did not discriminate against them any more than against any other people, and therefore they would accept it. But, the Immigration Act contains in itself the power of discrimination against any people whatever, if the occasion should arise. I understand from the correspondence that that power of discrimination by use of regulations is neutralized; that it cannot any longer be invoked against Japan and that no regulations can be made hereafter that would in any way discriminate against Japanese immigrants so long as the treaty lasts. Suppose that next year the Lemieux convention were not observed properly by the Japanese Government, and it becomes necessary in order to protect British Columbia from an undue influx of Japanese to pass a regulation under the law of 1910 to keep these immigrants out, I understand we could not pass any such regulation during the existence of the treaty. If that is what we are doing, I would like to have it understood distinctly.

Mr. BORDEN: I do not understand it so at all. The clause in the correspondence to which my hon. friend refers is this:

> The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no distinction in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment in the inclosed draft Act of Parliament, of the proviso which has already been agreed to in the case of the United States.

The Immigration Act speaks for itself; the correspondence made a certain comment upon its character; the Immigration Act is in existence and contains the provision to which the hon. gentleman alludes. As a matter of fact, when the United States dealt with the same subject, they used language which was very similar. The letter written by the acting Secretary of State of the United States to the Japanese ambassador at Washington, so far as it dealt with this subject, was in the following words:

> By resolution of the Senate, the advice and the consent of the Senate to the ratification of the treaty is given with the understanding that it is to be made part of the instrument of ratification that the treaty shall not be deemed to repeal or affect any of the provisions of the Act of Congress entitled 'An Act to regulate the Immigration of Aliens into the United States' approved February 20, 1907. Inasmuch as this Act applies to the Immigration of Aliens into the United States from all countries and makes no discrimination in favour of any country, it is not perceived that your Government will have any objection to the understanding being recorded in the instrument of ratification.

The only difference in the final result is that in the case of the United States the proviso was embodied in the instrument of ratification, while in the case of Canada, inasmuch as a statute is necessary, the condition is embodied in the statute itself, so that there cannot be any misunderstanding on the subject.

Mr. OLIVER: Might I suggest what I pointed out before, that the difference between the immigration law of the United States and that of Canada is that the law of the United States does not provide for discrimination, whereas it is an essential feature of the Canadian immigration law that provision is made for discrimination at the discretion of the Governor in Council; and it is the essential provision of the immigration law of Canada that I understand my right hon. friend has assured the Japanese Government will not be brought into effect if the treaty is signed.

Mr. BORDEN: I have not given any assurance beyond what is contained in the letter itself, which points out that this statute does not create any discrimination in favour of any country but is applicable to all countries, just as the legislation of the United States is also applicable to all countries.

Mr. McKENZIE: If the contention of the hon. member for Edmonton is correct, and I am not familiar with the immigration laws of the United States—it would appear that the United States law does not contain the power to make regulations.

Mr. OLIVER: I beg pardon—does not contain power to make discriminating regulations.

Mr. McKENZIE: In that way, as I understand it, the law of the United States is different from our law. With us the Governor in Council may make regulations which have the effect of law without the further action by Parliament, while, in the United States, these enactments can be made only by Congress. If the contention of the Prime Minister as to sub-section 2 is correct—that we still have power to make any regulations that may be deemed advisable—he would have no objection to adding after the word 'Act' the words 'or any regulations herein or hereafter made thereunder.' That would make it clear that the treaty does not affect regulations made or to be made under this Immigration Act.

Mr. BORDEN: I am under the impression that there are special regulations under the immigration laws of the United States with regard to Japanese and Korean laborers. I think the ex-Minister of the Interior (Mr. Oliver) is misled in believing that such regulations are not possible under the laws of the United States. Such regulations are already in force there to some extent. I have a copy of some of them submitted to me by one of the officials of the Department of Labour.

On the schedule:

Sir WILFRID LAURIER: Does not the right hon. gentleman think we might adjourn now?

Mr. BORDEN: My right hon. friend would prefer to have the Bill considered further in committee.

Sir WILFRID LAURIER: Yes, the schedule should be looked over.

Progress reported.

Mr. BORDEN moved the adjournment of the House.

Sir WILFRID LAURIER: What business will be taken up to-morrow?

Mr. BORDEN: I would like to go on with this, if convenient. It is rather desirable that it should go to the Senate.

Sir WILFRID LAURIER: This will probably not take all day.

Mr. BORDEN: We will take the Navy Bill.

Motion agreed to, and House adjourned at 12.30 a.m. Thursday.

HOUSE OF COMMONS.

THURSDAY, April 3, 1913.

The SPEAKER took the Chair at three o'clock.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

ICE PIERS IN ANNAPOLIS RIVER.

Mr. MACLEAN (Halifax):

Does the Government intend placing in the supplementary estimates for the fiscal year 1913-14 any sums of money for the completion of the ice piers in the Annapolis river, N.S.?

Mr. ROGERS: The supplementary estimates have not yet been considered.

PATENTED LOCK.

Mr. CARVELL:

1. Was a certain lock patented under No. 142,823?
2. What is the name of the patentee?

Mr. BURRELL:

1. Yes.
2. L. E. Grenier, P. V. Faucher and Aimé Dion. It was subsequently assigned to

the Ontario Equipment Company, of Ottawa, Ontario.

QUESTION OF PRIVILEGE.

On the Orders of the Day being called:

Mr. WM. SMITH (South Ontario): In a short editorial in the Ottawa Free Press I find:

Then the candidate about whom the official had made this dreadful remark, now the member for South Ontario, gets up in the House and cheerfully admits that he had been disqualified by the courts for corrupt practices.

This statement is absolutely untrue. I never was disqualified; I never had even a protest trial, and the little conversation between the hon. member for St. John (Mr. Pugsley) and myself the other evening had reference to a local protest trial.

Mr. PUGSLEY: I desire to say that if my remarks could be understood to mean that the hon. member was disqualified, I did not intend to make that statement. I feel quite sure that I did not make it. The gentleman who was disqualified, as I was informed and as I think appears from the judgment of the court, was Mr. Thomas, the father of the young man who was appointed to succeed Mr. Lyman Smith. That was the statement I intended to make and, I think, did make.

LAFONTAINE PARK, MONTREAL.

Mr. LEMIEUX: I read in the Gazette of Montreal this morning that it has been decided to erect an armoury on Lafontaine Park in Montreal. That is an old park, the property of the Dominion Government, of which the city of Montreal has had a long lease. Is the statement true, and have arrangements been made as indicated?

Mr. ROGERS: I have not seen the item, so I have no knowledge of the question to which the hon. member refers. It has never come before me.

DESTRUCTION OF PIER AT FREDERICTON.

Mr. CARVELL: I desire to call the attention of the Minister of Public Works to the fact that a pier of a very important bridge across the St. John river at Fredericton has been washed out by a recent freshet. This renders travel between opposite sides of the river impossible and will cause a great deal of delay during the coming summer. The statement has been made in the newspapers that the cause of this washout is the dredging operations in the river during the last summer. The claim is made that they dredged too close to the pier and undermined it, which resulted in the loss of the structure. It is a fact that four or five dredges were working around the river all last summer, and many people wondered what they were doing; but I am not going to discuss that.

Mr. SPEAKER: I fear that the hon. member is hardly in order in asking the question as he is doing. It is not asked at an appropriate time. The correct method is to put such a question on the Order Paper. Many questions put as this one is being put are introduced by a long history of the case, and this appears to me to be rather in violation of the usual procedure in asking questions. When the Orders of the Day are called, it is not expected that such questions will be asked.

Mr. CARVELL: I think I know the rule, and I am trying to adhere to it.

Mr. SPEAKER: Order. I think that the interpretation of the rule and the decision of it must be by the Chair, and I am endeavouring to follow what I conceive to be, according to my best judgment, the rule as the procedure is laid down by the best authorities we have.

Mr. CARVELL: Do I understand you to say that I cannot draw the attention of the Minister of Public Works to a very serious matter in my own province? That is all I am doing here, only calling attention to it, not finding fault. I am only notifying him of what has taken place, and I hope he will take notice of what I tell him, and investigate the matter and make some effort to remedy it. That is all I have done, and I think I have a right to do it.

Mr. SPEAKER: The hon. member has no right to reflect upon the Chair.

Mr. CARVELL: The hon. member has some rights in this House.

Mr. SPEAKER: Order. It is my duty to endeavour to keep the procedure within correct lines, according to my best judgment, and if the member does not agree with my decisions on such points, of course, there is an appeal to the House. I have no objection to that at any time. I am only endeavouring to economize the time of the House and to keep as close to what I believe to be the correct rules of procedure as possible.

Mr. CARVELL: I have no other object than you have, and of course it is your right to call me to order whenever you think I am out of order.

Mr. BORDEN: I think that perhaps sometimes a little misapprehension exists as to what can be done on the Orders of the Day. It is not the first time that this matter has arisen. I remember when I

first came into the House sixteen or seventeen years ago, the then Speaker, the late Sir James Edgar, called the attention of the House in the same way to what might be done on the Orders of the Day. As I understand, by the practice of the House, not particularly by reference to any absolute rule, but by what may be termed a convention of the House, hon. members have the right to ask questions in respect of certain matters more or less important on the Orders of the Day. But, as I understand the practice that has prevailed in the past, they have not the right to discuss such matters. It is true that as a matter of convenience a question is sometimes preceded by a brief reference to the facts upon which it is founded.

Mr. CARVELL: I cannot get it in any other way.

Mr. BORDEN: That is the practice, as I understand.

Sir WILFRID LAURIER: There is no doubt, that the Government can refuse to answer any question unless it is on the Order Paper. That is their privilege. But sometimes when the matter is urgent we ask a question across the floor of the House. I assure you, Mr. Speaker, that in trying to economize the time of the House you have the entire support of the members of the Opposition.

Mr. ROGERS: I would not wish to be misunderstood as refusing to answer the question put by the hon. member for Carleton (Mr. Carvell). I may say that I have had no notice of the matter to which he refers, but I will have it looked up in the department, and I will be glad to let him know what the facts are.

Mr. CARVELL: That is all I want the minister to do.

THE MAYFLOWER DISASTER.

Mr. GRAHAM: May I ask the hon. the Minister of Finance (Mr. White) if he has forgotten the request that I made to him some weeks ago for the consideration of those who were bereft by the disaster to the Mayflower on the Madawaska? If I remember correctly, the hon. gentleman was going to give it his consideration.

Mr. WHITE: The question could be very properly addressed to my hon. friend the Minister of Marine and Fisheries (Mr. Hazen). My hon. friend (Mr. Graham) pointed out that I had the money, but the consideration of a question of that kind belongs, in the first instance, to the minister with whose department it is immediately concerned. I would ask my hon. friend to renew his question or to allow me to bring it to the attention of the Minister of Marine and Fisheries, who has the report that was made upon the disaster, and who is necessarily in a much better position to deal with the question than I possibly can be.

Mr. GRAHAM: I would ask my hon. friend to just pass it on to the hon. the Minister of Marine and Fisheries.

RURAL MAIL BOXES IN SOUTH RENFREW.

Mr. GRAHAM: Has the hon. the Postmaster General (Mr. Pelletier) looked into the matter to which I called his attention the other evening with reference to getting rid of some of his surplus rural mail boxes by using them in the vicinity of Mount St. Patrick, in South Renfrew, where they have been asking for a rural mail service for some time?

Mr. PELLETIER: I have had the papers sent over to me; they were in my desk this morning; but I had no time to look over them. The first opportunity I have I will devote to the request of my hon. friend.

INQUIRIES FOR RETURNS.

Mr. PUGSLEY: I took the opportunity, some five or six weeks ago, to call the attention of the hon. the Postmaster General to the tenders which had been invited for carrying the mails between Tooleton and Heckfield Point in Kings county, N.B. I asked what tenders had been received but my hon. friend did not answer the question in full. He said that the matter had not been decided, but he gave me to understand that it would be taken up immediately and that as soon as the decision was come to he would give me the information I desired. I would ask my hon. friend if he is ready to give that information?

Mr. PELLETIER: I could not say offhand, but I remember something like that was said and I will see in the morning how the matter stands.

Mr. KNOWLES: I beg to repeat a question that I asked the hon. acting Minister of the Interior (Mr. Crothers) two days ago with regard to when we may expect to have the report of the commission which looked into the ranching industry or any other information that he might give us with regard to a change in the regulations.

Mr. CROTHERS: If I am right, Mr. Speaker, I think that you ruled a few moments ago that this is such a question as should be put in writing and that being the case, I do not wish to break the rule.

Mr. KNOWLES: I would explain to you, Mr. Speaker, that I asked this question two days ago, and the minister said that,

being only the acting minister of the department, he was not familiar with the matter. I understood him to say he would inquire into it and give me the information in a day or two.

Mr. SPEAKER I have only to say, in reference to this question, that it is not reasonable to suppose that a minister can answer correctly offhand and without any previous notice any question which may be asked. The proper place to put such an inquiry is on the Order Paper. It is for that purpose that the privilege is granted to put questions on the Order Paper. There are urgent questions, having reference to a calamity or a catastrophe, which may be brought to the attention of a minister on the spur of the moment without giving notice, and, when papers have been moved for and they have not been brought down, it is open to a member to refer to them when the Orders of the Day are called. But all questions that are addressed to a minister with regard to the business of the House, or dealing with public matters, should, if it is possible, be placed on the Order Paper so as to give the minister an opportunity to give a proper and intelligent reply.

Mr. KNOWLES: That question is not in the class which you, Mr. Speaker, seem to have in mind. It is a question as to when a report with regard to an important matter will be brought down. The reason the minister gave why he could not answer the question was that he was only the acting minister. The question is in that class that the minister might be expected to have knowledge of at any time if he were really the minister.

Mr. SPEAKER: I am obliged to disagree with the hon. gentleman, because, if it were not something within the minister's own knowledge, he could not be expected to answer the question on the spur of the moment. If the matter were under his own control, it might be supposed that he would be able to answer the question; but it would seem to me to be one of those questions that should be put on the Order Paper.

Mr. KNOWLES: I appeal to the right hon. the Prime Minister (Mr. Borden). We should not be prejudiced because there is only an acting minister in charge of the department.

Mr. BORDEN: I am not at all familiar with the matter to which my hon. friend alludes, but I will speak to the acting minister and see that any information available is given to my hon. friend to-morrow.

Some hon. MEMBERS: Hear, hear.

Some hon. MEMBERS: That is fair.

BRITISH-JAPANESE TREATY.

House again in Committee on Bill No. 156, respecting a certain treaty of commerce and navigation between His Majesty the King and His Majesty the Emperor of Japan.—Mr. Borden.

On the schedule, part 1:

Mr. PUGSLEY: There are some observations that I desire to make before this Bill passes. I think that this Bill is one of very great importance, and it is particularly of importance by reason of the attitude of the Conservative party in the past in regard to Asiatic immigration. It is particularly important in view of what has been announced in this Parliament to be the attitude of the majority of the people of British Columbia on this subject. Therefore, I do not think that this Bill should be hastily passed. It is a measure in regard to which the committee should have every opportunity for fair consideration, and I think it is a measure in regard to which an opportunity should be afforded by a reasonable delay for an expression of public opinion in that province. While making these remarks, I perhaps would not be out of order if I were to offer my congratulations to the Government that they have taken time from the consideration of the Naval Bill to bring this very important matter before the attention of the House. I think the course they have followed in this particular could be followed to the public advantage in reference to a great many other important measures which ought to be brought up, and brought up at once, for the consideration of the House. I refer especially to that important measure, the Bill for ratifying the treaty between Canada and the British West Indian colonies. I think it is not in the public interest that the consideration of that measure should have been postponed for such a long period of time. Business men who have commercial dealings with the West Indies are naturally greatly interested in the question. I think it should have been brought up and I make the same observation in regard to many other important matters. I think the example which the Government has set in regard to this measure might well be followed with respect to other measures which are more urgent than the Naval Bill, the proper consideration of which would be of very much more importance to the country than the Naval Bill, in regard to which there is no emergency and in regard to which there should be every opportunity given for proper consideration without unduly pushing the Bill ahead. There are features connected with this Bill which are worthy of most careful consideration especially by hon. gentlemen who represent British Columbia constituencies. I have looked at the debates in the session

of 1908, and I find that hon. gentlemen then representing British Columbia demanded the absolute exclusion of Asiatics. During the election of 1908, in order to convince the people of British Columbia that the Conservative party, if returned to power, would take steps towards that end, the present Prime Minister, then leader of the Opposition, sent a telegram from Halifax to Victoria stating that the Conservative party stood for the absolute protection of white labour in British Columbia. So important did the matter appear to some Conservative workers in British Columbia, that that telegram was altered to read as if Mr. Borden or the Conservative party declared they stood for absolute exclusion of Asiatics from Canada, and that telegram, so altered was read at a public meeting in Victoria and it is said, led to the defeat of Mr. Templeman. After that election the Conservative members from British Columbia expressly declared in this House that the Conservative party stood for the absolute exclusion of Asiatics, and for keeping British Columbia, as they termed it, a white man's country. Conservative members claimed vigorously that it was because the policy of the Conservative party was to exclude Asiatics from British Columbia, that they succeeded in carrying the different constituencies in that province. In view of these facts, when we to-day find a Bill which provides in the broadest manner possible for the entry of Japanese into Canada, for their exercising almost all of the rights which a British subject may exercise in this country; and when we have the declaration of the Government through the Prime Minister, given to the Japanese Consul, that there will be no discrimination against Japanese as compared with citizens even of the British Empire, surely the question becomes so important as to cause us to pause before ratifying this treaty, and until opportunity is given to public opinion in the province of British Columbia, more especially, to make itself heard on this question. I call attention again to the assurance given by this Government to the Consul General of the Japanese Empire, and I do so because I thought the Prime Minister made somewhat light of that assurance which is contained in his letter to the Japanese Consul. Yesterday, the hon. member for Cape Breton (Mr. McKenzie) said, (pages 7198-7199 'Hansard'):

> The correspondence between the Prime Minister and the Japanese authorities shows that the Japanese authorities said that upon the face of the text of that Act it did not discriminate against them any more than against any other people, and therefore they would accept it. But, the Immigration Act contains in itself the power of discrimination against any people whatever, if the occasion should arise. I understand from the correspondence that the power of discrimination by use of regulations is neutralized; that it cannot any longer be invoked against Japan and that no regulations can be made hereafter that would in any way discriminate against Japanese immigrants so far as the treaty lasts. Suppose that next year the Lemieux convention were not observed properly by the Japanese Government, and it becomes necessary in order to protect British Columbia from an undue influx of Japanese to pass a regulation under the law of 1910 to keep these immigrants out, I understand we could not pass any such regulation during the existence of the treaty. If that is what we are doing, I would like to have it understood distinctly.

And how did the Prime Minister reply to that? He said:

> Mr. Borden: I do not understand it so at all. The clause in the correspondence to which my hon. friend refers is this:
>
> The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no distinction in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment in the inclosed draft Act of Parliament, of the proviso which has already been agreed to in the case of the United States.
>
> The Immigration Act speaks for itself; the correspondence made a certain comment upon its character; the Immigration Act is in existence and contains the provision to which the hon. gentleman alludes. As a matter of fact, when the United States dealt with the same subject, they used language which was very similiar.

He goes on to say how the United States dealt with the matter, but the important thing for this Parliament to understand is, not how the United States dealt with the matter, but what is the effect of the pledge given by this Government to the Japanese Government. The Prime Minister merely quoted from the first letter, but it must be borne in mind that that letter was followed by a statement from the Japanese Consul under date March 1st, in which he says:

> Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government have no objection to the proposed Bill, and that they feel assured that the Immigration Act of Canada of 1910 being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against subjects in this respect.

There is a statement so positive that he who runs may read and understand. The Japanese consul said that the Japanese Government will agree that this treaty shall be brought into force as between Canada and Japan but upon the clear and

distinct understanding that under the Immigration Act of 1910 there shall be no discrimination as between the subjects of the Empire of Japan and the subjects of any other foreign country, including those of the British Empire itself. My right hon. friend accepts that demand of assurance, because in his reply of March 5, 1913, to this letter he says:

> The reply of the Imperial Japanese Government stating that they have no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910 being applicable to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

My right hon. friend quotes the very language of the Japanese Government that no discrimination shall be made against Japanese subjects in this respect. He says further:

> I have the honour to inform you that the Government of Canada has received this reply with the greatest satisfaction, and that the proposed Bill will be introduced as soon as the pending business now engaging the attention of Parliament will permit.

I would ask any hon. member, who is prepared to give an impartial opinion on the subject, as to whether, in case it became necessary in the judgment of the Government, next month or next year, to pass regulations by the Governor in Council which would make different provisions in respect to the entry of Japanese into this country from those which would apply to France, the United States, Great Britain or any other part of the British Empire, such regulations would not be a discrimination against the Japanese, and would not be in violation of the assurance, which the Japanese Government has demanded and which this Government has granted, that there shall be no discrimination. Can anyone, who reads the Act of 1910, deny that it gives the power to discriminate, to make one regulation which might apply to one race of people, another which might apply to another race of people, the power to impose a head tax on certain races, and the power to exclude certain races on the ground that they might not make desirable settlers? There is no question that the power to discriminate was given by Parliament to the Governor in Council by reason of the dissatisfaction which existed in British Columbia because of people of the Asiatic races coming to Canada in very considerable numbers. Notwithstanding that fact, the attention both of this Government and of the Imperial Government of Japan is especially drawn to the Immigration Act of 1910, which, as I have said, gives the power of discriminating; and this Government, on behalf of and speaking for the Canadian people and for Parliament, agrees that there shall be no discrimination against Japanese subjects as compared with the subjects of any other foreign country and even the citizens of the British Empire. Before we pass this Bill, it ought to be clearly understood, not merely by this Government but by the Japanese Government as well, that this correspondence does not mean what it professes to mean; because I can imagine nothing that would bring about unfriendly relations between Canada and Japan more quickly than what would seem to the Japanese Government to be a breach of faith on the part of this Government. During the years since the arrangement was made by the hon. member for Rouville (Mr. Lemieux) with the Japanese Government, Japan has lived up to that agreement in the most honourable manner possible; Japan has kept absolute faith with the Government and with the people of Canada. Nothing would be of greater importance than that the Government and people of Canada should keep faith with the Government of Japan in any arrangement that is made. If this Government passed a regulation which would in any way discriminate against the subjects of Japan even as compared with citizens of the British Empire, there cannot be a shadow of a doubt that the Japanese Government would have the strongest possible ground to complain that this Government had been guilty of a breach of faith. Japan could point to the correspondence and to the statement which the Japanese consul, speaking on behalf of his Government, made, that there would be no discrimination. She could point to the acknowledgement of the Prime Minister and his recognition of what this Government understood, namely that there would be no discrimination against Japanese subjects. We have had no assurance yet from the Prime Minister that this Government has not tied its hands so far as discrimination is concerned by regulations of the Governor in Council. All that we have had in answer to the case presented by my hon. friend from Cape Breton (Mr. McKenzie) is a reading of my right hon. friend's first letter, not a reading of the reply of the Japanese consul or of the answer to that by the Prime Minister, in which the demand of the Japanese consul, speaking on behalf of his Government, that there shall be no discrimination, is clearly recognized and agreed to by this Government. If I am right in my view, it comes down to this, that the assumption, that Canada will be able to rely upon the Immigration Act and that Canada may protect herself against an influx of Japanese subjects, is a mere sham and has no foundation whatever to rest upon, because, while in one clause of the Bill Canada is given to understand that she is

protected by the Immigration Act, in the correspondence upon which the ratification of this treaty is based, this Government has assured the Japanese Government that the Immigration Act will not be acted upon so far as the power given by the Act to make regulations discriminating against Japanese subjects is concerned. If the treaty goes into effect, therefore, the only thing Canada can do is to act in the same way towards Japanese subjects as it does towards British subjects or the subjects of any foreign country. It can exclude paupers and those who might become charges upon the public, or who are suffering from any objectionable disease; but, according to the assurance given by the Canadian Government to the Government of Japan, the same regulations must be meted out to the subjects of Japan as will be enforced upon the subjects of any foreign country, including the citizens of the British Empire. But will that be satisfactory? My hon. friend falls back upon the agreement which was effected by the hon. member for Rouville (Mr. Lemieux) a few years ago, and he tells this House that he has reason to believe that, if this Bill passes, the Japanese Government will make a declaration that they will continue in force the agreement to which I have referred. My right hon. friend has not stated to the committee upon what ground he bases that belief, and I think that, if there has been any correspondence upon the subject, it should be laid on the table. This committee has no information whatever to cause hon. members to refrain from the inference that immediately upon the ratification of this treaty the arrangement made by the hon. member for Rouville will come to an end. There is no obligation on the part of the Japanese Government to continue it. By this treaty we have agreed to give them all the rights in Canada which they could reasonably be expected to desire, and therefore if my right hon. friend or his Government has received any assurance from the Japanese Government, by correspondence or otherwise, that the arrangement made by the hon. member for Rouville with the Japanese Government some years ago will be continued, it seems to me that he ought t place it before the House. Whether this information is in the nature of a verbal assurance, or in the form of written correspondence, it ought to be placed before the House so that Parliament will know upon what basis is proposed that we shall act in taking such an important step as the one now being considered.

I have called your attention, Sir, to the fact that it has been stated by Conservative members in this House that the Conservative party in British Columbia stood for the exclusion of Asiatics from that province, and, if we can believe these gentlemen, it is the settled conviction of the people of British Columbia—a majority of them at all events—that this policy should be continued. In case anyone should dispute the correctness of my statement, I would like to call your attention to the discussion which took place in this House during the course of the debate on the Address in 1909. Among the gentlemen who spoke on the Japanese question, as it was called, was the then member for Vancouver, Mr. Cowan, who said, among other things, that the reason he was supporting the Conservative leader was that his policy in this regard was in accord with the views of the majority of the people of British Columbia. The hon. member for Victoria (Mr. Barnard) also spoke on the subject, and he referred to the telegram which was read in Victoria and to which I have made a brief reference. The present Minister of Agriculture also made an excellent address, consisting chiefly of the consideration of generalities, and dealing with the greatness, the beauties and the richness of the province of British Columbia. Among other things, he said:

> I would like to add a word, because the Prime Minister seemed to imply that in one riding at least—I do not know whether he intended to include them all—the telegram in reference to the problem of exclusion by the leader of the Opposition was one of the reasons why British Columbia had gone Conservative, as it were coming in under a false promise of hypocrisy. Let me assure him in the most emphatic way that, speaking for myself, not once did I say—though I expressed my sympathy with the exclusion movement as I do now—that the leader of the Opposition had pledged himself to that policy, although it may be in my view that not only he but other members of the House will come to that opinion.

The strongest speech on the subject perhaps, was made by the hon. member for New Westminster (Mr. Taylor) and I think it would be well to quote some of the remarks that hon. gentleman made on that occasion. Before this Bill passes it would be interesting to learn from that hon. gentleman whether or not the people of British Columbia, as he said they were in 1909, are absolutely in favour of the exclusion of Asiatics from that province. Referring to the telegram which was published in Victoria through the Colonist, and which, as it appears, had been altered, he said:

> I would like to have an explanation as to how this telegram came to be distorted, but I would not for a moment attribute any wilful distortion to the Colonist. But when you examine the words substituted, namely: 'the absolute exclusion of Asiatic labour,' when you contrast them with the words said

by the leader of the Opposition to have been in the telegram signed by him, namely: 'the absolute protection of white labour,' when you contrast these and get your mind away, for the moment, from the enormity of making any alteration whatever in a telegram published with the signature of the author, you will find that, after all, there is very little difference between them.

According to the hon. member for New Westminster, the telegram purported to have been sent by the then leader of the Opposition—which, no doubt, had an enormous influence upon the electorate—and which embodied the words: 'the absolute protection of white labour,' was to the same effect as the alteration: 'the absolute exclusion of Asiatic labour.' It was evidently the opinion of the hon. member for New Westminster that there was very little difference between the two, and that what the then leader of the Opopsition really gave the people of British Columbia to understand was that the Conservative party stood for the absolute exclusion of Asiatics from the province of British Columbia. Then he proceeded to say:

You will find, I say, Mr. Speaker, that there is very little difference between them. I would like to impress that particularly upon the hon. member for Nanaimo (Mr. Ralph Smith), and ask him, as the representative par excellence of the labour interest, what difference he sees between the absolute protection of white labour in British Columbia and the exclusion of Asiatics from British Columbia?

I think it is of great importance for us in the consideration of this matter to bear in mind the views of the great province of British Columbia. In our attitude as to the wisdom of passing this Bill, we must be governed to a certain extent by the views held in that province and we ought, if possible, to understand what the views of that province are. We were told what they were in 1908 and in 1909. We know that in the desperate attempt to change the Liberal representation of British Columbia into a Conservative representation, this Asiatic question was exploited to the fullest extent and that the most positive assurances were given that the attitnde of the Conservative party would be an attitude of the exclusion of Asiatics from the province. The hon. member for New Westminister said:

To my mind the terms in meaning are identical.

That is the term 'absolute protection of white labour' and 'exclusion of Asiatics,' making the argument that what the present Prime Minister really did promise on behalf of the Conservative party was that there would be an absolute exclusion of Asiatics. (Reading):

Mr. PUGSLEY.

To my mind the terms in meaning are identical. But I can well see the point which the right hon. gentleman who introduced this matter before the House might have made against the leader of the Opposition if he could have fastened upon him the responsibility of sending the telegraph as it appeared. It is quite plain to anyone who considers the matter that in the face of the Japanese treaty, in the face of the possibility that the sender of the telegram might, in a short time, have had to assume the responsibility of leading the Government of this country, it would have been a very undignified position for him to take to send a message which might be interpreted as a message of defiance to the Japanese people with whom we had the treaty. Under the treaty, and the agreement in connection with it, the condition of affairs in British Columbia with respect to the Japanese would have been very much better than it had been in the past, especially the then recent past. While we can well understand the caution which would move the leader of the Opposition in sending the telegram, I say, as a member of the Conservative party in British Columbia and in this House, that, whether or not our leader sent the telegram, that our policy was one of absolute exclusion of Asiatics from British Columbia. I do believe that that is the policy of the Conservative party of Canada, and I do maintain that, so far as the members from British Columbia can be influential in shaping the policy of the Conservative party, they will stand to a man in favour of the exclusion of Asiatics from our magnificent province.

What does the hon. member for New Westminster say to-day? So far, upon this great question which for so many years has agitated the province from which he comes, he has been as dumb as he was upon another very important question which has engaged the attention of the House for a considerable period. Is it that the hon. member does not like to rise in his place because he is not prepared to swallow his words delivered in 1909 in this House or is it because——

Mr. STEVENS: I would ask the hon. member to permit me to enlighten him on one point. The hon. member for New Westminster is absent on the coast at the present time on important matters of business and so cannot be in the House while this discussion is going on. I might say that there is no question, so far as he is concerned or as others are concerned, that the opinion is identical with that which was held in 1909, and there is nothing in this Bill contrary to that opinion. In all fairness to the hon. member for New Westminster, it should not be represented that he is sitting here afraid to take his stand on this question.

Mr. PUGSLEY: My hon. friend is quite right in calling my attention to this matter. Yesterday, when I asked where the hon. member for New Westminster was, somebody said: He is here.

Mr. STEVENS: No.

Mr. PUGSLEY: That was a mistake. I am glad my hon. friend has made that statement, but I am inclined to think that when we are considering a measure of this importance on which the hon. member for New Westminster spoke so strongly in 1909 when speaking in behalf of the Conservative party of the province of British Columbia, he stated that they stood for the absolute exclusion of Asiatics, including Japanese, that gentleman ought to be given an opportunity of being in his place and stating his views in the House before the committee is asked to pass this Bill. It is not an ordinary measure, it is a case of the Conservative party, which condemned the Liberal Government for making the arrangement which the hon. member for Rouville made with the Japanese Government and because they had not, in response to the demand made from British Columbia, passed a measure which would absolutely exclude Asiatics—it is the case of a party which, for the purpose of attaining a political triumph in the province of British Columbia, held out hopes to the people of that province which they knew could not be realized. It is a case of a party who are breaking faith with the people who sent them to this Parliament and who are not true to the principles which they then laid down and upon which they secured the great triumph which they did secure in British Columbia in 1908. They are turning around now and adopting a different course and policy to the one which they then enunciated and, as I said, they are acting entirely contrary to the pledges which they made to the people of British Columbia. There can be no doubt, as I have said, that the appeals which the Conservative party made to the people of the province of British Columbia that if they got into power they would support a policy of absolute exclusion of Asiatics, had a great deal to do, shall I say?—no, Sir, had everything to do with the return of the Conservative party to this Parliament from that province. And yet we find them to-day, while pretending that they are in some way protecting the people of British Columbia, compelled to rely upon the good faith of the Japanese Government so far as the number of immigrants they will permit to come to Canada is concerned and giving an assurance to the Japanese Government that, under the Immigration Act, Japanese shall be treated exactly the same as citizens of any other foreign country are treated—indeed Sir, that they shall be treated exactly the same as citizens of the British Empire will be treated, and that, neither by virtue of the Immigration Act, 1910, nor by virtue of any other Act in amendment to that Act which might be passed, shall there be any discrimination, by regulation of the Governor in Council or otherwise, against Japanese citizens. It is not for us to complain that the Government is prepared to rely upon the good faith of the Japanese Government. That government have kept the most perfect good faith during these years. But, Sir, it is due to themselves that Conservative members from British Columbia, who took part in the election of 1908 and were in this House in 1909, and who declared that they carried the province of British Columbia upon that policy—it is a duty which they owe to themselves, it is a duty which they owe to this Parliament and to the people of British Columbia, to rise in their places and explain why they have changed their course and abandoned the policy of exclusion of Asiatics and whether they are prepared to continue to act upon the agreement made by the hon. member for Rouville, so long as it pleases the Government of Japan to recognize and to carry out that agreement in good faith, as they have carried it out during the several years that have passed since the arrangement was come to.

Mr. BORDEN: I do not want to take up very much time in reply to the observations that the hon. gentleman (Mr. Pugsley) has made at very great length. It is sufficient to say, as I said yesterday, that there is definite provision here in the Bill which retains the control in the Parliament of Canada over immigration into this country that my hon. friend and his Government did not see fit to retain when the previous treaty was negotiated. The position which we took upon this matter in 1907 and 1908, is precisely the position which we are taking to-day. My hon. friend does not seem to be inclined to grasp that. He has all the ability and the astuteness necessary to enable him to grasp it, but it is not convenient for him to do so, and therefore he gets as far away from it as possible. He remembers perfectly well, and so does my hon. friend for Rouville (Mr. Lemieux), that a Conservative Government in 1895 declared specifically by Order in Council, that the treaty of 1894 ought not to be accepted by Canada unless it was accompanied by a stipulation similar to that contained in the treaty between the United States and Japan. Pursuant to that Order in Council, the British Government, through its ambassador at Tokio, negotiated an arrangement with the Government of Japan, and Japan distinctly agreed to the insertion of such a proviso in the adherence of Canada and the other dominions to that treaty. I have under my hands the very terms of that proviso, and in order that my hon. friend may not be under any further misapprehension on the subject, I might as well read it to him. In the first place, the Order in Council, of

October 18, 1895, passed by the Conservative Administration then in power, declared the policy of Canada in these words:

The Canadian Government in adhering to this treaty would desire a stipulation with respect to Japanese immigration similar to that inserted in the treaty between Japan and the United States, and that they desire a further definition of the word 'labourer' by adding thereto the words 'including artisans.'

Now, in order to understand that, you have to refer for a moment to the stipulation which was contained in the United States treaty. That stipulation was in these words:

It is, however, understood that the stipulations contained in this and the preceding article do not in any way affect the laws, ordinances and regulations with regard to trade, immigration of labourers, police and public security, which are in force, or may hereafter be enacted in either of the two countries.

Mr. EMMERSON: What article is my right hon. friend reading from?

Mr. BORDEN: I am reading from the Canadian Order in Council passed on October 18, 1895, and I am referring also to a stipulation contained in the treaty entered into between the United States and Japan in 1894. I am referring to the United States treaty because it is alluded to in the Order in Council which I have just quoted. Therefore, the decision of the Government of Canada was this: That their adherence to the treaty of 1894 was conditional upon a proviso being attached to that treaty, that it should not in any way affect the regulations with regard to trade, immigration of labourers, including artisans, police and public security, which are in force, or may hereafter be enacted in either of the two countries.

Mr. PUGSLEY: Is it not true that all those regulations which may hereinafter be enacted are left out of this treaty?

Mr. BORDEN: I will come to that in a moment. My hon. friend is very anxious to divert my attention from what I was about to say, but I shall pursue the even tenor of my way and come to that observation later on. Pursuant to that, the British Government, realizing, much more than my hon. friend ever realized, the situation of Canada, as demanding some restriction of this kind, took the matter up with the Imperial Japanese Government, and on the 18th day of October, 1896, the British minister at Tokio, in a dispatch to Lord Salisbury reported that he had arrived at an understanding with the Japanese Government under which the immigration of labourers and artisans should remain subject to the laws of Canada, notwithstanding the adherence of Canada to the treaty. The despatch contained the following language:

I have the honour to inclose copy of a draft protocol which, in pursuance of an understanding arrived at with Count Okuma on the 2nd instant, I placed to-day in His Excellency's hands. It provides for the reservation of the right to legislate with regard to trade, emigration of labourers and artisans, police and public security to all the colonies and foreign possessions of the Crown mentioned in article XIX. of the new treaty, except Newfoundland and Natal which have already signified their unconditional adhesion and is reciprocal in form. It is framed on the model of the last paragraph in article II. of the new treaty between the United States and Japan.

The last sentence of the British minister's report in referring to this communication with the foreign minister of Japan is as follows:

As, however, no legislation seemed to be in immediate contemplation in either Canada or Australia, it would appear that what the governments of those colonies desired was to have the power of legislation in reserve so as to be able, in case of need, to satisfy public opinion.

Then, a draft protocol was arranged between the British minister and the Japanese Government, embodying the terms of the proviso and stipulations to which the Government of Japan would consent in respect to the matter I have alluded to, and that protocol is in the following terms:

The undersigned.....duly authorized, &c., have agreed that the stipulations contained in the first and third articles of the Treaty of Commerce and Navigation between Great Britain and Japan, signed at London on the 16th July, 1894, shall not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of labourers and artisans, police and public security which are in force or may hereafter be enacted in either of the colonies and foreign possessions of Her Britannic Majesty enumerated in article XIX. of the said treaty, with the exception of Newfoundland and Natal, or in Japan.

Newfoundland and Natal were excepted because they had already, absolutely and without reserve, acceded to the treaty. So, that was the position as it existed in the month of October, 1896. The Government of Canada of which my hon. friends were members took no further action until 1905, and then they came to the conclusion that after all it was desirable that Canada should adhere to this treaty, although on the 29th of July, 1896, they had come to a different conclusion; and so they passed an Order in Council and despatched a telegram. They despatched the telegram in the month of July, 1905, to the Secretary of State for the Colonies. The despatch was sent on the 17th June, 1905, and in that despatch they declared that Canada was ready to adhere to the treaty. The Colonial Secretary immediately answered that despatch by a despatch to the following effect:

London, July 14, 1905.

My Lord,—Referring to your confidential despatch of June 7, should Japanese Govern-

ment be informed that your Government wishes to adhere to treaty 1894, and supplementary convention of 1895, under same terms and conditions as Queensland in 1897, which Japanese Government then agreed to extend to any other colonies adhering within prescribed period, namely, (1) that stipulations contained in first and third articles of treaty shall not in any way affect laws, ordinances and regulations with regard to trade, immigration of labourers, artisans, police and public security which are in force or hereafter may be enacted in Japan or in colony. (2) That treaty shall cease to be binding as between Japan and colony at expiration of twelve months after notice has been given on either side to desire to terminate same.

Or are your Government prepared to adhere absolutely and without reserve as would appear to be the case from speech of Minister of Agriculture in Canadian Parliament, June 22? Please telegraph reply.

(Sgd.) Lyttleton.

The speech of the hon. Minister of Agriculture, to which allusion is made, was under date of July 22, 1905, and it is to be found at page 7912 of 'Hansard' of that year. The Government made no answer at all in the first place to the despatch from the Secretary of State for the Colonies, but they sent a further despatch on the 26th September, 1905, in these words.

Mr. KNOWLES: What is the explanation of the Secretary of State for the Colonies sending that inquiry on July 14? There seems to be such a gap of years between these communications that I would like to know what the reason was.

Mr. BORDEN: It is a very natural and reasonable question which my hon. friend asks and one which would occur immediately to any hon. member. The reason I understand is that the last previous intimation from the Government of Canada in regard to the terms on which this treaty would be accepted was the Order in Council of October, 1895, which had declared that Canada would accede to the treaty only on certain conditions, namely, upon the stipulation that Canada should have the right to control immigration. Therefore, when a telegram was despatched ten years afterwards——

Mr. KNOWLES: They waited ten years and then telegraphed?

Mr. BORDEN: Who?

Mr. KNOWLES: The people in the Old Country.

Mr. BORDEN: My hon. friend is entirely mistaken. The Government of Canada had, in 1895, passed a certain Order in Council defining the terms upon which Canada had acceded to this treaty. The British Government, in pursuance of what was set forth in that Order in Council, had made a definite arrangement with the Government of Japan, and the Government of Japan had declared themselves ready to accede to that arrangement. Nothing further had been heard from the Government of Canada as to the terms upon which Canada would accede to the treaty and, therefore, when a despatch was sent forward in 1905, the officials in the Colonial Office, looking at the file, found themselves confronted with an Order in Council passed by the Conservative Government in 1895 which defined the terms and conditions upon which Canada would be prepared to accede to this treaty. Therefore, they asked: Do you desire to accede to the treaty upon the terms and conditions which were set forth in the Order in Council of 1895, these terms and conditions having since been agreed to by Japan, or are you prepared to accede to the treaty absolutely and without reserve? The Canadian Government of the day, in 1905, when that question was proposed to them, made no answer at all for a period of three months, but, on the 6th September following they sent a further telegram asking that the matter be expedited and once more the Secretary of State for the Colonies put to them the definite question:

London, September 6, 1905.

My Lord,—In reply to your telegram received to-day, please inform your Prime Minister that before taking steps as regards adhesion of your Government to commercial treaty with Japan, His Majesty's Government awaiting reply to telegram of July 14.

(Sgd.) Lyttelton.

In reply to that a despatch was forwarded and an Order in Council was passed, under date of September 25, 1905, which Order in Council authorized His Excellency, the Governor General, to state that Canada would adhere absolutely and without reserve to the treaty. The telegram was in these words:

Referring to your telegram of July 14, responsible ministers prepared to adhere to Japanese treaty, 1894, and supplementary convention of 1895, absolutely and without reserve. Minute of council and despatch follow by mail.

That places before the House the situation as it was with respect to the treaty of 1894. My hon. friend from St. John is very much aggrieved apparently at the action of the Government to-day and he is endeavouring to taunt my hon. friends from British Columbia with some supposed change of attitude. There has been no change on the part of my hon. friends from British Columbia. They contended, as I understood their contention, that Canada ought to have control over immigration from all countries, including Japan, to the shores of Canada and that is the control proposed to be maintained by the terms of this Bill.

Mr. LEMIEUX: Did they not advocate the exclusion of Japanese from British Columbia?

Mr. BORDEN: My hon. friends from British Columbia?

Mr. LEMIEUX: Yes.

Mr. BORDEN: I do not recollect hearing them advocate anything of the kind in this House, but I do recollect that they strongly advocated the necessity of Canada having complete and absolute control over immigration from all countries including Japan. That is the proposition that we are now endeavouring to carry out in this Bill. Now, my hon. friend from St. John seems not to be quite in line with the hon. gentleman who sits on his right (Mr. Lemieux) and his leader in respect to this Bill. They think it is a very proper Bill and one that should be passed. It is true that on their side of the House they very naturally emphasize the importance of the arrangement made by my hon. friend from Rouville, then Postmaster General and Minister of Labour, in the latter part of 1907 and the early part of 1908, if I remember the dates correctly. That is very natural and I am not at all disposed to minimize the importance of having the most friendly and cordial relations with the Government of Japan in respect to that, nor am I disposed to minimize the advantages of co-operation between the Government of Canada and the Government of Japan in that respect. But there is an important difference between the attitude which was taken by the late Administration and the attitude which we take on this matter. Their attitude was this, that our only remedy in case of excess of immigration of labourers and artisans from Japan, was an appeal to the Government of Japan with respect to a matter that ought to be under the control of the Government and Parliament of Canada. Our attitude is that, while we do intend, and expect, to have the most cordial and friendly relations with the Government of Japan, while we intend to co-operate, and to co-operate in the broadest and most friendly manner, with the Government of Japan and while we have every confidence that the Government of Japan will carry out loyally and in the most friendly spirit in the future, as they have done in the past, the arrangement that was made, nevertheless, the final control, in respect to a matter of this kind, must be with the Government and Parliament of Canada.

Mr. LEMIEUX: In the debate of 1908, 'Hansard,' page 2145, my right hon. friend the Prime Minister put to me the following question:

May I ask the hon. minister whether his policy is not for a white British Columbia?

I simply wish to-day to exchange the same civilities with my right hon. friend and ask him if his policy to-day is not, as it was then, for a white British Columbia.

Mr. BORDEN: I am not aware that I have said anything to the contrary. Perhaps my hon. friend would be good enough to give me the answer that he made to me. If my hon. friend is going to borrow my question, it would be only decent reciprocity that I should borrow his answer. My hon. friend in a very delightful and good-natured way has congratulated me on some change of heart or conversion, and if he can find change of heart or conversion in the observations I have addressed to the House with regard to this very important subject he is welcome to all the consolation he can get from it.

Mr. LEMIEUX: There is always great rejoicing over the conversion of a sinner.

Mr. BORDEN: My hon. friend has referred to our having invoked the policy of conciliation which was in existence when we took office, but I may tell him that our position towards the Government of Japan has always been one of conciliation. I simply took the ground then, as I take it now, that in the final and ultimate result the control over immigration ought be in the Government and Parliament of Canada, and ought not be in the Government of another country. While we are disposed to give every possible effect to the arrangement consummated by the hon. member (Mr. Lemieux), and while we are determined to seek the most friendly and reasonable solution of any difficulties, we think the provision in this Bill is a very proper one, and that the power which is thereby reserved to the Parliament and Government of Canada should be and ought to be reserved. The provision is in the Bill with the consent of the Government of Japan, and it is proper for me to say that in the negotiations on this subject the Government of Canada has been met in the most friendly and cordial spirit by the Government of Japan—

Mr. LEMIEUX: Hear, hear.

Mr. BORDEN: And by its distinguished representative, the Consul-General of Japan at Ottawa, who is well known to most of the members of this House, and who is highly respected by us all.

Mr. LEMIEUX: Hear, hear.

Mr. BORDEN: I have not the slightest doubt that the arrangements proposed by this treaty will be worked out in a friendly and cordial spirit, and without any friction whatever. The power we have reserved is a power proper to be reserved. It is a power that may only be invoked in case of need, and I have not the slightest apprehension that any such need will arise, for

I sincerely believe that the friendly and cordial relations which exist between the Governments will continue.

Hon. GEORGE P. GRAHAM (South Renfrew): The fact that we are discussing this measure demonstrates that we have the power to practically make our own treaties or to join in or refuse to join in any treaty made by the Motherland. That marks a great advance in the position of Canada, compared with some years ago. It marks a step onward in our national aspirations, and it enjoins us not to in the least degree turn backward by any legislation which we may pass in this Parliament. We should insist, as an integral and important part of the British Empire, that we should ourselves deal with those interests which we can deal with better than can even the Motherland. The exceptional freedom given us by the Imperial authorities, to deal our own affairs is a great factor in drawing us closer to the Motherland. It is said that one must die to be appreciated, but, during the discussion on this treaty, my hon. friend from Rouville (Mr. Lemieux) has had placed, not on his grave, but on his brow, a wreath of laurels for his achievement on behalf of the Dominion of Canada with the Empire of Japan. In this treaty we have gone through the form of saying that Japanese immigration will be subject to all the restrictions of immigration from any other country, and if the matter rested there the Government would occupy the position it pretends to. The Government says to its troublesome British Columbia exclusionists: We have put in the statute a clause saying that immigration from Japan shall be subject to the provisions of the Immigration Act and regulations under it. But I would remind hon. gentlemen that, in addition to this and to be read with it, there is the correspondence which says that this Government will never pass any discriminatory restriction against Japanese immigrationn.

Mr. BORDEN: The correspondence does not say that.

Mr. GRAHAM: I think an ordinary man would so construe the correspondence.

Mr. STEVENS: Absolutely no.

Mr. GRAHAM: My hon. friend is perhaps not an ordinary man. Let me read the correspondence.

Mr. STEVENS: Read it as an ordinary man for a change.

Mr. GRAHAM: I will read it as an ordinary man to an extraordinary man. This is the first letter:

Ottawa, Ont., 7th February, 1913.

Sir,—I have the honour to inform you that the Government are willing to submit to the Parliament of Canada a Bill by which Canada shall adhere to the Treaty of Commerce and Navigation between the United Kingdom and Japan, signed at London on the 3rd of April, 1911.

2. The adherence of Canada would be upon the conditions and with the proviso set forth in the inclosed draft Bill which is submitted for the consideration of the Imperial Japanese Government.

3. The proviso that the treaty shall not be deemed to repeal or affect any of the provisions of the Emigration Act follows the language which was approved by the Imperial Japanese Government in relation to the recent treaty negotiated with the United States of America.

4. The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment in the inclosed draft Act of Parliament of the proviso which has already been agreed to in the case of the United States.

I have the honour to be, Sir,
Your obedient servant,
R. L. Borden.

Hon. T. Nakamura,
Consul General for Japan,
385 Laurier Avenue E.,
Ottawa, Ont.

Now, let me read the reply to that, dated March 1, 1913. You will notice that the phraseology is changed a little. I think a good deal of consideration was given to that change:

Sir,—I have the honour to acknowledge the receipt of your note dated the 7th ultimo, stating that your Government are willing to submit to the Parliament of Canada an Act by which Canada shall adhere to the Treaty of Commerce and Navigation between Japan and Great Britain, signed at London on the 3rd of April, 1911, and inclosing for the consideration of the Imperial Government a draft Bill setting forth the conditions and proviso upon which the adherence of Canada will depend.

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government has no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910, being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to be, Sir,
Your obedient servant,
T. Nakamura.

The right hon. the Prime Minister worded his letter very carefully; and, although the change may appear small, it appears to me quite significant that the representative of Japan reversed the phraseology and put it in the shape of a direct promise that this arrangement is agreed to. Just let me refer to it again. The right hon. the Prime Minister said:

The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country.

The Japanese Consul, in replying, clinches that by turning it around. His phraseology is this:

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government has no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910, being applicable, as stated in your note to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

If the matter had stopped there, it might have been open to this Government to say: Well, the leader of the Government wrote that there would be no discrimination in favour of any other country and the Japanese Consul wrote that there would be no discrimination against Japan; we did not acquiesce, consequently honours are easy. I wish to read the answer of the Prime Minister to that letter, in which, to my mind, he says positively to the Japanese Consul that there shall be no discrimination against Japanese subjects:

Ottawa, Ont., 5th March, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 1st instant, in relation to the Treaty of Commerce and Navigation between Great Britain and Japan, signed at London on the 3rd April, 1911, in which you communicated to me the reply of the Imperial Japanese Government stating that they have no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910 being applicable to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to inform you that the Government of Canada has received this reply with the greatest satisfaction, and that the proposed Bill will be introduced as soon as the pending business now engaging the attention of Parliament will permit.

I have the honour to be, Sir,
Your obedient servant,
(Sgd.) R. L. Borden.

I can take nothing from that letter but this: that, although in the Act itself it is stated that immigration from Japan will be under all the rules, regulations and laws passed on behalf of immigration, still the Government of Canada promises absolutely that there shall be no discrimination against immigration from Japan. If it does not mean that then it does not mean anything. If it means that, and I think no person can deny that it does, what would happen supposing the Government of Canada attempted to make such discrimination against immigration from Japan? Japan could do nothing in self-respect but insist that Canada withdraw from the treaty, or herself withdraw from the treaty so far as Canada is concerned. As a great country, she could not otherwise maintain her self-respect in the face of that correspondence, if the Canadian Government attempted to pass regulations or a statute that would discriminate against immigration from Japan. It is idle to pretend that it means anything else than that there shall be no discrimination against Japan; it means simply that the Japanese Government so understands it; this House cannot understand it in any other way. That being the case we come to this situation, that so far as the statute is concerned, it might as well not exist, because his Government has promised that it will not discriminate against Japan in its rules, regulations or statutes. Then, how is Canada to protect herself, if she needs protection, against an influx of immigration from Japan? Not by the Immigration Act, but by the arrangement made by the member for Rouville (Mr. Lemieux), then a member of the Laurier Administration. That is the protection and why try to disguise it in any way? As a matter of fact, the situation is just as it was before, that, owing to the fact that Japan is an ally of Great Britain, and owing to certain other conditions which I need not mention, it is not advisable to take any other course than the one taken by the Laurier Administration and the one taken in effect by this Government, although something else may be in the statute. I am sure that is the exact situation. My right hon. friend the leader of the Government almost said so yesterday, when he stated that a pronouncement would be made later, if I remember rightly, by the Japanese Government, that as soon as this Act was passed the Japanese Government would continue in force the restriction agreed to between that Government and the Laurier Administration through the hon. member for Rouvile. We are in exactely the same position that immigration from Japan is controlled by the Japanese Government, and will be through an agreement with this Government, outside of the statutes altogether. I am not finding fault with that. I think perhaps it is the best arrangement that could be made and may be the proper one. It is absurd for hon. members from British Columbia to try to make themselves believe that they have some protection in the statute when, through the correspondence, they give away any protection which they might have had. If this Bill is passed, they will be in just the same position as they were in before. I am glad to see credit coming to the gentleman to whom it is due. The

right hon. the Prime Minister has not begrudged that credit in any way. As to the treaty itself, it may be thought sacrilege, but I, as an individual member of the House, cannot see that we are to derive much good from this treaty. This argument may not appeal to some hon. gentlemen, but I think it would have been better if Canada had made a direct treaty with Japan, subject to the consent of the British Government. We could have included in that treaty certain things which could not very well be embodied in the present arrangement, because they would not be applicable to the Motherland or to her products. If we could, by making a treaty with Japan, have received a preference on such articles as zinc, lead, wheat, flour, lumber, canned fish, sewing machines, and many of those articles produced and manufactured by this country in such abundance, I think it would have been of much more benefit to the Dominion, and the Motherland would not have objected in the least. I do not desire to be understood as objecting to our acceding to this treaty because it is one which has been made by the Imperial Government; but we have the liberty and the privilege of making an arrangement of our own, and I believe that the Government should have endeavoured, if possible, to make a treaty direct with Japan which would have been of much greater benefit to the people than any possible result of the treaty now before us.

Mr. BORDEN: Like the hon. member for St. John (Mr. Pugsley) my hon. friend has been endeavouring to make an argument tending to minimize the rights of Canada under this Bill, and, by his declarations as a public man, he has been attempting to place an unwarranted construction on the Bill and the correspondence relating thereto. I want to tell my hon. friend that the correspondence to which he has alluded does not in my opinion bear any such construction as that which he has sought, by distorting its language, to place upon it. When this Bill, if it is passed, becomes law, it will reserve to the Government and to the Parliament of Canada, in respect of the Immigration Act, the full control over immigration from Japan, as from all other countries of the world. If the Bill were not intended to have that effect, or if it were to have the effect attributed to it by my hon. friend in his attempt to minimize the force and effect of a plain statutory declaration on account of the language of the letter referred to, I would withdraw the Bill from the consideration of Parliament. But I submit it does not bear any such construction. The difference between the attitude of the present Government and that of the late Administration is this. My hon. friend to-day spoke in terms of the greatest possible appreciation and satisfaction of a condition under which the Government of Canada, in order to control Japanese immigration, should first have to apply to the Government of Japan; and he thinks that is the proper way to deal with the control of immigration in this country. If we are to deal with the question of immigration from Russia, then, according to my hon. friend, we should obtain legislation or enactment to that effect from the Russian Government; if we desire to control immigration into Canada from Germany, France, Belgium, or any other country, my hon. friend's idea seems to be that we should seek the intervention of the respective governments of those countries, and that we should not deal with the matter through our own legislative enactments and administrative regulations. I take an entirely opposite view to that put forward by my hon. friend. Perhaps the hon. gentleman will be good enough to tell me whether in his opinion the Immigration Act of 1910, passed by a government of which he was a member, did or did not control immigration from Japan? Is my hon. friend prepared to answer that question?

Mr. GRAHAM: No.

Mr. BORDEN: The hon. gentleman has been basing arguments upon considerations very closely associated with that question, and I should think it would have been desirable for him, before supporting the passage of that legislation, to have come to some conclusion in regard to that particular matter. If that Act did control immigration from Japan, then, unless it was passed with the consent of the Japanese Government, it was an act of such a character as would give Japan the absolute right to withdraw from that treaty upon the usual notice, or perhaps without any notice at all. If, on the other hand, it did not touch the control of immigration in 1910, from Japan, it simply shows that the Government of Canada were following their old policy of 1905 and 1907, and were leaving to the Government of Japan that control over immigration into Canada which ought to be possessed and maintained by the Parliament and Government of this country.

Mr. GERMAN: Will the right hon. gentleman give his opinion as to the effect of the Immigration Act in that regard?

Mr. BORDEN: I spoke of that yesterday, when I said that so far as our attitude was concerned, it was not a matter of very great moment. I suppose it might be very well argued that as the matter of immigration from Japan had been dealt with by a particular statute ratifying a particular treaty, a general Immigration Act would not apply. That is the position which it occurred to me hon. gentlemen on the other side of the House might have had in mind when they passed the Bill embodying this

statute; but it is apparent that the members of the Government at that time did not give the subject the slightest consideration, and had in their minds no definite idea as to whether or ont they were amending the Act of 1907. The statute of 1910, except as limited by the Act ratifying the treaty in 1907, applied to all countries in the world. Assuming that it applied to all countries except Japan, which was excepted from its provisions by the Act of 1907, we have a statute which on its face is of universal application, with that one exception. The treaty of 1894 had come to an end, and the statute of 1910 thereafter was of universal application in respect of the immigration of aliens from all countries in the world. The consideration of the new treaty then came before us, and we simply intend to provide that Japan shall continue in the same position as now with regard to the control of immigration by Canada, namely, that it shall be subject to the provisions of this Act, notwithstanding our adherence to this treaty. That is the position we maintain, and I think there is nothing whatever in the arguments made by hon. gentlemen on the other side of the House with regard to the correspondence.

Mr. KNOWLES: Will the treaty be subject to the amendments to the Immigration Act?

Mr. BORDEN: The expression Immigration Act might well include the Immigration Act and amendments thereto. I have not looked into that question very carefully; but it seems to me, as I stated yesterday, that the control which is provided for under the Act as it exists at present is an efficient control in every respect.

Mr. KNOWLES: Could we not eliminate any doubt by incorporating this in the Bill?

Mr. BORDEN: I think that the view which my hon. friend has suggested is probably the correct one, but, whether or not this is the case, I think the statute is so comprehensive in its provisions that nothing of the kind is necessary; in other words thorough control over immigration, not only from Japan, but from all countries in the world, can be preserved under the statutory enactments which are to be found in the Immigration Act of 1910. This matter has been dealt with by hon. gentlemen on the other side of the House as if the only question could possibly arise would be the exclusion, temporary or otherwise, of the natives of some country, or the persons of some particular race. That is not the way in which the problem presents itself to me. The problem in this country, the problem in British Columbia where it has reached its acutest stage in the past, is one depending very largely, almost wholly, upon economic conditions. Therefore it would not be a question of excluding a particular race but of excluding persons of a particular occupation. Indeed, that was the proviso in the United States Treaty of 1894 and that was the proviso which the Conservative Government in 1895 sought to interpolate in the treaty of 1894, in the case of adherence to it by Canada. It was a question of the immigration of labourers and artisans, it was not a question of the immigration of Japanese subjects; the two things are to be distinguished from each other. The difficulty we have had in this country is one of an economic rather than of a racial character, and so, having regard to that aspect of it, I would not look forward to any difficulty such as has been suggested by hon. gentlemen on the other side of the House. I would look forward, on the contrary, to the due and loyal observance by the Government of Japan of the arrangement which was made as far back as 1907 or 1908 and I would look, on the other hand, to the reservation of this power in the Government and Parliament of Canada as a safeguard to the people of this country in case that arrangement should not be carried out in the future as it has been in the past. It is for these reasons that I think the Bill commends itself to the consideration of the committee; and while I have given most respectful attention and consideration to the arguments which have been made on the other side of the House as to the effect of the correspondence, I still maintain that the provisions in this Bill, maintaining the control of the situation by the Government and Parliament of Canada, is one which will be effective in the future in case of need—and it would be only in case of need that it would require to be exercised.

Mr. W. E. KNOWLES (Moosejaw): There is a principle underlying this legislation which I think the Prime Minister himself, and, indeed, all members of the House will agree is very far-reaching and very important. I do not think that it is possible for us to take too seriously these questions which are International and Inter-Imperial in their effect. Looking over some of the back 'Hansard' I was struck with the very words which the Prime Minister uttered on the 28th of January, 1908, when speaking about the importance of this question. Speaking then as leader of the Opposition he said:

Now, the question with which we are concerned to-day is a very important question. It is one fraught with momentous issues to this country and it is a question which probably will confront the people of this country when all those who are within the sound of my voice to-day have passed off the scene. It is the great question of world

politics which must be worked out on the Pacific ocean in the years to come; it is the great question of the influence that the great nations of the Orient, aroused to modern methods and organized as they have not been organized before, will exercise upon the destinies of the world and especially upon the Pacific.

The right hon. gentleman spoke further on that line and the more I, as a humble member, reflect, the more I am impressed that we should carefully consider the legislation in our hands and that we should, if there be any shade of doubt or any one point on which there is a shade of doubt, avoid even the appearance of danger or peril and go very carefully and steadily on the pathway.

When the legislation was first introduced I rather thought it was a harmless piece of legislation. Personally I have experienced in my campaign quite a little of the agitation to which hon. gentlemen opposite conduced when in opposition, making a political football out of this, the Oriental question. We have on this side no members from British Columbia, there is no one to speak for that province in the free way that is open to a member of the Opposition and I think, with all respect to the hon. member for Vancouver (Mr. Stevens) and other hon. members from British Columbia that when they return to their constituents they will have not a little trouble explaining why they have not more profitably taken advantage of this occasion to safeguard the Pacific coast with regard to this Oriental question. I was looking over some back 'Hansards' and it is remarkable to see how every hon. gentleman who comes from British Columbia and represents the Conservative party was loud in declaiming against anything like our tying our hands in respect of future regulation or future legislation with regard to Japanese immigration. I remember the first time the Minister of Agriculture (Mr. Burrell) spoke in this House, in January, 1909. He spoke in that finished, polished, careful style of his. He is generally pretty Tory, but never extreme. He declared that he was not a partisan, but an exclusionist. If he questions that, I can put my hand on the sentence where he said he favoured exclusion.

Mr. LEMIEUX: The present Minister of Agriculture?

Mr. KNOWLES: Yes.

Mr. LEMIEUX: He may be an exclusionist for others, but not for himself. I understand that he employs a large number of Japanese in his orchard.

Mr. BURRELL: I cannot allow my hon. friend to put that statement on record for it so happens that I have never employed a Japanese or Chinese in my orchard.

Mr. KNOWLES: It is immaterial whether the minister had an orchard or employed a Japanese or Chinese. It is as bad to employ Hindus when you look at it from a labour standpoint and perhaps he will tell us if he ever employed Hindus in his orchard.

Mr. BURRELL: Does my hon. friend want to keep very close to the question?

Mr. KNOWLES: My hon. friend gratuitously interrupted me—

Mr. BURRELL: No, my hon. friend from Rouville made a statement which was not accurate and I wished to correct him; I had no intention of interrupting my hon. friend.

Mr. KNOWLES: If he was so ready to give information when not asked, then, a fortiori, he might be ready to give it now and state whether he ever employed Hindus in his orchard.

Let me more especially refer to what the Prime Minister has said with regard to the freedom of this country in the future under his legislation to control immigration laws and regulations. He says that the matter is so assuredly beyond peradventure that he does not need to amend his Act by saying that the treaty shall be subject to the immigration laws as amended from time to time. The hon. gentleman is a very competent constitutional lawyer but that does not settle the case. In my humble opinion, the Prime Minister on this occasion is not right in the view he has propounded on that question. Let us look at the clause to which he called our attention:

Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act.

The Prime Minister says that as a matter of interpretation of statutes, in his opinion the Immigration Act will be read as a kind of changing, shifting term. I submit to him that that is impossible. By this legislation that we have before us, Bill 166, the Immigration Act is to all intents and purposes incorporated in the treaty or the Bill, it is a schedule or exhibit to it, it is just as much a hard and fast part of it as if it were one of the clauses of the Bill or a schedule attached to the Bill. I think my hon. friend will agree with that. Can we for a moment think that any great nation is going to enter into a contract by treaty, and incorporate in that treaty a piece of our legislation, and say they agree to that legislation, and to every change we may make in the future, however whimsical? The thing is preposterous, Mr. Chairman. As well might you and I sign a deed, an instrument under seal, and refer in that instrument to another instrument, and say that the terms of our deed may be changed

by whimsical, arbitrary changes of the other instrument. It would be forgery to all intents and purposes, for one of the parties to alter the instrument referred to. Here in the solemn treaty that we are to-day making with the great Empire of Japan, we incorporate the Immigration Act of Canada as it exists to-day, not as it may be changed in any whimsical way from year to year. I do not think that any man who gives a moment's reflection to the matter can take any other view than that which I have expressed. It puts us in this position, that, by passing this treaty, we in the Dominion of Canada to-day are binding ourselves hand and foot, so that we cannot change our Immigration Act with reference to the people of the great Empire of Japan. Will my hon. friend from Vancouver (Mr. Stevens) and the other members from British Columbia go back to their constituents and tell them there is no possible weapon in our hands with which to protect ourselves against Japanese immigration? We are anxious to do trade with Japan, no doubt. I commend the right hon. the Prime Minister for these little flickerings of a desire for broader trade with other nations. He and his followers got into power by crying 'no truck with the Yankees,' and now they come with those little spoonfuls of trade with the West Indies and with Japan, little spoonfuls not worth speaking about. And yet we were not allowed to trade with the great nation to the south of us, with men of our own kith and kin.

The little bit of trade that is offered to us as an inducement to accept this treaty is nothing compared with the disadvantage of tying our hands, so that we will not be able to protect ourselves in the years during which this treaty may be enforced. I wish to read a few words which the Prime Minister uttered on this question. I am not going to read again the three letters which my hon. friend from South Renfrew (Mr. Graham) read. These letters speak for themselves, and I think my hon. friend from South Renfrew has unquestionably given them the correct interpretation. They are letters which passed between the Prime Minister of our country and the Consul General of the Empire of Japan residing in the city of Ottawa. I am a little surprised that the Prime Minister should tie up our country by correspondence with the Consul General of Japan. The right hon. the Prime Minister is of course the highest responsible official in this country. I want to read a few words showing what the right hon. the Prime Minister thought of the Consul General, so far as his authority goes. For all I know, the Consul General may stand very high in the Empire of Japan; I have nothing to do with that. But I have here the words of the Prime Minister in which he chided the then Prime Minister, the present leader of the Opposition, because his assurances had been obtained from no higher source than the Consul General. The right hon. the Prime Minister, then the leader of the Opposition, speaking in the House of Commons on January 28, 1908, said:

> Now, we have heard a good deal about assurances, and we have been told a good deal by my hon. friend the Postmaster General as to the spirit in which these assurances have been carried out by Japan. I do not desire to controvert his statements in the slightest degree in that regard. But I am prompted to observe, that these assurances, as I understand the matter, were conveyed to this Government by the Consul General of Japan, Mr. Nossé, who formerly resided in Montreal and afterwards resided here in Ottawa. I have yet to learn that a consul general has any diplomatic functions or status which could have justified our Government in accepting his assurances on that point. Why the very first duty of a new ambassador—and an ambassador has a high diplomatic status—upon his arrival in the country to which he is accredited, is to present his credentials, sometimes with a further statement of his powers. These powers are narrowly and closely examined, and on engagement made by him outside of his powers is entertained by the country to which he is accredited.
>
> So far as Mr. Nossé is concerned, any elementary book on international law lays it down as beyond question that a consul has no diplomatic status, he has no apparent authority to enter into an engagement of this kind.

And yet we find the Prime Minister on the one part tying up this country, binding the proud Dominion of Canada with the one who signs for the Empire of Japan, who, according to his own view, is absolutely unauthorized to carry out that which he says he will carry out.

I wish to say a few words regarding the views held a few years ago by hon. gentlemen in regard to the exclusion question. We all recall the manner in which, in the election of 1908, the province of British Columbia was carried by the Conservative party, with five members out of seven. I do not think it is going beyond the mark to say that several of the hon. gentlemen who were elected in that province in 1908 owed their election to the agitation which was created on the question of the exclusion of the Japanese. I shall not go so far as to say that all who were elected in that province owed their seats to that; I am not in a position to say that though they may have been. The question, however, was one that was made politically vital, and it is very remarkable to recall the view which our hon. friends opposite when in opposition took of this question in British Columbia. They took up the Japanese question, rode into power on it, and after they got into power, did not lift a hand to remedy the ill about which they had cried and screamed; just as in Ontario,

they sought to ride into power on the Ne Temere cry, and, after getting into power, did not lift their little finger in connection with it. My hon. friend from Lincoln (Mr. Lancaster), did endeavour to do something, but he got no support. He fought a little fight, but all the others forgot the solemn promises they had made. Then some of them got into power on the Farmers' Bank question, and some in Quebec by saying that before they were a year in office they would repeal the Naval Act, and the Naval Act is there still, in all its glory. In British Columbia, they owed their seats to a cry against the Laurier Government because of the arrangement with the great Empire of Japan, and now that they are in they are putting the Dominion of Canada in a worse position than it occupied before. Let us for a moment assume that the recent Government did not have the most ideal arrangement with Japan. I think they had but I maintain our hon. friends opposite are putting us in a worse position, because they are tying us hand and foot, so that we shall have no protection in legislating against Japanese immigration into this country. I greatly mistake the intelligence and independence of thought of the people of British Columbia if they do not hold their representatives in this Parliament to account, just as I think the people of Quebec will hold the Nationalists to account for not carrying out their promises, and just as I believe that those who rode into power in Ontario on the Ne Temere cry will be held to account.

Before the election of 1908, the representation from British Columbia was solidly Liberal. My hon friend the Minister of Agriculture (Mr. Burrell), had not yet graced this chamber with his presence. We had seven Liberals from British Columbia and so great was the feeling on this Chinese question that, in the election on the 26th of October, 1908, the province changed from seven solid Liberals to five Conservatives and two Liberals. The hon. member for Victoria (Mr. Barnard), is not in the House, but I think nobody will deny that he got in on a forged telegram on this subject from the present Prime Minister. The hon. Minister of Agriculture had a deferred election, and, in any case, he had the benefit of that forged telegram too. It did not do him any harm.

Mr. BURRELL: I did not hear of it.

Mr. KNOWLES: You have to go a long way from home to hear of things, because I heard it in Moosejaw by election day. Since my hon. friend has become a member of the Government he may have found that he had to have a bad memory, be cause there are many things, especially their pledges, that it is better to forget, and he may have forgotten them. In any event, he had a deferred election, and the papers were filled with this wonderful telegram of the then leader of the Opposition, in which he stated that he stood for the absolute exclusion of the Japanese from the province of British Columbia. That telegram was placed in the Victoria Colonist, right in the city of my hon. friend from Victoria, two days before election. The election was coming on in two days, and my hon. friend was elected by eight, or ten, or twelve. I do not think that there is anything more certain than that that telegram elected him.

Mr. BARNARD: The telegram was only received in Victoria the night before election, and it was read from the platform at that time.

Mr. KNOWLES: I may be wrong as to a day, but it was there on the Saturday before election and it was published in the paper. There is one thing that I can swear to before high heaven, and that is that it was there before the day of the election, and was published in the press. It was published in the Victoria Colonist prior to the election.

Mr. BARNARD: It was published, I believe, on election morning.

Mr. KNOWLES: I do not see any need of interrupting me for that, because that is exactly what I am saying. I do my hon. friend from Vancouver (Mr. Stevens) no injustice when I say that this telegram, without the slightest doubt, changed——

Mr. STEVENS: The hon. member says Vancouver; it was not Vancouver.

Mr KNOWLES: Well, my hon. friend (Mr. Stevens), was not a candidate then, so that he need not be stirred up about it, and I do not think he will be a candidate next time either.

Mr. STEVENS: The hon. gentleman referred to Vancouver, and I wished to correct him.

Mr. KNOWLES: I, of course, meant to say Victoria, but since the hon. gentleman knows so much about it, will he tell us who forged these two or three last words? I think it is very strange that neither the hon. Minister of Agriculture, the right hon. Prime Minister, nor the hon. member for Victoria has ever given us any information as to that. I am not here to say that the hon. member for Victoria should have resigned, although my own opinion is inclined to the view that he should have under the circumstances. I will not enter into that at the present time, but I would be pleased if the hon. member for Vancouver could give us any explanation if these other hon. gentlemen are not in a position to do so. Another point is that the telegram, as far

as we have been able to gather, was not denied by the present Prime Minister until after the two deferred elections took place some weeks after the telegram first appeared. I think that is a most remarkable circumstance.

Mr. BORDEN: If my hon. friend will be good enough to look at the statement which I made, I think he will find that the fact was that I never heard of it until long afterwards.

Mr. KNOWLES: I was not aware of that, and I accept in all sincerity the hon. gentleman's explanation. The Prime Minister's statement did not come until after the two deferred elections were over.

Mr. BORDEN: My recollection is that it was first mentioned to me by Mr. Templeman several weeks afterwards.

Mr. KNOWLES: I have no hesitation in accepting the right hon. gentleman's statement; but the fact remains that the Conservative party in British Columbia had the benefit of that forged telegram with respect to the election in Victoria, and also the two deferred elections at which the Minister of Agriculture and the former member for Kootenay, Mr. Goodeve, were elected.

I wish to call attention to a few words which have been uttered by hon. gentlemen opposite at different times on this very important question of our tying our hands with regard to our power to legislate or regulate in connection with the immigration of Chinese. At the last election hon. gentlemen opposite had such strict views on the question of any kind of an entanglement whatever that we should almost expect that when they came to make an arrangement with another country, and especially a country of a different race, language and religion, they would be exceptionally careful to see that there should be no kind of an entanglement that might embarrass us in days to come. I want to read the remarks of a few hon. gentlemen opposite in conection with this matter and I cannot find any explanation whatever of their change of front. Reference has already been made to what Mr. Cowan, the former member for Vancouver, said. On May 18, 1911, 'Hansard,' page 9462, Mr. Cowan denounced the plan which the Liberal Government then had of having a side arrangement by which Japan agreed to restrict her own emigration. Mr. Cowan said:

> I am prepared to say that the Canadian Government has no power to enter into a side agreement with a nation, which agreement was never submitted to Parliament and is not part of the British treaty. I am prepared to state that the Government does not need to take the view that there exists any understanding or agreement independent of the treaty and not expiring with the treaty. There is no necessity put upon the Government to take that view; and I say it is in the interest of Canada generally that no such view should be taken, and no action taken such as the minister has outlined to-night.

On the same day, Mr. Cowan, referring to the arrangement which had been made by the then Government, said:

> If you have given them the control over immigration into Canada, you cannot exercise that control as long as the agreement continues. I was a little astounded to-night to learn that this agreement has blossomed into a policy, forsooth, for Canada, that throughout the whole world we are hunting for bidders for the power to legislate with regard to immigration into Canada. We have gone to India, and now we are trying to get China, if you please, to study the special conditions in Canada and to determine the number of immigrants that should come into Canada according to her judgment, and not according to our own. When we have exhausted the yellow races, we are going to Europe and we are offering to give away the jurisdiction conferred upon this Parliament by the Confederation Act. We are bartering the whole thing away.

These words which Mr. Goodeve uttered are just as applicable to-day as they were when they were uttered in this House in 1911; indeed they are more so. I wish to read what Mr. Goodeve said during this same debate. His remarks will be found in 'Hansard,' page 9475. He said:

> Everyone will agree that we cannot assimilate Asiatic immigration and make the Asiatics good Canadian citizens. But that is no reason why we should not trade with them, and the Japanese recognized that in the treaty of 1906 and said they were quite prepared that the Dominion should accept the advantages of a trade treaty, but still retain control of her own immigration. Now, when the opportunity arises this year to resume our control of immigration, we find, by the letter of the Finance Minister, that the Government has given away the right to control that immigration. I am free to admit, from the figures furnished by the Department of Labour, which I assume are correct, that to a large extent the Japanese have restricted immigration, but that is purely a matter of good-will on their part, and it is on that my hon. friend from Vancouver (Mr. Cowan) argued that to-day the Japanese have more rights with regard to immigration than British people. They have the absolute right and freedom to come in, reside, travel, &c.—rights exceeding those which any other nationality has to-day. It is on that basis we object to this proposed agreement. We do not object to the proposed extension of our trade or our traffic regulations, but solely to our immigration regulations

Again, Mr. Goodeve, at page 9479, says:

> I differ entirely with the policy of the present government in regard to foreign and

alien immigration—handing over the absolute control of that immigration to the foreigners themselves. I say it is not a question of defiance, as stated by the Minister of Labour (Mr. King). There is absolutely nothing infra dig in treating with Japan on the basis of controlling immigration. And I point out to the Government that they did not consider it so, as shown by the letters from the Colonial Secretary. I have not the letters before me now, but I think that on three separate occasions by cable and afterwards by letter they stated to this Government that they could have all the benefits of the trade relations and still retain control of immigration. Further, these hon. gentlemen argue quite contrary to what they argued before, for they stated that until this treaty expired nothing could be done in regard to immigration. I think that was the argument used in this House—in fact I am quite sure of it. Now they are arguing that the arrangement is entirely independent of the treaty. I am protesting because the time has come when we are again in the position to say to Japan, without offending them in the slightest degree, that we will resume control of immigration.

I think the time has come when we may resume control, to use the words in the citation, if it was lost at all under the former arrangement. The day that our friends opposite were crying for has arrived; we have to-day an opportunity of resuming control beyond peradventure. My hon. friend from Vancouver (Mr. Stevens) says the Government has done so; I suppose he knows they have not resumed control in this Act.

Mr. STEVENS: I do not.

Mr. KNOWLES: I say they have not resumed control in this Act, and if my hon. friend from Vancouver studies it, he will think so himself. My hon. friend is very glib in his little statements, arrogating to himself the kind of knowledge that he alone will ever charge himself with having. I do say that in this Bill we have made our present immigration laws part of this agreement, and it is beyond our power to change them in the years to come so long as this agreement is alive. The present Minister of Agriculture addressed the House during that debate, and at page 9466 of 'Hansard' of 1911, he made a somewhat interesting remark to Mr. Fielding, then Minister of Finance. When Mr. Fielding was speaking about the understanding the hon. member for Rouville had reached with the authorities in Japan, Mr. Burrell interjected these words:

The minister surely does not mean to intimate that a formal declaration of that kind by a plenipotentiary is to be compared with the shadowy assurance which this Government has got.

If ever there was anything which the Minister of Agriculture might be afraid of as being shadowy, it is the protection which is to be found within the four corners of this treaty.

Mr. BURRELL: Does my hon. friend know that the particular agreement made by the hon. member for Rouville, was characterized by the late Minister of Finance as a somewhat loose understanding?

Mr. KNOWLES: I do not know that, but I do know that there is no understanding at all at present. I could understand that Mr. Fielding would use that term, meaning that it was largely informal and not official. Everybody admits it was of such a nature that Japan honourably lived up to it, and it was just as effective as if it had been in the most solemn form possible. Speaking on another occasion, ('Hansard,' page 9493, 1911), Mr. Burrell used these words:

The Minister of Agriculture (Mr. Fisher) asked us whether we want restriction or exclusion. We want exclusion. And he himself is coming around to that view.

If Mr. Fisher was coming around to that view, then the present Minister of Agriculture has now gone to the opposite view. I draw his attention to the three sentences I have quoted from him, and they are quite important in the light of his present position. I would like to know from the Minister of Agriculture to-day, whether he wishes exclusion. He is a responsible minister now, responsible not only to the people of British Columbia but to all of us from the West especially. We are desirous of knowing his policy; we do not look upon the Minister of Public Works as being the whole thing from the West, although he is a good part of it, and we would like to know from the Minister of Agriculture if he will say these words to-day:

I want exclusion.

Mr. BURRELL: I will make a few remarks when my hon. friend is finished.

Mr. KNOWLES: My hon. friend will not answer that question, and if I were in his position I might refuse to answer it myself. The hon. gentleman proceeded in that speech—and it was not a bad speech——

Mr. BELAND: He speaks well.

Mr. KNOWLES: He speaks nicely; he prepares his speeches, and while they are wrong politically they are nice speeches. He says:

Now, if we are to solve this question, I hold we should solve it by having admitted the principle of our inalienable right to control our own immigration.

I applaud that statement.

But if we are to make any other arrangement, the arrangement the United States have in this treaty is far ahead of anything we have. It means a contract, practically on the part of a recognized plenipotentiary of

Japan to maintain restriction which has almost amounted to exclusion in the past three years, and in addition put the whole matter under the immigration law of the United States, which, in spite of anything said here to-night, I fail to see it done in our case.

I have only to repeat that our feeling in British Columbia must not be misunderstood. We regard the whole matter as of intense, vital importance, not only to British Columbia, but to the whole of Canada. We are looking to the future. No man can say what the development in the national life of Japan may be—what clashes there may be between the East and the West—that is too big a subject to go into. But we should be fools if we were to shut our eyes to the possibilities of grave dangers, and it would be grave danger to allow the Japanese people to imagine that we do not control, had not control over these matters ourselves, or to think anything else but to face the broad fact that fusion of the two races is impossible, that we should be better friends far apart, and a frank recognition of these things now should save a great deal of trouble in the future.

The remarks to which I have referred and of which there are many of the same kind uttered by members from British Columbia, place hon. gentlemen opposite in a position in which they have something to explain. There is absolutely no question that they took in 1909 and 1911 a stand absolutely opposite to that which they take to-day. If they would come frankly out and say they were wrong, at that time, we would have no quarrel with them. If they would admit what they are really doing by taking the policy of the late Government, we would understand the position they are in. But they are retracing their footsteps and adopting nearly the same policy which the Laurier Government brought down, and they are pretending it is a better policy, whereas it is without the slightest question a much weaker policy, the safeguard of the previous arrangement, as I have shown, not being presented to us in it.

I am sorry that the Prime Minister is not in the Chamber, as I wish to refer to another matter to which I should like to draw his attention. Last year the legislature of Saskatchewan passed an Act which was assented to on March 15, 1912, on the question of the employment in laundries and restaurants of female labour by Japanese and other Orientals. This statute, which is chapter 17, is very brief and section one reads as follows:

> No person shall employ in any capacity any white woman or girl or permit any white woman or girl to reside or lodge in or to work in or, save as a bona fide customer in a public apartment thereof only, to frequent any restaurant, laundry or other place of business or amusement, owned, kept or managed by any Japanese, Chinaman or other Oriental person.

I wish that on this occasion our hon. friends from British Columbia would help us with the present federal Government in our legislation to protect ourselves from what we, in the province of Saskatchewan, believe to be a danger, namely, the employment of white girls or women in places owned and conducted by Orientals. This Government has assisted us out of business and has put this Act out of business. The Act was practically disallowed, as I shall show in a minute. It was passed on the representations of a great many philanthropic societies in our province, societies composed of men and women who had studied this question thoroughly, and who represented to the provincial legislature that the continuance of employment of white girls and women in places owned by Japanese or Chinese very often led to a life of prostitution and to the opium habit. It was looked upon as one of the greatest known pathways to the slave traffic. I am glad to know that my hon. friend from Vancouver sympathizes with the action taken by our legislature. If his friends in British Columbia try to pass a similar Act, they will be disallowed.

Mr. STEVENS: The late Government disallowed some forty Acts passed in British Columbia long ago.

Mr. KNOWLES: This Government, which pretends to be the great friend of a white British Columbia and a white Canada, got busy to disallow this Act in Saskatchewan, and has disallowed it in certain particulars which I intend to call to the attention of the Government. After this Act came into force, it was tested in the courts of Saskatchewan; it was appealed from court to court and was found to be intra vires and a good Act. We thought we had attained in our province that which the Act intended. This Government, however, got its eagle eye on this Act and commenced corresponding with the Old Country authorities and the Saskatchewan authorities with a view to putting it out of business. The correspondence which took place shows a lack of sympathy, a lack of frankness and, I say it without offence, a lack of honesty, on the part of the present Conservative Government in Ottawa with the Saskatchewan Government in dealing with this question. That is a fairly grave charge; but I make it in all seriousness. A communication in regard to the matter came from the Secretary of State for the Colonies. What set the ball rolling, however, was a petition which came from Vancouver against the existing Act.

The CHAIRMAN: I am afraid the hon. member is wandering a little from the subject of the Bill under discussion.

Mr. MACDONALD: It relates to the same subject, the Japanese.

Mr. KNOWLES: We are considering article I, and this has special reference to

sub-section 3, under which the Japanese may carry on business on the same footing as other people. Therefore I think I am in order in showing that this Government has in a way interfered with the provincial jurisdiction over that very same matter.

Mr. EMMERSON: Is the petition from some body?

Mr. KNOWLES: They are Japanese names. The petition states:

Your petitioners are composed of one hundred men, more than half of whom are British subjects, and the balance of whom intend to become British subjects.

The Canadian Japanese, it is called.

Mr. EMMERSON: An association or a society?

Mr. KNOWLES: Manifestly an order. I presume it is an organization. My hon. friend from Vancouver will know all about it.

Mr. STEVENS: It is just derived from the Japanese colony in Vancouver. There is no doubt of that. The hon. member has it clearly before him.

Mr. KNOWLES: The Government took up this petition, passed it from department to department, and it got to the Old Country. An opinion was expressed by the Old Country authorities to which I want to call the attention of the Government The dispatch is sent from Mr. Harcourt, in which he says that he discussed this matter personally with Mr. Borden. He says:

I communicated with Mr. Borden, with whom I discussed this question.

We should know what was communicated to our Prime Minister at that interview. There is attached to this dispatch a memorandum which, I say in all fairness, should have gone to the Saskatchewan Government. On the contrary, the present Conservative Government in the city of Ottawa sent to the Lieutenant Governor of Saskatchewan a peremptory request that he undertake that his legislature would repeal this Act without any arrangement whatever or any terms of any kind being made. Let me read to you one part of what Mr. Harcourt says in his memorandum, which is very important. It suggests a way in which we, in the province of Saskatchewan, might attain the same purpose that our Act strove for, even if the Act itself were repealed. The clause reads as follows:

It would be possible simply to alter the law so as to provide that no person without a license, to be obtained from some executive authority, shall employ in any capacity any white woman or girl or permit any white woman or girl to reside or lodge in or to work in or, save as a bona fide customer in a public department thereof only, to frequent any restaurant, laundry, or other place of business or amusement. Thus, by differential treatment in the matter of the grant of licenses, the Japanese and other Orientals could be refused licenses. The grant of such licenses might be in the absolute discretion of the authority selected.

Mr. Harcourt, when he asked that steps be taken to repeal the Saskatchewan legislation on this point, went out of his way to devise means whereby the wishes of the people of Saskatchewan might be met, and this Government, in transmitting that communication to the authorities in Saskatchewan, went out of its way to suppress that very suggestion by which we might ultimately have obtained what we had in mind. I charge this Government and the Conservative party, who for years have been endeavouring to make the people of this country believe that they are the friends of those who advocate a white Canada, with suppressing this statement, which should have been submitted to the Saskatchewan Government. Mr. Harcourt says that the fact that there is a piece of legislation on the statute-books of Saskatchewan in which the Japanese are differentiated against in a most offensive way—the Japanese people being specially mentioned in that legislation —may lead us into complications with Japan, and he says, if you cannot have the people of Saskatchewan repeal that enactment, you might suggest that they could accomplish the necessary purpose by requiring that every person carrying on this business should obtain a license, thus making your authority absolute in its discretion as to who should receive these licenses, and they might be refused to the Japanese if it were so desired. This statement is on the file which was brought down by the Prime Minister; it has been suppressed, and in the province of Saskatchewan this Government have gone out of their way to interfere with our provincial legislation without extending the ordinary courtesy of mentioning that which the Secretary of State for the Colonies suggested to the Governor General in his despatch of August 17, last. I say this Government should explain why they have not made this suggestion, especially in the light of all their preachings and professions of a love for a white Canada. Hon. gentlemen opposite are holding out that they are the friends of the labour people. I well remember that in the election of 1908, in the city of Moosejaw, where there are a great many labour organizations and railway employees, the Liberal party was abused before these brotherhoods and unions because of its attitude on the question of Japanese immigration into this country, and the Conservatives stated that if they were returned to power they would remedy this condition and would keep every Japanese foot from trampling on Canadian soil. But, having attained power, they, in this as in every other instance, have absolutely forgotten

their promise and turned their backs on the people of that province.

At six o'clock, House resumed, and then took recess.

After Recess.

House resumed at eight o'clock, and again went into Committee. (Mr. Deputy Speaker in the Chair.)

Mr. KNOWLES: At six o'clock I was calling the attention of the committee to the manner in which this Government had acted when they effected the repeal of chapter 17 of the Statutes of 1912 of the legislature of Saskatchewan, which was an Act to prevent the employement of white women and white girls in restaurants, laundries or places of amusement kept by Orientals, and I had called attention to the fact that Mr. Harcourt had communicated to this Government certain suggestions with a view to the provincial government finding a solution of the problem without the formality of an Act, but still as effective in its results. That suggestion made by Mr. Harcourt, Secretary of State for the Colonies, had been suppressed by this Government and had not been communicated to the Lieutenant Governor in Council. This Government simply wrote the Lieutenant Governor of Saskatchewan on September 10 last enclosing him a copy of an Order in Council of their own as taken from the Canada Gazette and requesting that the Lieutenant Governor would ascertain if his ministers would effect the repeal of that Act. I will read the communication:

Ottawa, 10th September, 1912.

Sir,—I have the honour to transmit to you, herewith, a Minute of the Privy Council, dated the 6th instant, approving the report of the Minister of Justice with reference to an Act passed at the last session of the legislature of Saskatchewan intituled: 'An Act to prevent the employment of female labour in certain capacities" and to request that you will be good enough to ask your ministers to consider the same, and to inform His Royal Highness' Government as to whether your Government will promote the suggested legislation at the next ensuing session of the legislature.

I have the honour to be, Sir,
Your obedient servant,
P. Pelletier,
Acting Under-Secretary of State.

The next document on the file following that is a telegram without date; I do not know when it was sent but I shall read it. It is addressed also to His Honour the Lieutenant Governor of Saskatchewan, Regina, Saskatchewan.

I have been requested to direct you——

You will notice the term, it is not at all a matter of suggestion now, the tone is getting peremptory.

I have been requested to direct you to reply by wire and confirmatory despatch to despatch 10th September last respecting intention of your Government as to legislation at next session of legislature affecting employment of female labour.

Thomas Mulvey,
Under-Secretary of State.

You will notice the commanding tone which this Government takes: 'I am requested to direct you to reply by wire,' language that shows that there was an utter absence of sympathy between this Government and the government of Saskatchewan which was endeavouring to do away with this eastern peril or whatever it might be called, as much as possible. To that the Lieutenant Governor of Saskatchewan replied:

Regina, Sask., December 16, 1912.

Thos. Mulvey,
Under-Secretary of State,
Ottawa, Can.

It is the intention of my Government to amend legislation respecting female labour by making it applicable to Chinese only.

Lieutenant Governor of Saskatchewan.

On receipt of that, although the Legislature was then just convening and although there was, I think until the 4th of April certainly in the month of April next for the legislature of Saskatchewan to pass the legislation and still leave time for this Government to annul or veto it, the Government of my right hon. friend were not satisfied with that, they were not satisfied with the mere statement that it was the intention of the government of Saskatchewan to amend the Act, so they communicated with him again and asked him that his government should undertake to have this repealed. I shall read the communication to you:

Ottawa, 7th January, 1913.

Lieutenant Governor of Saskatchewan.

Sir,—With reference to your Honour's telegram of the 16th December last, stating that it is the intention of your Government to amend legislation respecting female labour by making it applicable to Chinese only, I have the honour to say that the Minister of Justice considers that such an amendment would not be unsatisfactory to the Colonial Office, and might be accepted as a sufficient compliance with the requirement of the Order in Council of 6th September last. He observed, however, that the time for disallowance will expire on the 4th April next, and in the meantime a mere statement of the intention of your Government is not perhaps quite equivalent to an undertaking. The Secretary of State will be pleased, therefore, as this is a matter of considerable importance if you would communicate again with your ministers and obtain a positive assurance that

amending legislation exempting Japanese and British Indian subjects from the operation of the Act will be enacted within the time limited for disallowance.

I am further to request that you will be good enough to give directions to insure the immediate transmission to this department of a copy of the amending statute upon its enactment.

I have the honour to be, Sir,
Your obedient servant,

Thos. Mulvey,
Under-Secretary of State.

You will see running through this the imperative stamp, the stamp almost of the man who holds a gun at the head of another and orders him to do a certain thing. I think it portrays an utter lack of sympathy on the part of this Government with the Government of Saskatchewan which was seeking to bring in a remedy as far as it was in their power to do so. The next communication is from the Deputy Attorney General enclosing a certified copy of the Act of 1913 which repealed the legislation which had been objected to. In the suppression of that suggestion from Mr. Harcourt, in the exacting by this Government of an undertaking, a promise, an assurance, in the whole conduct of the case we see the attitude of the Conservative Government on the Japanese problem, we see that it is at entire discord and out of harmony with their professions while in opposition.

The Prime Minister, when he spoke last, referred to the protocol which was adopted by Queensland. I shall refer to it again. I wish the Prime Minister were here but perhaps the Minister of Finance can tell me why we have not this treaty on the same principle the Prime Minister advocated in 1908. The protocol as it was adopted in the case of Queensland was as follows:

The undersigned.....duly authorized, &c., have agreed that the stipulations contained in the first and third articles of the Treaty of Commerce and Navigation between Great Britain and Japan, signed in London on the 16th July, 1894, shall not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of labourers and artisans, police and public security which are in force or may hereafter be enacted in either of the colonies and foreign possessions of Her Britannic Majesty enumerated in article XIX. of the said treaty, with the exception of Newfoundland and Natal, or in Japan.

In witness thereof.

Done at Tokio.

Why was that not adopted here as it is much more comprehensive and as it also clearly sets forth that the legislation which any of the self-governing colonies may hereafter enact shall be incorporated into the treaty? It is also specifically set forth that not only the existing laws in these different self-governing colonies of the British Empire but those which may hereafter be enacted shall be incorporated. If the Prime Minister had sincerely desired to protect the Dominion of Canada against abuses on the part of Japan and had really desired to keep us from being at the mercy of Japan in the matter, why did he not adopt this plan which he advocated in 1908?

Speaking in 1907-08 the right hon. gentleman said:

Now I repeat, Mr. Speaker, that by the action of the Government in this regard Canada has handed over to Japan the control of immigration which Canada herself ought to exercise and the regulations of immigration in future are to be the Japanese regulations.

I wish hon. gentlemen opposite would tell us in what way we are supported or protected against that now.

That the control and policy are to be Japanese, and that in case of difficulty our remedy and our only remedy, outside of the abrogation of this treaty, is by appeal to the Japanese Government from time to time. The Government of Japan can change its policy to-morrow. A new government might come into power within three months in Japan and that government might repeal every law on the statute-book in Japan with respect to the restriction of immigration, it might abolish every limitation which has been enacted by the present Administration and we could, in three or four months, be exactly back to the same position as we were before the hon. Postmaster General went to Japan.

I say that these words of the present Prime Minister are very significant. Although there existed then for the protection of Canada the arrangement which the hon. member for Rouville (Mr. Lemieux) had made with Japan, the right hon. the Prime Minister said that between us and the removal of that arrangement there was only a question of the stability of the Japanese Government. Any morning, he said, we might wake up and read that the Japanese Government had repealed the laws, that they had changed their minds, that they had opened their own gates and allowed emigrants to flow out of their own country. If that argument had any force in 1908, it has just as much, if not more force in the year 1913. In the same speech, which is to be found on page 2043 of 'Hansard,' 1907-8, the Prime Minister said:

The situation at the present time is that Japan, in so far as immigration from that country to Canada is concerned, may exercise control and that Canada may not exercise any control.

I think these words are applicable to-day when we have no more control than when the Prime Minister spoke in 1908. May I read the motion with which the right hon. gentleman closed his speech? Here

is the motion, which was moved as an amendment to the motion to go into Supply:

That this House, while expressing its profound appreciation of the friendly intentions and courteous assurances of the Japanese Government, and while declaring its sincere desire for the most cordial relations with the Japanese people, desires nevertheless to record its strong protest against a policy under which our wage-earning population cannot be protected from destructive invading competition except by entreating the forbearance and aid of a foreign government.

These words, I say, are just as applicable to-day as they were then, and I wish the Prime Minister were here, that I might ask him if it is possible to show in what respect the legislation that he is now proposing removes the peril which he said then existed. He said yesterday, as in 1908, that in the influx of immigrants from Japan, under the arrangement of the member for Rouville, there was a peril so great that it was a sufficient justification for him to move an amendment to the motion to go into Supply, to try to put the Government out of power. He thought that the peril was so great that he moved a vote of want of confidence, and the business of this House was stayed, in order that that peril might be discussed. To-day, with his eyes open, he not only deliberately continues, but increases that peril which he saw in the treaty in 1908. Is there any consistency, having regard to his conduct in 1908, in presenting to us a Bill to-day which does not even give us the safeguards which were provided in the legislation of 1908? The then right hon. Prime Minister, it appears, had expressed doubt as to whether Japan would agree to the terms which had been given to Queensland. The present Prime Minister quoted the following words as having been uttered by the present leader of the Opposition:

It is doubtful whether Japan would now agree to a treaty on any other basis than the proposals contained in the original treaty.

And then he went on:

What was the ground for that doubt? Japan had consented to a protocol in October, 1896, and this Government had it open to them at all times between October, 1896, and September 25, 1907, to accede to that treaty with a stipulation ensuring to Canada the control over immigration. For what reason is it to be said that there was any doubt? At all events, assuming that there was doubt, would it not have been worth while before plunging into a treaty of that kind which deprives us of the control of immigration, to at least make an attempt and, after making an attempt and ascertaining what the conditions were, to come to Parliament and have a discussion and find out whether or not the true voice and spirit of this country was in favour of giving up control of immigration from Japan in order to secure any commercial advantage which would accrue to us by adhesion to that treaty?

Even, said the present Prime Minister in 1908, if you will not go so far as to drop your legislation in 1908, at least call a halt, and let us negotiate with Japan; let us see if we cannot get the terms of the protocol, and if you cannot get them, then come back to the House of Commons and let us discuss the matter. So I say to-night in all seriousness, especially to the hon. gentlemen who come from British Columbia, that as there is at least a very serious doubt as to whether this legislation ties our hands or not, in regard to our future immigration policy—and I submit that there is no doubt that it does tie our hands—but if there is a question as to whether it ties our hands, should we not negotiate with Japan, and see if we cannot get more permanent terms at least? Hon. gentlemen opposite are strong on the permanent policy that they are going to bring forward in regard to a certain matter; here is an opportunity to ascertain what their permanent policy might be in regard to immigration. We do not know where this immigration policy is going to lead us. Should we not therefore at least halt and try to ascertain whether or not we can get with the great Empire of Japan an arrangement under which we would have undoubted freedom in the control of our own immigration laws and regulations. Some pretense has been made to argue that this treaty still leaves it open to us to change our immigration laws, but the more I think of it, the more I am convinced that that argument is idle. Will anybody say that we will have full freedom in our immigration laws if this treaty passes? If we are to have any freedom we must have full freedom. We cannot have immigration laws and not have full freedom to control them; that would be ridiculous. We might as well make an arrangement that the Japanese can come in as freely as the breeze blows, that there will be no impeding legislation placed over them. If we restrict our immigration in any way, we absolutely restrict it. If we are to have any freedom, we must have absolute freedom. If we had full freedom, we could pass an amendment to our laws providing that nobody coming from Asia could land on our shores, but we would not take such power. This treaty ties our hands, so that we cannot change our immigration laws. If there was any doubt on this point, I would be willing to leave it to the Minister of Justice. I would be willing to have him interpret the words in clause 2 of the Bill, as to what the Immigration Act of Canada means. I would be willing to get the opinion of his deputy as to whether that still leaves us

free. I am bound to say that there is no question in my mind that either the minister or his deputy would say that our hands are tied, and that the present immigration legislation of Canada is incorporated in this treaty, just the same as if it were written there line by line above the signatures of the consenting parties. Therefore, I say let us go slowly. We want to look into the future in regard to this matter. There is nothing so urgent in it, and we might as well leave it in abeyance until some more permanent and suitable arrangement can be made to protect the interests of the Dominion of Canada.

Mr. F. B. CARVELL (Carleton, N.B.): Listening to the right hon. the Prime Minister when he discussed this matter, it seemed to me that he tried to impress upon the House and upon the country the principle that in ratifying that treaty he was in some way protecting the Dominion of Canada against an influx of Oriental immigrants in a way that has never been done before. The cardinal principle of his argument was that by this Bill the Government of Canada reserves to itself the entire control of immigration. These were his words: I took them down exactly as they were uttered by the right hon. gentleman this afternoon. Again he blamed the former Government because the old treaty prevented them from controlling immigration and said that this Bill gives us that control. That was the underlying principle of the argument and contention put forward by the right hon. gentleman yesterday and to-day in discussing the terms of this Bill. I believe the Japanese Government will loyally carry out the gentleman's agreement, which has been referred to here, and that, therefore, the white labourers of British Columbia and western Canada will not suffer, but it will only be by reason of the loyalty with which the Japanese Government carry out the agreement, not the treaty, and not by reason of anything proposed in this Bill. I may be drawing, perhaps, what my hon. friends opposite may consider an unwarranted conclusion from the reading of this Bill, but I am forced to the conclusion that, instead of taking control of our immigration, we are absolutely throwing it away. We are in a much worse position than we were under the old treaty and in a worse position than we were at any time down to the time of the arrangement which was made by my hon. friend from Rouville, when, acting as plenipotentiary to Japan. Let us examine this matter and see where we land. My right hon. friend takes great credit to himself for this measure and he seems to be backed up by his followers from British Columbia, but I hope these hon. gentlemen from British Columbia will give this matter a little more than passing notice. I observed that the hon. member for Vancouver (Mr. Stevens) seemed willing to swallow the whole thing in one gulp last night and thanked the Government for so effectually coming to the rescue of the white people of British Columbia. I see in his seat now the hon. member for Nanaimo (Mr. Shepherd), a gentleman who, I know, is very closely associated with the labour interests of British Columbia, a gentleman who wants to do all he can to protect the interests of his constituents and the white people of British Columbia especially, a gentleman who was not a member of this House in the old days when considerable heated argument took place regarding Japanese immigration and who, therefore, would not be bound by what his predecessors may have done and a gentleman who will have an open mind on this subject, who will be convinced, if it is possible to convince him, that the position which I am now taking is sound, and who, I hope, if there is anything wrong about this thing, will try and stay the hand of his Premier and have the matter made right. The provision of the Bill to which I first wish to draw the attention of the committee is clause (a) of section 2, which is as follows:

> Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act.

When I read that clause (a) in conjunction with the correspondence that has taken place between the Prime Minister and the Japanese Consul General, I am forced to the conclusion that we have absolutely tied our hands, that we have absolutely put it beyond our power to control Asiatic or Japanese immigration unless we absolutely rely upon the good faith of the Japanese Government in carrying out, not the treaty, but a private agreement, as my right hon. friend has been pleased to call the arrangement made between the Japanese Government and my hon. friend from Rouville. I thought my right hon. friend this afternoon tried to argue that, when we say that nothing in this treaty or in this Act shall be deemed to repeal or affect any provisions of the Immigration Act, that the reference is to an amendment of the Immigration Act. But I do not think that my right hon. friend would seriously argue that. I am satisfied that when he comes to look it over, he will not argue that, and I am satisfied that my hon. friends from British Columbia will not argue that. When my hon. friends from British Columbia are giving their assent to this Bill and this treaty, they are practically saying that they are satisfied to make a treaty with Japan and to provide that there shall be no change in the Immigration Act, but if the Immigration Act has any faults or defects, if it even allows privileges to the Japanese race which it ought not to allow, their hands are tied and they are precluded from

making any changes because the only right they would possess would be the right to ask the Imperial Government to give notice to denounce the treaty. The Imperial Government has the right to denounce the treaty on giving one year's notice. If it be of any advantage, my hon. friends should remember that we had an advantage over them in the old treaty, because we could denounce the old treaty on giving six months' notice; now, we have to give a year's notice. But perhaps that is not a matter of any serious importance and therefore I shall not spend any more time in discussing it.

I want to discuss the Immigration Act because that is the basis of the whole contract. It is said in the Bill that we shall not repeal this Immigration Act. In the correspondence the right hon. the Prime Minister states that he sent to the Imperial Government of Japan, through the Consul General, a copy of the Bill and that copy of the Bill expressly refers to the Immigration Act. There is only one Immigration Act in force in Canada to-day and that is the Immigration Act of 1910. I do not know whether the right hon. gentleman included with the Bill a copy of the Act or not, but it does not make any difference because you can depend upon it that the Japanese Consul and the Japanese Government have that Immigration Act and know what it means. Therefore, the right hon. gentleman says: I am sending to you a copy of the Bill which I propose to introduce in Parliament and ask Parliament to ratify and in this copy of the Bill it is stated that they will be governed practically by the Immigration Act which means, of course, that you cannot amend the Immigration Act because you have entered into a solemn compact not to do so. I do not say that you would not have the power to do so by some breach of faith with the Japanese Government, but we do not assume that our Government is going to enter into a solemn agreement and break it. We assume that our Government is going to stand by what it undertakes to do. Therefore, you have the solemn promise on the part of the Prime Minister that this Bill will go through and that it will recognize the principles of the Immigration Act of 1910 and no other. Let us see what the Immigration Act of 1910 provides. I have neither the time nor the ambition to read the whole Immigration Act, but I want to go over it very generally. Clause 3 of the Immigration Act provides that there are certain classes of persons who are prohibited from coming into Canada and this prohibition applies, not to Japanese alone, but to every nationality under the sun. It applies to Englishmen, Scotchmen, Irishmen, French, Hindus, Japanese, Chinese and everybody else in the world. By the Act then, certain prohibited classes have not the right to enter Canada. Section 3 says:

Mr. CARVELL.

No immigrant, passenger, or other person, unless he is a Canadian citizen, or has Canadian domicile, shall be permitted to land in Canada, or in case of having landed in or entered Canada shall be permitted to remain therein, who belongs to any of the following classes, hereinafter called 'prohibited classes'—

(a) Idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous;

(b) persons afflicted with any loathsome disease, or with a disease which is contagious or infections, or which may become dangerous to the public health, whether such persons intend to settle in Canada or only to pass through Canada in transit to some other country, provided that if such disease is one which is curable within a reasonably short time, such persons may, subject to the regulations in that behalf, if any, be permitted to remain on board ship if hospital facilities do not exist on shore, or to leave ship for medical treatment;

(c) immigrants who are dumb, blind, or otherwise physically defective, unless in the opinion of a board of inquiry or officer acting as such they have sufficient money, or have such profession, occupation, trade, employment or other legitimate mode of earning a living that they are not liable to become a public charge or unless they belong to a family accompanying them or already in Canada and which gives security satisfactory to the minister against such immigrants becoming a public charge;

(d) persons who have been convicted of any crime involving moral turpitude;

(e) prostitutes and women and girls coming to Canada for any immoral purpose and pimps or persons living on the avails of prostitution;

(f) persons who procure or attempt to bring into Canada prostitutes or women or girls for the purpose of prostitution or other immoral purpose;

(g) professional beggars or vagrants, or persons likely to become a public charge;

(h) immigrants to whom money has been given or loaned by any charitable organization for the purpose of enabling them to qualify for landing in Canada under this Act.

(i) Persons who do not comply with the conditions and requirements of any regulations which are for the time being in force and applicable to such persons under sections 37 and 38.

Those are the persons excluded from coming into Canada under the Immigration Act and I make the statement here, and it cannot be denied, that any Japanese, Chinese, Englishman, Scotchman, Frenchman, who does not come under one of those prohibited heads has an absolute right to come into Canada, unless of course we have some other provision which precludes him. Let us take article I of the treaty to see what class of Japanese can come into Canada:

The subjects of each of the high contracting parties shall have full liberty to enter, travel and reside in the territories of the other, and, conforming themselves to the laws of the country:

1. Shall, in all that relates to travel and residence, be placed in all respects on the same footing as native subjects.

2. They shall have the right, equally with native subjects, to carry on their commerce and manufacture, and to trade in all kinds of merchandise of lawful commerce, either in person or by agents singly or in partnerships with foreigners or native subjects.

3. They shall in all that relates to the pursuit of their industries, callings, professions and educational studies be placed in all respects on the same footing as the subjects or citizens of the most favoured nation.

4. They shall be permitted to own or hire and occupy houses, manufactories, warehouses, shops and premises which may be necessary for them, and to lease land for residential, commercial, industrial and other lawful purposes in the same manner as native subjects.

5. They shall, on condition of reciprocity, be at full liberty to acquire and possess every description of property, movable or immovable, which the laws of the country permit or shall permit the subjects or citizens of any other foreign country to acquire and possess, subject always to the conditions and limitations prescribed in such laws. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, under the same conditions which are or shall be established with regard to native subjects. They shall also be permitted, on compliance with the laws of the country, freely to export the proceeds of the sale of their property and their goods in general without being subjected as foreigners to other or higher duties than those to which subjects of the country would be liable under similar circumstances.

6. They shall enjoy constant and complete protection and security for their persons and property; shall have free and easy access to the courts of justice and other tribunals in pursuit and defence of their claims and rights; and shall have full liberty, equally with native subjects, to choose and employ lawyers and advocates to represent them before such courts and tribunals; and generally shall have the same rights and privileges as native subjects in all that concerns the administration of justice.

7. They shall not be compelled to pay taxes, fees, charges or contributions of any kind whatever, other or higher than those which are or may be paid by native subjects or the subjects or citizens of the most favoured nation.

8. And they shall enjoy a perfect equality of treatment with native subjects in all that relates to facilities for warehousing under bond, bounties and drawbacks.

When you come to consider the enormous rights given to the subjects of the Emperor of Japan, you have to come to the conclusion that unless they come under the prohibited clauses of the Immigration Act, not only have they the common law right but they have the treaty right to come here in any numbers imaginable, and to enjoy all the rights and privileges of British subjects. And yet, the representatives from British Columbia in this House tell us that this is the very thing they have been fighting for in all these years; I wonder if they can be serious. As I have said, we are worse off by reason of article III than if it did not exist, and I will give the reason why. In the correspondence, the Prime Minister when entering into negotiations with the Consul General of Japan uses this language:

Ottawa, Ont., 7th February, 1913.

Sir,—I have the honour to inform you that the Government are willing to submit to the Parliament of Canada a Bill by which Canada shall adhere to the Treaty of Commerce and Navigation between the United Kingdom and Japan signed at London on the 3rd April, 1911.

2. The adherence of Canada would be upon the conditions and with the proviso set forth in the inclosed draft Bill which is submitted for the consideration of the Imperial Japanese Government.

3. The proviso that the treaty shall not be deemed to repeal or affect any of the provisions of the Emigration Act follows the language which was approved by the Imperial Japanese Government in relation to the recent treaty negotiated with the United States of America.

4. The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment to the inclosed draft Act of Parliament of the proviso which has already been agreed to in the case of the United States.

I have the honour to be, Sir,
Your obedient servant,
R. L. Borden.

Hon. T. Nakamura,
Consul General for Japan,
385 Laurier Avenue E.,
Ottawa, Ont.

This is followed by another letter from the Prime Minister:

Ottawa, Ont., 5th March, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 1st instant, in relation to the Treaty of Commerce and Navigation between Great Britain and Japan, signed at London on the 3rd April, 1911, in which you communicated to me the reply of the Imperial Japanese Government stating that they have no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910 being applicable to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to inform you that the Government of Canada has received this reply with the greatest satisfaction, and that the proposed Bill will be introduced as soon as

the pending business now engaging the attention of Parliament will permit.

I have the honour to be, Sir,
Your obedient servant,
(Sgd). R. L. Borden.

Hon. T. Nakamura,
Consul General for Japan,
385 Laurier Avenue, E.,
Ottawa, Ont.

What is the contract made with Japan? It is this: we have submitted to you our proposed Bill and in that Bill we tell you we will stand by the Immigration Act of 1910. That is in the correspondence, and although in the Bill it does not specially say the Act of 1910, it refers to the Immigration Act, and the Act of 1910 is the only one now in force. Then, on the other hand, the Japanese authorities are given the opportunity of saying: we accept the treaty only on the condition that we will not be discriminated against under the Immigration Act. I find that under sections 37 and 38 of the Immigration Act, this Government has the right to make regulations. Section 37 is as follows:

Regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada that immigrants and tourists shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race, occupation or destination of such immigrant or tourist, and otherwise according to the circumstances; and may also provide that all persons coming to Canada directly or indirectly from countries which issue passports or penal certificates to persons leaving such countries shall produce such passports or penal certificates on demand of the immigration officer in charge before being allowed to land in Canada.

Section 38 is as follows:

The Governor in Council may, by proclamation or order whenever he deems it necessary or expedient,—

(a) prohibit the landing in Canada or at any specified port of entry in Canada of any immigrant who has come to Canada otherwise than by continuous journey from the country of which he is a native or naturalized citizen, and upon a through ticket purchased in that country, or prepaid in Canada;

(b) prohibit the landing in Canada of passengers brought to Canada by any transportation company which refuses or neglects to comply with the provisions of this Act;

(c) prohibit for a stated period, or permanently, the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or requirements of Canada, or of immigrants of any specified class, occupation or character.

Under those two sections the Government of Canada has the right to pass regulations for the prohibition or prevention of certain classes of immigrants. A regulation was passed on the 9th day of May, 1910 as follows:

Mr. CARVELL.

His Excellency in Council is pleased, under the authority of section 37 of the Immigration Act of 9 and 10 Edward VII., to make and doth hereby make the following regulation:—

No immigrant of Asiatic origin shall be permitted to enter Canada unless in actual possession in his or her own right of two hundred dollars, unless such person is a native or subject of an Asiatic country in regard to which special statutory regulations are in force or with which the Government of Canada has made a special treaty, agreement or convention.

We are making a special treaty, agreement or convention with the Japanese Government. While we have the right under this treaty to say that a Malay, a Chinaman, a Hindu, an Arabian, or any other Asiatic must pay $200, a Japanese does not have to do so because we have made a contract with him. If I am wrong in that assumption, let us see where the other construction leads. We have agreed that we will not discriminate against Japanese. Suppose for some reason or other we want to prohibit certain classes of people from coming into Canada and to pass regulations in that regard. We are prohibited from passing a regulation preventing a Japanese from coming in here, which would be different from that in regard to any other race of people. We have tied our hands.

Mr. BELAND: Unless it applies to everybody.

Mr. CARVELL: Unless it applies to everybody, because if it did not, we would be discriminating. Let me point out to my hon. friends a condition of affairs which might arise, although I do not believe it will. We know that in 1907 something like 9,000 Japanese came into this country. They all had passports; they came through Honolulu and the Japanese Government claimed, I believe honestly, that they had no knowledge that these people were coming to Canada. The Japanese Government gave them the right to go to Honolulu, and they transhipped and came to Canada. It was owing to that state of affairs that section 38 of the Immigration Act was passed. The hon. member for Rouville (Mr. Lemieux) went to Japan and made this 'gentleman' agreement, by which the Japanese Government were to restrain and restrict Japanese immigration into Canada to a specified number, six or seven hundred a year. The Japanese Government were not to give passports to more than that number of people, so that they could not leave the country and consequently could not come to Canada. I ask my hon. friends what would happen provided that the Japanese Government should not carry out that contract? I am not stating that they will not carry it out. Sup-

pose they gave passports to one thousand, two thousand or three thousand a year instead of to six hundred. What could you do? Where would my friends from British Columbia find themselves placed under this agreement, which they have signed, by which they are not to discriminate against Japanese subjects? They cannot pass a regulation under a certain section unless it applies to everybody in the world. Their hands are tied. My poor friends from British Columbia might be absolutely overrun with Asiatics, and they have not a word to say about it. My friends from British Columbia ought to call a halt in this matter and ask this Government to strike clause (a) from the Bill and get back to where we were under the old treaty, under which we agreed to the provisions of the treaty but did not bind ourselves down to any immigration Act. What is the result? The best evidence that we are free is that, after this treaty was signed and while it was in existence, we passed the Immigration Act of 1910. As we stood then, we had a right to make any regulations we desired. If this Bill goes through, we have given away our right; we have gagged ourselves and we are absolutely at the mercy of the Japanese Government in carrying out an agreement, the purport of which we do not know because it is considered private and confidential. I hope my friends from British Columbia appreciate the position; I hope it satisfies them; I hope they will go home to their constituents and tell them, well, we followed the Government; we had to do that; but when they do, they must confess to their friends, we have very, very grave misgivings as to the position in which we placed ourselves. This has been a political football in the politics of Canada, especially in the western provinces, for some eight or ten years—no it was not so far back as that; it was in 1906, I think.

Mr. STEVENS: In 1896, when the right hon. the leader of the Opposition was leader of the Government.

Mr. STEVENS: In 1896.

Mr. CARVELL: My hon. friend does not need to go back that far. I have pointed out to my hon. friend the condition in which he would be placed were it not for the agreement made by the hon. member for Rouville which, according to my hon. friend, is not a law or even a treaty—it is only a gentleman's agreement. I have pointed out that, with the exception of the undesirables, the people of the whole Japanese Empire can come into the Dominion of Canada, and there is no way of stopping them. The people of British Columbia under this proposed legislation, and in the absence of the gentleman's agreement made by the hon. member for Rouville, are absolutely powerless. There is only one recourse, and that is to renounce the treaty, but if this treaty is enforced there will be no recourse whatever, and this country may be over-run by people of the Japanese nation. That is what the hon. member for Vancouver said last night. The hon. member for Assiniboia (Mr. Turriff), with his usual ability to see through a difficulty, realized at once the position of the hon. member for Vancouver, and asked him the following question, which is to be found on page 7185 of the unrevised 'Hansard':

> Would the hon. member and the people of British Columbia be perfectly satisfied with that arrangement under the treaty, without the understanding which was made with the Japanese Government by Mr. Lemieux?

This is the answer made by the hon. member for Vancouver:

> The statements contained in this correspondence, read impartially in the light of the situation as it then existed, would be sufficient for any reasonable man.

That is, if you take away the arrangement made by the hon. member for Rouville, you extend to the people of the Japanese country the right, if they are not on the prohibited list, to come into this country, and the hon. member for Vancouver says that this is perfectly satisfactory to any reasonable man. He says further:

> In addition to that, we have the assurance of the leader of the Government this afternoon that the representatives of the Imperial Government of Japan have assured him that the arrangements which have been made—the gentleman's agreement if you wish to call it so—will be continued.

Mr. STEVENS: Read the rest of that clause.

Mr. CARVELL: If my hon. friend is anxious that I should read some more of his remarks, I am only too willing to oblige him. He says further:

> I wish to state that on the whole, the immigration relations existing between Canada and Japan and China to-day are satisfactory to the people of British Columbia.

Worse and worse! You can depend upon it that my hon. friend talked Japanese immigration during his last election campaign; I venture to say it was the lock, stock and barrel of his argument. He said further:

> The only thing that has been wrong in connection with the Japanese arrangement is, that the public have had no official assurance in regard to it. The hon. member for Rouville (Mr. Lemieux) knows perfectly well that his arrangement is a private state document, and the people of Canada and the people of British Columbia know nothing about what is in that state document.

Why does not the Prime Minister produce this document? He finds it a matter

not at all difficult to wire Winston Churchill and obtain permission to read private documents; why does he not take this matter up with the Emperor of Japan? It seems to me that the hon. member for Vancouver is getting into deeper water all the time. He says that the work of preventing Oriental immigration is being accomplished, but that the people do not know what is in this document. Well, why does he not apply to the Emperor of Japan, obtain the original, and make it public? I know my hon. friend used this argument in his last campaign; as a matter of fact, I believe he did not use anything else.

Mr. STEVENS: I do not think the hon. member has any idea what I used or did not use.

Mr. CARVELL: I challenge my hon. friend to deny it.

Mr. STEVENS: I will give the hon. member all the information he wants in a very few moments.

Mr. CARVELL: I thought my hon. friend would not deny it. Newspapers are a great nuisance sometimes, especially when one is obliged to indulge in the pastime of swallowing his own bitter pill. At any rate, I know that was the entire argument in Nanaimo, and I do not ask the hon. member for that constituency whether or not that was the case, as he would readily admit it. With regard to the Minister of Agriculture, I dislike imputing motives to him, but I would go so far as to accuse him also of having made use of the subject of Oriental immigration during his last election campaign. The hon. gentleman told us last evening that he was in the happy position of not being compelled to swallow his own convictions, and he read a few choice selections from a speech he made in this House in 1909. I want to point out to my hon. friend the change which has taken place in their attitude with regard to this Oriental question. When my hon. friend was in a position to make political capital out of this matter, nothing which the late Government could do in respect of the Oriental question would satisfy them. From 1907 up to 1911 Japanese immigration was controlled to such an extent as should have been satisfactory to hon. gentlemen opposite, but still they were not satisfied. There was a discussion in the House on this matter in 1908, and when we came back in January, 1909, after the general elections which took place in October of the previous year, on the very first day of the debate on the Address, the members from British Columbia, five in number, who had been elected in opposition to the then Government, made speeches on this question, and practically the only thing they discussed was Japanese immigration. I now wish to read some well-chosen remarks made by the hon. Minister of Agriculture as appearing on pages 76 and 77 of the 'Hansard' of 1909. My hon friend the Minister of Agriculture always speaks well. He is a very moderate man and I think a model parliamentarian. He then was fresh from an election which had been won on the Oriental question. He was a thoroughly anti-Japanese advocate at that time. These gentlemen, including the Minister of Agriculture, were voicing their real sentiments and telling the people of Canada the grounds on which they had won the election. My hon. friend says:

I treated the case on its merits and the contest resulted, as I knew it would, against the former member for Yale Cariboo because he, in common with other members who represented—or rather misrepresented—British Columbian constituencies had ratified that treaty without a word of protest in regard to it.

To what treaty did he refer? He referred to the treaty with Japan which was ratified by this Parliament in the session of 1906. The hon. member for North Toronto had asked the Government, I think a dozen of times, when they were going to bring down the Japanese treaty for ratification. When it was brought down the hon. member for North Toronto sat in his seat, so did the Prime Minister, so did all the other leading gentlemen of the Opposition at that time and the only member of the House who raised one objection or asked one question on the matter was the gentleman who then represented New Westminster, Mr. Kennedy. Mr. Kennedy pointed out to the House that there might be complications over the question of immigration and he was a Liberal. The Minister of Trade and Commerce rose to ask a question and the information he wanted was what was the value of a yen.

Mr. McKENZIE: That was the Prime Minister.

Mr. CARVELL: Either the Prime Minister or the Minister of Trade and Commerce wanted to know the value of a yen and with this information granted allowed the matter to go through. The Minister of Agriculture says that these gentlemen misrepresented the people of British Columbia because they did not oppose the ratification of this treaty. He said:

I recognize that. It is perfectly true, and it may possibly be that there are two reasons for it. I am not imputing bad motives or casting slurs when I say that it is certain that the Conservative party were misled by hon. gentlemen opposed as to assurances from Japan with regard to this matter, and also

by the exaggerated ideas of the importance of the trade with Japan, which, I believe, is not going to be as large as some people seem to think. Then, again, with regard to the leader of the Opposition (Mr. R. L. Borden) and Conservative members generally, I can quite understand that no man who has lived altogether in the East and has not come into daily contact with the conditions that face the people of the West, can possibly grasp the true significance of this Oriental question to the people of the Pacific coast. I am sorry to add also that hon. gentlemen opposite, and eastern members, generally do not avail themselves of their privileges, as they ought to do, to gain a more intimate acquaintance at first hand with the great western country, which, after all, is going to be the backbone of Canada. There is this to be said, however, that the leader of the Opposition and the Conservative party, when they did begin to realize what the sentiment and feeling in British Columbia was on this great question, adjusted their position to meet the sentiments of British Columbia, which, after all, gentlemen on the opposite side did not do. It is all very well to say that this was done for party purposes, but we have no right to judge people in that way. We have a right to assume, and we may assume, that the leader of the Opposition felt from the bottom of his heart that he ought to do as he has done, that he recognized the importance of this question, and, when he understood the sentiment of the people of the West he adjusted his position and took a different stand, possibly, from that which he took a year or two ago.

Let us see what stand my hon. friends took on this question. The Minister of Agriculture in 1909 excused his leader because, as he says, when he voted for the Japanese treaty he had not the light he had now but as soon as he got the light and knew the conditions into which he was leading the country, he changed his position and opposed the Japanese treaty. What were the conditions which my hon. friend opposed, according to the Minister of Agriculture? They were in a treaty with Japan which gave us the right to pass any legislation we had a mind to with regard to immigration, and an agreement made by the hon. member for Rouville with the Japanese Government by which the Japanese Government agreed to restrict the immigration into Canada to four or five hundred souls a year. That is the position the Minister of Agriculture was denouncing at that time. That is the ground on which he won his election in 1908, he admits it. That is the position which he said his leader had receded from and while he was willing to excuse his leader on account of lack of knowledge three years before, now that his leader had seen the light and found out the sentiments of British Columbia, he had come out like an honest gentleman and was opposing that which he had agreed to when he did not know the whole circumstances. But my right hon. friend now has all the information which he can get and a little more. What is he doing? I want to tell my hon. friends from British Columbia, and I know it does not suit them, that my right hon. friend (Mr. Borden) is taking the exact position which the late Government took, only he is going a little worse because he has bound his hand and cannot pass any more legislation with regard to Japanese immigration and he is bound by the terms of the Immigration Act of 1910. The only recourse he has, if the Japanese Government do not stand by the agreement, is to ask the British Government to abrogate the treaty. The Minister of Agriculture, by his conduct to-day, says that is all right and he adds: fortunately I have not been compelled to swallow myself. Many of us would not like to swallow such an undigested mass as I have given here to-night, but if my hon. friend can do it, and enjoy the operation, I leave it to him and I have no objection.

Mr. BURRELL: We quite agree that we would not want to swallow the undigested mass that my hon. friend is dishing up.

Mr. CARVELL: That is a matter of opinion. Perhaps there may be some peopel in British Columbia who will not think it is as badly digested as the Minister of Agriculture would want to make it out. I have an opinion that when this debate is read in British Columbia there will be people there who will think it is pretty well digested and I think the minister will find that he has some explaining to do in order to justify his course in this matter. They all came back very much elated over their victory on the immigration question. I come now to the former member for Vancouver who came in in 1908 with a great flourish of trumpets and who, I am satisfied, told the truth in everything he stated, a man who proved himself to be an honourable gentleman and a valuable member, a gentleman whom I always looked upon as an actual acquisition to the debating ability of this House. On page 58 of 'Hansard' in the same debate, in referring to the then Prime Minister, he said:

I say, Sir, that Sir Wilfrid Laurier, the First Minister of Canada in declaring that we in British Columbia fought the battle in the recent campagn on principle, has paid, unconsciously no doubt, a compliment to British Columbia. I can see that he is perturbed and cannot understand why when we conducted the campaign on principle the result has been to give me a larger turnover than he dared hope to have in his own constituency. I can tell him the reason to-night It was because without reason and without request from Japan he abandoned the sacred duty and transferred to Japan the power to keep Canadian citizenship unattained by Japanese immigration.

What in the world could he be referring to, if not to the agreement made by the hon. member for Rouville (Mr. Lemieux). His whole complaint against the present leader of the Opposition at that time was that he has handed over the protection of Canada's immigration to the Japanese Government, and that was the principle upon which he was elected, and on which, as he states in his speech, a majority of 800 was converted into a minority of 1,500. And yet my hon. friend from Vancouver (Mr. Stevens) says now that with the agreement made by the hon. member for Rouville, which he says he is told the Japanese Government will renew, we are absolutely safe, that we have got everything we want, and that therefore this Bill should go through.

Mr. STEVENS: I said the clause in the Bill.

Mr. CARVELL: I would like to ask my hon. friend again where he would be without the agreement by the hon. member for Rouville, with the Bill as it stands now?

Mr. STEVENS: I say that without the understanding with Japan, the Bill would not have been presented to the House in its present form.

Mr. CARVELL: I thought he would say that; I thought he would go back on what he said last night. I knew my hon. friend would not stand by his statement, and I hope this one will be found in the revised version of 'Hansard.' My hon. friend sees the hole into which he got last night, and he now goes back on his statement. He knows that without the agreement made by the hon. member for Rouville, 100,000 Japanese could come into Canada in one year, and we could not help ourselves. My hon. friend now sees the force of that agreement. It is no wonder that he could tell me the column in which I could find his remarks this afternoon. He has been looking them up pretty carefully. That was the whole trouble with Mr. Cowan in 1909. He objected to the immigration interests of Canada being handed over to a foreign government.

Then some other gentlemen had some ideas on this subject. I come next to the former member for Kootenay, a gentleman who was also, in my judgment, a decided acquisition to the House, who was always courteous and stated what he believed, a gentleman who now occupies a high position in the officialdom of Canada. Here is what that hon. gentleman said, as it is reported on page 113 of 'Hansard' of that year:

I venture to say that even the hon. Postmaster General would hesitate to hand over this vast Dominion to these people, as he is advocating at this time. The answer of the hon. Postmaster General is that we have the assurance of the Japanese Government, both by word of mouth and in writing, from the year 1900, and that assurance has been repeated in ten or twenty communications from that Government since that time, that there would be no immigration from that country to Canada exceeding 600 a year, and yet I find in 'Hansard' in a speech of the Minister of Agriculture delivered in this House seven years afterwards, the statement that in ten months 8,125 Japanese had come into Canada. What explanation does the Minister of Agriculture make of that fact? He said: It is true, 8,125 Japanese came into Canada from January to September, but of that number some 4,000 came from the islands of Hawaii and some 900 came in under contract for certain immigration agencies or bureaus, and a certain number passed through to the United States, leaving something like 3,000 remaining in Canada according to the minister's own figures. But when we go behind the statement of the Minister of Agriculture, we find that everyone of these immigrants had a passport direct from the Japanese Government, as was brought out at the investigation in Victoria. This shows that there is nothing in the spoken or written promise of the Japanese Government.

The member for Kootenay said there was nothing in this spoken or written promise of the Japanese Government, and that in spite of the spoken or written promise of the Japanese Government in the agreement made by the hon. member for Rouville, 100,000 Japanese might come into Canada, and that was admitted by my hon. friend to-night. What position are we in if the Japanese Government do not keep their word? Those gentlemen discussed this matter from every possible standpoint, and they won their elections upon it, and now they come back here and in the first flush of victory tell the truth. They think they have accomplished wonders, and they have for they fooled the people of British Columbia very effectually in 1908 and they succeeded in doing it again in 1911. I wonder how long they will keep up the deception, or what the people of British Columbia will say when the true facts are brought to their attention?

Mr. STEVENS: They will send everyone back, thirteen the next time.

Mr. CARVELL: My hon. friend is very sanguine. Other members have been just as sanguine as he is and have had to change their minds. When you want to get the real gist of what the members from British Columbia say when elections are on, you have to go to the hon. member for Westminster (Mr. Taylor), for he has the faculty of stating in very concise terms what he means.

Mr. MACDONALD: Is that Bill Miner?

Mr. CARVELL: No, it is the man who talked about Bill Miner. You will find his

remarks on page 122 of 'Hansard' of that year, and they were as follows:

While we can well understand the caution which would move the leader of the Opposition in sending a telegram,——

He was referring to the somewhat remarkable telegram which has been discussed a good many times, the telegram sent by the present Prime Minister, then leader of the Opposition, stating:

Your message received. The Conservative party stands for a white Canada and the absolute protection of white labour.

When it got into the Conservative newspapers, and when it was read in Conservative meetings, held on the Saturday night before the election, it read as follows:

The Conservative party stands for a white Canada, the protection of white labour, and the absolute exclusion of Asiatics.

I can imagine I hear my hon. friend from Vancouver at one of those meetings on the Saturday night, when that telegram from his leader was read stating that the Conservative party stands for the absolute exclusion of Asiatics.

Mr. LEMIEUX: That was the forged telegram, was it?

Mr. CARVELL: Yes, now these gentlemen say that the Japanese are good citizens. They say they have absolute faith in the Japanese Government, that they believe the Japanese Government will loyally stand by their agreement, and therefore they are willing to pass this legislation because their leader wants them to. But to go back to my hon. friend the member for New Westminster, he is not here to-night, but he will have a chance to discuss this question some other time. I do not know that my hon. friends opposite have applied the gag on a motion to go into Supply, or create an opportunity for him.

Mr. MACDONALD: He will have to tell us how this Bill is going to absolutely exclude Asiatics.

Mr. CARVELL: He will switch round like the others, and say it is all right now; that we can depend upon the Japanese Government carrying out their agreement.

Mr. MACDONALD: Is it going to absolutely exclude Asiatics?

Mr. CARVELL: Oh, no, but they won their elections, and got into power. We are now told that the Japanese are very good workmen. Asiatics as a rule are good workmen. The Minister of Agriculture thinks they are such good workmen that he employs them on his farm, and makes money out of them. In fact I might venture the assertion that there is not a Conservative member from British Columbia who has not employed Asiatics within the last eight or ten years. The Japanese are all right, when those gentlemen want labour; it is only when they want to make political capital that the Japanese are all wrong. The hon. member for New Westminster (Mr. Taylor) went on to say:

While we can well understand the caution which would move the leader of the Opposition in sending the telegram, I say, as a member of the Conservative party in British Columbia and in this House, that whether or not our leader sent the telegram, our policy was one of absolute exclusion of Asiatics from British Columbia. I do believe that that is the policy of the Conservative party of Canada, and I do maintain that, so far as the members from British Columbia can be influential in shaping the policy of the Conservative party, they will stand to a man in favour of the exclusion of Asiatics from our magnificent province.

Mr. Chairman, it is no wonder that the hon. member for New Westminster is out in British Columbia making speeches on the Naval Bill which he cannot make in Parliament rather than being here to face the music to-night. The hon. member for New Westminster has more political acumen than they give him credit for and the hon. member for Vancouver (Mr. Stevens) need not apologize for him. Bill Miner—I beg his pardon—the hon. member for New Westminster takes good care to keep out of the House when the Asiatic question is being discussed. He did not want to come here and have these speeches read to him and possibly have to stand up and vote for this treaty in the face of the statements that he made in this House in 1909. But, I have no doubt at all that the hon. member for New Westminster made no stronger statements in his campaign in 1908 than did every other member from British Columbia and I do not believe that he made any stronger statements than he made in 1911. It has been their whole stock in trade since 1907. Now that they are in power, as they are to-day, of course, they say: Our principles were only made to get in by; our principles were all right when we were in opposition, but now that we are in power what good are they?—Let us be expedient; we have got into power; let us adopt those principles and policies which are going to keep us in! My hon. friends from British Columbia must see the position in which they are placed.

I am not opposing this treaty, or this Bill to ratify the treaty, but I would vote for it with a great deal more confidence and willingness if clause (a) of section 2 were eliminated from the Bill, or, if hon. gentlemen will not eliminate it, if they will go so far as to put at the end of it the words 'or any amendments thereof to be hereinafter enacted,' or words to that effect. I do not care which they do, but I think it is better to eliminate it entirely because, if they elim-

inate it entirely, if they make no reference to it whatever, they leave the Parliament of Canada with its laws as they exist to-day and they leave it the right, untrammelled by any agreement, convention or correspondence, to pass any laws regarding immigration in the fu ure that it may desire to pass. Therefore, for that reason, I prefer to eliminate it. But, if hon. gentlemen are afraid that they cannot eliminate it on account of the blundering way in which they have gone about this thing, and the correspondence they have had with the Japanese Government, then, for the sake of Canada, amend it by adding the words which I have suggested and put it forward in such a way as to make it clear that they are governed, not only by the Immigration Act of to-day, but by any amendments which may be passed by this or any other parliament in future. In doing that we are protecting our rights. We put ourselves in the position that we can control our own affairs and we are not handing over beforehand to the Japanese Government a cudgel by which they might say: You agreed that you would stand by the present Immigration Act. The very moment you pass an amendment of this very Immigration Act or do anything by which you discriminate against the Japanese, they may say: You have not kept faith, you have broken your solemn engagement, something which is as abhorrent in the eyes of the world as for two gentlemen to make an agreement and break it.

The day will never come when Canada can afford to break that agreement, Canada will never break the agreement and the only protection which there is comes from the convention which my hon. friend from Rouville made with the Japanese. If we divest ourselves of the right to pass any amendments to our Act, we are compelled to go to the British Government and ask them to abrogate the treaty and to put ourselves in a position to protect our interests. I think that this cursory discussion of the matter must have convinced even my hon. friend from Vancouver that he has been sacrificed in the house of his friends, although, in his blind loyalty to party, he has been willing to say 'hear, hear' to any proposition that his leader might bring up. He had not given the matter any consideration until he made his speech last evening. He is now so thoroughly imbued with the ability of my hon. friend from Rouville to make international agreements, he is so thoroughly convinced of the importance of the agreement which my hon. friend made with the Japanese Government, he is so thoroughly imbued with the fact that that is the only protection we possess, that he wants the Government to apply this to China. He wants the Government to send

—he did not say so but I think by inference—the hon. member for Rouville over to China and see if he cannot make another agreement that will be as good as the agreement he made with Japan. My hon. friend admits the importance of it. My hon. friend by his proposition to make an arrangement with China, admits that the only governor, the only protection, that we possess is the contract made by my hon. friend from Rouville with the Japanese Government. I hope that when all these matters are put before him, he will at least advise his Premier to strike out this clause or so amend it that it will not be the real menace which he has been preaching to his British Columbia patriots existed in regard to the whole Asiatic question.

Now, Mr. Chairman, I have discussed this question somewhat from a legal standpoint, as well as a political, and in view of the very serious question that has been raised here as to the real meaning and consequence which may be attached to and applied to clause (a) of section 2 of this Bill, I think it would be well for the hon. Minister of Justice (Mr. Doherty) to give his opinion in order that the committee may have an unbiased judgment from the highest legal authority in Canada on such an important question as this.

Mr. H. H. STEVENS (Vancouver): Mr. Chairman, I have listened again to-day to a discussion of this Bill which, I think, is well calculated to create a certain amount of political capital for the friends of hon. gentlemen opposite in the province of British Columbia. In discussing this Bill briefly last evening, by the ruling of the Speaker, I was not permitted the latitude that had been indulged in by other members who had spoken on the opposite side and I had to leave a great many things unsaid that I would like to have given to the House at that time until this stage of the Bill, and which I purpose dealing with as briefly as the importance of the subject will permit. The hon. member who has just sat down (Mr. Carvell) has stated that if you eliminate clause (a) from the Bill he will be in hearty accord with the whole measure. I would like to say, in order to place myself and my attitude on this Bill very clearly before the House and the people of Canada, that, if that clause were not in the Bill, I would not vote for it. It has never been my habit to mince matters, or to beat about the bush, or to say in the House that which I would not say on the hustings and before the people of my province.

Mr. CARVELL: Would the hon. member say that the converse of that proposition is true?

Mr. STEVENS: I say most emphatically that, if the clause were eliminated from this Bill, I would not vote for or support the Bill. I would say further, that the presence of that clause in this Bill is exactly what the people of British Columbia have demanded. The hon. member (Mr. Carvell) and others of his friends have twitted the members from British Columbia with using the Asiatic question on the stump, and they pretend there was some sort of a political crime committed when the members from British Columbia discussed the Asiatic question. Permit me to say, in the first place, that the Asiatic question, as it affects the people of British Columbia, has reference to Hindus, Chinese and Japanese, and by far the most important feature of that question is the immigration of Hindus and Chinese. At some time in the near future I shall have the opportunity of placing before the House certain facts in regard to Chinese and Hindu immigration, but let me say now that the real problem before British Columbia to-day is the Asiatics who are living in the country as the direct result of the policy of hon. gentlemen opposite during the fifteen years they were in power. As everyone knows, in recent years, Oriental immigration has been restricted, and practically not more than fifty or one hundred Hindus have entered British Columbia in the last couple of years. It is also true that during the last few years there have been very few immigrants from Japan. It is further true that the head tax placed on Chinese by the Liberal Government has proved ineffective, and I frankly say that it is the duty of the Government of to-day to take into consideration, at an early period, some further measure of dealing with Chinese immigration. If that can be done in a manner similar to this arrangement with Japan, I would be quite pleased but at all events some steps must be taken at no distant date. The hon. member from St. John (Mr. Pugsley) said last night that the Prime Minister should have taken into consultation the members from British Columbia, particularly as they were all Government supporters, and in reply to him I wish to say that while possibly we were not taken into direct consultation, the opinion of every member from British Columbia was asked in regard to this Bill and the one point we insisted upon was that the rights of the Dominion of Canada to control our own immigration should be properly safeguarded.

Mr. MACDONALD: Would the hon. gentleman state what he expects this Government will do in virtue of this clause which he considers an essential one in the Bill? Does he expect the Government will pass any legislation amending the Immigration Act in order to meet the policy of the Conservative party in British Columbia, which means the absolute exclusion of Asiatics?

Mr. STEVENS: I shall make that point quite clear before I conclude. The hon. member for Pictou (Mr. Macdonald) is very glib at butting in, but I notice that when hon. members on this side of the House ask him a question he has not the courtesy to give them a civil answer. The hon. member (Mr. Macdonald) stands in this House always as the champion of democracy, but yet he draws a distinction between hon. members on this side of the House, who sit on the ministerial benches and those who do not. When, the other day, an hon. member on this side asked the hon. member for Pictou a question, and put his question in a most courteous and parliamentary manner, the reply of the hon. member was: 'I have not time to answer the small fry on the back benches.' Let me tell the hon. member for Pictou that he had better go back to his constituents and learn what democracy is, and learn also that so far as the members of this House are concerned there is but one class; they are all representatives of the people of Canada. I will answer the hon. gentleman's question in my own way, and at my own convenience, and I trust he will not interfere again.

Mr. MACDONALD: You need not get mad because you were asked.

Mr. STEVENS: I was referring to the suggestion from members on the other side that the members from British Columbia have used this as a political question in British Columbia. Let me tell them that it has been and is a question of absolutely vital import to the people of that province as a whole, and I think I shall be able to show hon. gentlemen opposite why the Liberal party of Canada absolutely lost every supporter they had in this House from British Columbia. In 1898 the first representations were made by this Parliament regarding the Japanese treaty which preceded this one, and in this connection I shall be able to demonstrate, even to hon. gentlemen opposite, the reason why they are not to-day supported by a representative from British Columbia in this House. In connection with that representation from the Parliament of Canada, Mr. Chamberlain wrote in a despatch to His Excellency the Governor-General, speaking of certain Acts which were passed by the British Columbia Government, which it was asked should be disallowed:

In the meantime I have to request that you will impress upon your ministers that restrictive legislation of the type of which the legislation in question appears to be, is extremely repugnant to the sentiment of the people and Government of Japan. You should not fail to impress upon them the importance,

if there is any real prospect of a large influx of Japanese labourers into Canada, to deal with it by legislation of the Dominion Parliament on the lines of the Natal Act.

That is exactly what the people of British Columbia asked, and in order to make the point especially clear, Mr. Chamberlain enclosed a copy of the Natal Act, the crux of which is the educational test; advising the Government that they should pass in Canada an Act similar to that. That was in 1898 when it was a great deal easier to pass such legislation than it is to-day. And yet, in face of this advice and of other advice subsequently given, we had the Liberal Government and we had the hon. member for Rouville (Mr. Lemieux), as a member of that Government, sitting in power for fifteen years and never making an effort to put on the statutes of Canada any legislation regarding the restriction of Asiatic immigration with the exception of the arrangement in 1907, eleven years after they had come to power. In 1897, 3,473 Japanese and 8,345 Chinese came to Canada, and had this been continued, there would have been in British Columbia to-day 26,000 Japanese and 62,000 Chinese, or a total of 88,000 Asiatics. And, what caused the restriction on Asiatic immigration? The restriction was brought about by the acts of the British Columbia Government and the resolutions that were passed, and the agitation carried on in British Columbia during that period. The British Columbia Government alone passed forty-four Acts, and there were presented to the Federal Government one hundred and twenty-three resolutions and Acts of the legislature of British Columbia, including other resolutions and petitions. A hundred and twenty of these were presented to this Government. I repeat that during all those years, the late Government did absolutely nothing to protect the rights of British Columbia in regard to Asiatic immigration until 1907. Mr. Chamberlain, referring to certain bills which were again being disallowed, writes in March, 1899, to the Dominion Government, as follows:

Her Majesty's Government must regret to find the Government and Legislature of British Columbia adopting a course which is justly regarded as offensive by a friendly power, and they hope that your ministers will be able to arrange for the cancellation of the objectionable provisions and the substitution of a measure which, while it will secure the desired exclusion of undesirable immigrants, will obtain that result by means of some such general tests as that already suggested in my despatch No. 214, of the 20th July, 1898.

In any case, Her Majesty's Government strongly deprecated the passing of this Act by British Columbia, which was directed against the employment of Japanese and Chinese in certain classes of work, saying that that class of legislation was unconstitutional and was disallowed by the Government of the day in Ottawa. He repeated again the suggestion that the Dominion Government should take upon itself the responsibility of dealing with the question and of discharging a duty that it owed to the country. Further on, Mr. Chamberlain again gives advice. This part which I am going to read now, shows that the Imperial Government was quite in sympathy with the people of British Columbia. A little later on, I shall explain the situation in regard to Asiatic immigration into British Columbia at some greater length. In this particular dispatch, Mr. Chamberlain says:

Her Majesty's Government fully appreciate the motives which have induced the Government and Legislature of British Columbia to pass the legislation under consideration, and recognize the importance of guarding against the possibility of the white labour in the province being swamped by the wholesale immigration of persons of Asiatic origin.

Hon. members opposite have been dealing with this matter as if it referred exclusively to Japanese. It refers to the whole Asiatic question; it refers to Hindus, Japanese and Chinese. It is clearly evident to the people of Canada that the people of Japan, through their Government, which to-day is one of the most up-to-date and modern governments in existence, are endeavouring in a sensible and reasonable way to meet the wishes of the people of this country. Consequently if this matter applies to all, it applies more to the Chinese and the Hindus. At the same time, at the period of which I am speaking, all the Asiatic races were included. Mr. Chamberlain says further:

They desire also to acknowledge the friendly spirit in which the representations they have felt compelled to make have been received by the Government of British Columbia, and regret that after carefully considering the minute of the Executive Council they feel unable to withdraw the objections they have urged to the legislation in question.

There is no difference between Her Majesty's Government and the Government of British Columbia as regards the object aimed at by these laws, namely, to ensure that the Pacific province of the Dominion shall be occupied by a large and thoroughly British population rather than by one in which the number of aliens largely predominates.

Showing conclusively that, so far as imperial politics is concerned, the attitude of British Columbia has not interfered, but the fault has lain rather in the Dominion Government in not shouldering its responsibility in this regard. Further on, Sir Wilfrid Laurier writes to the Hon. C. A. Semlin, Premier, Victoria, British Columbia:

The federal Government has only four days in which to disallow your Acts relating to Japanese, as urged by Imperial Government, which fears prejudice to Imperial relations with Japan if Act referring to Japanese is allowed to go into effect.

Have you any suggestion to make as to this legislation so far as it relates to the Japanese?

Mr. Semlin replies:

Regret that in justice to the interests of labour in British Columbia can only refer you to minute of council of February last, copy of which you have no doubt received.

This is the minute of council from the British Government. It is exactly along the line of the recommendation of the Hon. Joseph Chamberlain, Secretary of Foreign Affairs. The minute of council of British Columbia, which was forwarded to this Government on the 20th February, 1899, is as follows:

Mr. Chamberlain states that restrictive legislation of the type which the legislation in question appears to be is extremely repugnant to the sentiments of the people and Government of Japan, and asks His Excellency to impress on his ministers the importance, if there is any real prospect of a large influx of Japanese labourers into Canada, of dealing with it by legislation of the Dominion Parliament on the lines of the Natal Act.

This matter was brought to the attention of the Dominion authorities of the day in many ways and by different parties. I shall have to pass over some of these. The British Columbia Government forwarded minutes of council, and the Legislative Assembly, while in session passed a resolution along the same lines. There was received also a petition from 2,167 residents of British Columbia, which is printed in the records of the House. In 1900, the Dominion Government increased the Chinese head tax from $50 to $100 for the purpose of restricting the immigration of Chinese. This was pointed out to be absolutely ineffective so far as British Columbia is concerned. In the same year, 1900, the Japanese Government voluntarily restricted immigration into British Columbia. We have heard a great deal, during yesterday and to-day's debate, as to the value of the arrangement made by the hon. member for Rouville on his famous trip to Japan. I believe that the hon. member had the time of his life on that trip. He was able to go over to Japan, one of the most picturesque countries in the world, which I have had the privilege of visiting twice; and no doubt he was taken around that very entrancing country. He never fails, when he has an opportunity, to refer to his trip to Japan and to tell the people of Canada: I put in my thumb and pulled out a plum and said what a bright boy am I. I wish to point out that in 1900, seven or eight years before the hon. member went to Japan, the Japanese Government recognized the necessity of restricting its immigration to British Columbia. Why? Was it because any action on the part of the Government of the day at Ottawa? No, it was in spite of the sentiment of the Government of the day at Ottawa, and as a direct result of the repeated efforts of the people of British Columbia to get some restriction along this line. It redounds to the credit of the Government of Japan that it took that action voluntarily and without any pressure from Ottawa. There came to Ottawa, in the year 1900, a very significant document, which was written by Mr. James Dunsmuir, the Premier of British Columbia of the day, and later Lieutenant Governor of that province. Mr. Dunsmuir sent a personal letter to Sir Wilfrid Laurier. I shall only read one portion of it. The whole document is an argument in regard to Asiatic immigration into British Columbia, and pleads with Sir Wilfrid Laurier to give some recognition in regard to the matter. Mr. Dunsmuir says:

We look to the Dominion to afford us relief, and while I am absolutely opposed to an unconstitutional exercise of remedies by the province, by the very nature of things, if they are denied to us by the proper authorities, we shall have a continuance of undesirable agitation and hasty and ill-advised legislation.

Twenty or thirty Acts of the British Columbia legislature had been disallowed up to that time, and he refers to it in this manner, saying that if we cannot get the relief desired the only thing British Columbia can do is to continue to agitate and pass this kind of legislation.

It will, furthermore, create an irritation prejudicial to the harmony which hitherto has always characterized our relations with the Dominion, and which is so necessary in giving full effect to the objects of Confederation.

I am sending as an appendix to this letter copies of the resolutions which have been passed during the recent session of the legislature, together with copies of the Acts relating to immigration and the regulation of labour. I also append a list of the resolutions and references which appear in our journals and sessional papers since Confederation, and which you will see that it has always been a live question in the minds of the people, and that as time has gone on the expressions of public sentiment have become more profound and frequent. This Government desires to see the question finally and satisfactorily disposed of, and I can see no reason why it should not be taken hold of now as well as at some future time.

He goes on to deal with the matter at great length, but I will quote only certain portions of his remarks:

While on this subject I wish to call your attention to the frauds that have been per-

petrated in connection with the naturalization of Japanese.

I wish to pause here for a moment for the purpose of pointing out that, in the administration of the late Government, not only were there gigantic frauds in regard to the naturalization of Japanese, but in regard to the administration of the Immigration Department in Vancouver and Victoria. In respect of Asiatic and Chinese immigration in particular, upwards of a million dollars were filched from the treasury of this country. If hon. gentlemen want any proof of that, they have only to refer to the records of the country in order to find that, with the corresponding number of Chinese coming into the country, the amount of the head tax receipts increased somewhere in the neighbourhood of 40 per cent. In other words, there were practically between twenty per cent and thirty per cent of the Chinese admitted as exempts who had no right to be admitted by the officials of the late Government. This was revealed in the investigation of Justice Murphy. In reply to that communication, the leader of the Government wrote the following letter:

I beg to acknowledge the receipt of your very important letter. The character of the questions submitted for the consideration of the Dominion Government is such, that it would be far preferable to have them discussed verbally, rather than in writing.

I am most happy indeed to have the expression of your intention to visit Ottawa at an early day. I would especially ask you to come as soon as possible after the elections are over. It would take fully a week, if not more, to go over the ground covered by your letter.

Then, in another place, he says:

The character of the question submitted for the consideration of the Dominion Government is such that it would be far preferable to have them discussed verbally rather than in writing.

It will be observed from this correspondence that the right hon. leader of the Opposition, then the Prime Minister of Canada, was very careful to avoid placing himself on record in regard to this question. Except in a very few cases, no instance can be found of the right hon. gentleman committing himself one way or the other. All we have to go by is the record of his Government and the official statement of his ministers and of the Governor General of the day. The Right Hon. Joseph Chamberlain again drew the attention of the Government to this matter, and suggested that some action be taken. Matters drifted until 1905, and on July 14 of that year, Mr. Lyttelton asked the Dominion Government if they desired to protect their right to control their own immigration in regard to the Japanese treaty. I will read the despatch:

My Lord,—Referring to your confidential despatch of June 7, should Japanese Government be informed that your Government wishes to adhere to treaty, 1894, and supplementary convention of 1895, under same terms and conditions as Queensland in 1897, which Japanese Government then agreed to extend to any other colonies adhering, within prescribed period, namely, (1) that stipulations contained in first and third articles of treaty shall not in any way affect laws, ordinances and regulations with regard to trade, immigration of labourers, artisans, police and public security which are in force or may hereafter be enacted in Japan or in colony. (2) That treaty shall cease to be binding as between Japan and colony at expiration of twelve months after notice has been given on either side to desire to terminate same. Or are your Government prepared to adhere absolutely and without reserve, as would appear to be the case from speech of Minister of Agriculture in Canadian Parliament, June 22? Please telegraph reply.

Lyttelton.

I want hon. members opposite who have been charging the present Government with neglecting their duty in regard to this treaty to observe and study the terms of that telegram from the Government in London to the Government in Canada in connection with adherence to the treaty which immediately preceded the arrangement we are at present considering, in which it is most clearly and emphatically stated that the Japanese Government of that day were agreeable to Canada's entering into that treaty under the same conditions as Queensland, whereby they were assured:

That the first and third articles of the treaty shall not in any way affect the laws, ordinances and regulations with regard to trade, immigration of labourers, artisans, police and public security which are in force or may hereafter be enacted in Japan or in colony.

The Government of that day absolutely neglected to take advantage of that opportunity. The answer to that telegram, from Lord Grey to Mr. Lyttelton, was as follows:

Sir: My Prime Minister earnestly hopes that you will press immediate entry of Canada into Anglo-Japanese treaty.

Grey.

In replying to which Mr. Lyttelton, in a telegram to Lord Grey on September 6, 1905, said:

My Lord,—In reply to your telegram received to-day, please inform your Prime Minister that before taking steps as regards adhesion of your Government to commercial treaty with Japan, His Majasty's Government awaiting reply to telegram of July 14.

In other words, the Imperial authorities refused to go further at that time before reminding the Dominion Government of the opportunity presented to them to protect the immigration rights of the Dominion of Canada in regard to this former treaty. The reply was:

Sir,—The Governor General had the honour to send you to-day a telegraphic message in code, of which the following is a translation:

Referring to your telegram of July 14,—

That is the telegram relating to the right of Canada to protect its immigration.

Responsible ministers prepared to adhere to the Japanese treaty, 1894, and supplementary convention of 1895 absolutely and without reserve. Minute of Council and despatch following by mail.

The minute of Council is exactly in the same terms. Now, what is the significance of this? In spite of the continuous advice of the Right Hon. Joseph Chamberlain some years prior to this that Canada should protect its right to control its own immigration, and in spite of the fact that two telegrams were sent urging Canada to take advantage of the privilege afforded to and accepted by Queensland in the treaty, the Prime Minister of Canada and the responsible ministers of the Crown through the Governor General stated that, so far as they were concerned, they would adhere to the treaty without any reservation whatsoever. And yet hon. members opposite have the temerity—that is the mildest word parliamentary usage will permit—to stand in their places in this House and tell hon. members on the Government side that the right hon. leader of the Government is neglecting to protect the rights and privileges of the people of Canada in this regard. It has been said that Conservative members from British Columbia opposed the treaty prior to this one and opposed the intention of the late Government to become a party to that treaty. What they did and it was clearly pointed out in the speeches quoted here to-day, was to object to Canada becoming a party to that treaty unless Canada protected the right to control its own immigration, and that is exactly the stand we take to-day and, further, that is the point the right hon. gentleman had protected in regard to this treaty by inserting clause 2 in the Bill now before the House. The hon. member for Carleton (Mr. Carvell) quoted my speech of last night and tried to turn that speech around in such a way as to infer that I was making some serious mistake in the statements I made. I said, speaking on the correspondence which I shall refer to later:

Mr. Stevens: The statements contained in this correspondence, read impartially in the light of the situation as it then existed, would be sufficient for any reasonable man, but in addition to that we have the assurance of the leader of the Government this afternoon that the representatives of the Imperial Government of Japan have assured him that the arrangements which have been made—the gentleman's agreement if you wish to call it so—will be continued. I wish to state that on the whole, the immigration relations existing between Canada and Japan to-lay are satisfactory to the people of British Columbia. The only thing that has been wrong in connection with the Japanese arrangement is, that the public have had no official assurance in regard to it.

There is a point I wish to emphasize and make clear to my hon. friend who seems to think that was the point that I would have a great deal of difficulty in explaining to my constituency. It is a point on which we base our adherence to this treaty, the fact that while an agreement was entered into between the Dominion Government and the Government of Japan, a private arrangement, I said last night and I venture to repeat now, that not one hundred or two hundred men in the Dominion of Canada or in the British Empire know exactly those terms and, further, hon. gentlemen opposite know very well that these private arrangements, state documents, cannot be made public. There are scores of such state documents in governmental work. No one knows better than the hon. member for Rouville that that state document cannot be made public and from 1908 to 1911 that document was in existence and no one attempted to make it public. Hon gentlemen opposite know well that it would not be right or proper, that it would be a distinct breach of national etiquette, to make it public. But the fact was that we had vague assurances as to the effect that that document would have and by placing this clause in this Act the public of Canada now have a double assurance in regard to the matter. This is an evidence of good faith on the part of the Dominion Government, it shows that while this agreement existed and while it had certain effects, as the Prime Minister said this evening, it virtually left the control of immigration in the hands of the people of Japan.

Mr. CARVELL: Supposing the gentleman's agreement were repudiated by Japan and the Bill went through as it is, would the hon. member then say that we had any way of preventing Japanese immigration from coming in here except by abrogating the treaty?

Mr. STEVENS: I intend to deal with that later. The point I was making was that this was in existence and had virtually left in the hands of Japan the right to determine whether or not immigration should continue or cease, as the case might be, or be restricted in regard to British Columbia or Canada. I do not wish for a moment to suggest that the Government of Japan will disregard that arrangement. I have every confidence that they will regard it as they have done in the past. But supposing, for some reason which may hereafter arise, a matter of oversight, a change of government or some change of

sentiment, the Japanese Government neglected to observe the terms of that arrangement, I ask hon. gentlemen to set aside party prejudice and say what protection Canada would have under those conditions? They will immediately say we will go on with the Act. They are too astute politicians to consider for one minute that that was sufficient. They know perfectly well that as long as that treaty was in existence specific terms of that treaty, as a matter of international etiquette, would take precedence over the Immigration Act of Canada. Hon. gentlemen opposite have repeated over and over again that the only thing to do was to cancel the treaty according to the clause providing for one year's notice. Supposing such a contingency arises what have we got now? Without in any sense violating the terms of the treaty we have the right to invoke the terms of our Immigration Act. What are the terms of the Immigration Act? What are the terms of the immigration law? I do not think it is the finest kind of diplomacy for us to rake this question up continually before the public, but I might say that so far as the immigration law of 1910 is concerned, it gives to the Government the widest possible power in dealing with immigration. It provides for the very contingency suggested by the hon. member for Carleton (Mr. Carvell). He said a while ago: Supposing one thousand Japanese were to suddenly come into Canada, we would have that influx of Japanese. There is no man who will read the Immigration Act impartially but will at once admit that it is particularly designed to meet the very contingency he has suggested. It deals specifically, in clause 3, with certain kinds of people who are not to be admitted. In clause 37 and 38 it gives other powers and I want you to mark the phraseology of these two clauses.

Clause 37 reads:

Regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada that immigrants and tourists shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race,——

My hon. friends opposite would have us stop at that word 'race,' and say that the terms of this treaty prevent us from dealing with this matter. I quite agree with them that it would not be a very wise thing for us to single out the Japanese or any other people with whom we have treaty arrangements and discriminate against them simply for the reason that they were of a particular race. But listen to this:

—according to the race, occupation, or destination of such immigrant or tourist.

In other words, if there was a sudden influx of Japanese or of any other race of people which materially disturbed the industrial market, I do not care in what line, the Government of Canada have not only the privilege but the duty to harmonize conditions by exercising this power, by restricting immigration because of disturbances in certain lines of occupation. I think that is clear.

And otherwise according to the circumstances.

And as if that were not wide enough it goes on to say: and otherwise according to the circumstances. Could you imagine any powers that were wider than these? They leave it entirely to the Government or to the Parliament of Canada to say what shall be the extraordinary circumstances or conditions to warrant the introduction of regulations. If that is all, I contend that we would have sufficient powers, but let us come to the next section:

The Governor in Council may, by proclamation or order, whenever he deems it necessary or expedient,——

That is, when any conditions arise which warrant him in taking cognizance of those conditions and dealing with them.

—may prohibit the landing in Canada——

I shall not follow that clause, but there are certain regulations which can be made in regard to transportation and which can be applied. But I pass on to the next clause:

Prohibit for a stated period, or permanently, the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or the requirements of Canada, or of immigrants of any specified class,——

Not of race, not of a country, but

—of immigrants of any specified class, occupation or character.

Can you imagine any wider powers than these which are given to the Dominion for the purpose of dealing with emergencies that may arise in connection with industrial affairs as affected by immigration. I contend that that clause coupled with this article in the treaty.

Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act.

—is sufficient. Now, Mr. Chairman, I think that when non. members opposite have got rid of a little political talk, which is always more or less in order, because we have to build up some reasons to give our constituents in regard to various matters, and no doubt the wires to Vancouver and the coast papers have been hot all day with messages showing up this treaty, according to the lights of my hon. friends opposite;

after the hon. member for Carleton (Mr. Carvell), the hon. .member for St. John (Mr. Pugsley), the hon. member for Rouville (Mr. Lemieux), the hon. member for Moosejaw (Mr. Knowles) and others have spoken, have got rid of the political capital which they desire to make, and to which I have no objection, because we will deal with it very effectually on the coast, and view this matter impartially, they will admit that the present Government have done wisely to exercise their right to control immigration into Canada. I stated last night and I repeat it, that it is a privilege for the people of other countries, I care not whether they come from the British Isles, or from any other country, to enter Canada, and the sooner the people of Canada recognize the fact, and jealously guard that privilege the better. I am convinced that we have been altogether too reckless in regard to the class of people allowed to come, not only to the Pacific coast but to eastern ports. We have had coming to eastern ports hordes of people from southern Europe and southern Asia who are to-day creating a problem in the prairie provinces. There is not a member from the prairie provinces who will deny that I am absolutely right in that, and there is not a member representing any of the cities in eastern Canada who will not agree with me that the rather lax manner in which we have treated this immigration question, has created a problem in those cities. You have only to examine the criminal statistics of the large cities of Canada to find that the large majority of the most serious crimes committed are by persons who have come from southern Europe. Consequently I say we have been altogether too lax in our immigration regulations, and the time has arrived when we should recognize the necessity of some more definite control. Recognizing that necessity, the present Government have placed that clause in the agreement.

Now, I wish to deal with some statements made by the hon. member for Moosejaw (Mr. Knowles). I am not going to refer to them in an antagonistic spirit, because I think that some of his statements merit the attention of this House. He called attention to a certain Act which was passed by the Saskatchewan legislature prohibiting or restricting the employment of white girls in connection with Asiatic places of business, such as restaurants and laundries. I understand that a similar Bill was introduced in the Ontario legislature and I am glad to note that the people of the East are learning to recognize the situation. In the city of Vancouver, our police authorities continually find young girls of respectable families and ranging from fifteen to twenty-two or twenty-three years of age, and some older, in what are commonly known as dope joints in the Asiatic quarter. Many of those girls are absolutely ruined by the practice of indulging in drugs. It was stated that this was one of the most fruitful sources of the white slave traffic, and that is quite correct. There seems to have been a business, especially on the part of Chinese, of enticing young white girls into those dope joints. I have been through some of the worst joints in the city of Vancouver. I have not time to describe them, but the loathsomeness of their surroundings is such as no one can conceive who has not been brought into contact with them. There have been instances in connection with the Chinese mission schools. I have never known cases in connection with the Japanese mission schools, but I have known cases in connection with the Chinese mission schools in which young girls have gone from churches in a truly philanthropic and Christian spirit to teach Chinese scholars their religion and language, and frequently the result has been the ruination of those girls by the Chinese attending the schools. I say it is something that merits the attention of the Government and that the motive which induced the Saskatchewan Government and the Ontario Government to introduce legislation dealing with the subject, was right and proper. I understand that the legislation was not constitutional, or that it was framed in a way that might be objectionable to those who were not in any sense guilty of such offences, but the motive was sound, and I absolutely agree with the hon. member for Moosejaw (Mr. Knowles) in regard to the matter. But because that legislation was disallowed on constitutional grounds, I do not think that the present Government should be condemned as being in sympathy with those practices, because that does not necessarily follow. I have already given a list of some forty-four Acts of the legislature of British Columbia which were disallowed and which were properly disallowed upon constitutional grounds. We simply insisted on passing these Acts to demand the attention of the Dominion Government. I am quite prepared to support any representations that may be made to the Dominion authorities and to give them the advantage of my own knowledge and experience in this regard. If there is any legislation that we can devise that will meet the situation, I will be very glad to give it my hearty support

Reference was made by the hon. member for Rouville last night to the ill-treatment of Japanese in Vancouver on the 19th September, 1907, during the riots which took place there. There has been a great deal said in connection with the Japanese,

as relating to the Asiatic question, which is more or less exaggerated. These riots were directed against the Asiatics generally, but they originated in Chinatown. The actual cause of the outbreak was the sudden influx of Hindus into Vancouver. Seven thousand Hindus came in the course of a few months and this large influx alarmed the people of Vancouver. The public mind became agitated, a crowd happened to be down the street on one occasion and riot broke out in Chinatown. the figures as regards the claims that were paid will show to what extent the Japanese were affected. The claims paid were as follows: Chinese, $26,994; Japanese, $9,000. That shows conclusively that the brunt of the riot was borne by Chinatown. I do not say that the Japanese were not molested, but the Japanese were molested very little on the streets and the reason why their places were molested was largely because they were contiguous to Chinatown. I might add in regard to the losses of the Japanese, that there was only one thousand, five hundred dollars of actual loss and that the balance was what is known as resultant loss. I mention this to remove the impression that the antagonism of the people of British Columbia has been directed against the Japanese. It is not so.

The statement that this question has been made a political football was made by the hon. member for Carleton, New Brunswick (Mr. Carvell) and the hon. member for Moosejaw (Mr. Knowles). I stated, and I stated correctly, that the first time that this question was really introduced actively into the politics of British Columbia was when the right hon. leader of the Opposition (Sir Wilfrid Laurier) telegraphed to British Columbia in 1895:

The views of the Liberals of the West will prevail with me.

That telegram was the main cry of the Liberal party in 1896 and it secured for the right hon. gentleman a solid contingent of Liberals in this House. There is no doubt in the world that the question has been a live political issue in British Columbia but I want to tell hon. gentlemen opposite that no party is clear of the charge of making this a political question. It had to be made a political question. The only way in which we could get the ear of the Government at all was by making it a political question that, while I am pleased to say that our efforts at last have been successful. I think that, while we have not got the full measure of relief that we expect to get ultimately, we have in this measure an earnest of the intention of the present Government in dealing with this question. They have carried out their pledges in that sense.

Mr. LEMIEUX: My hon. friend says that we have not had the full relief that we expect to have ultimately; will he explain what he means by that?

Mr. STEVENS: Certainly. What I say is this and I may as well deal with the Asiatic problem in a general way—

Mr. LEMIEUX: If my hon. friend did not refer to the treaty, I have no question to put. If he deals with the general problem of Asiatic immigration, that is another question. I thought that my hon. friend was referring to the treaty.

Mr. STEVENS: I referred to the general problem.

Mr. LEMIEUX: Then that is a different thing.

Mr. STEVENS: I am pleased to know that the present Government have given to us in this Act confirming this treaty an earnest of the relief we may expect generally in connection with the Asiatic question. The Asiatic question was referred to by the hon. member for Rouville and I feel it my bounden duty to take it up, and to state the reasons for the attitude which we adopt in regard to that question. This question has two phases; first, there is the national or social side of the question, and then there is the industrial side. I do not place one before the other at all as regards the merits because I feel that both are equally important. Let me deal first with the national side of the question. We have in Canada a population of less than 8,000,000 people. It is recognized that climatic conditions in the prairie provinces and eastern Canada offer a fairly good protection against a large influx of Asiatics. While this is not a complete protection, it is fairly good protection. But on the Pacific coast, we have a climate that is particularly attractive to the majority of Asiatics. There, we have less than 325,000 of a white population. In the Orient facing us daily, there are over 800,000,000 Asiatics. A large number of these Asiatics have a very jealous eye upon the Pacific coast of America. I know from actual personal information that from India over 100,000 Hindus were prepared to come to Canada when the move started in 1907, and which we were fortunate enough to have stopped. To-day three Hindus are on their way to the Colonial Office in London for the purpose of endeavouring to have the British Government over-ride the Canadian authorities and insist that the Hindu shall be allowed to come into British Columbia and Canada. There are 100,000 ready to come. I could give to this House some of the reasons why we do not want them, and I shall go into these reasons at greater length upon another occasion, but I can say briefly, that the traditions, the education, the caste system in vogue in India, the moral principles of the people, are such

that we dare not admit the Hindus into Canada in very large numbers or else the national standard of our country will be so lowered that Canada, in a few years, will not be the recognized country that we expect it to be.

Mr. LEMIEUX: Are they not British citizens?

Mr. STEVENS: They are not British citizens. I answer with a little warmth, not because of the question, but because of the earnestness that I feel in regard to the matter. A Hindu is a British subject entitled to the protection of British laws and of the British Crown in every country, but he is not a British citizen and he has never exercized that right in his own country or in any civilized country in the world. Before Canada admits Hindus into this country and to the rights of British citizens it must consider the question carefully and see if they are worthy to exercise that right. I will give you one of the reasons, and I could give many, why they are not worthy to exercise that right.

Mr. LEMIEUX: They serve in the army.

Mr. STEVENS: That is all very well—Lord Kitchener has had something to say on that. It is not very wise for me to mention these things, but I have seen some Hindu soldiers in action. I will not enumerate the things to which I refer because I do not wish to stir up any international or Imperial complications. It is a delicate question. But I will give one reason why the Hindu has not been admitted to British citizenship in his own country or here. There are castes in India numbering up to the thousands. Any person who wishes to go into that very complicated question can go into the library here and engage in a few years' study in worming out the subject. But there are a dozen very prominent castes in India. The British Government, in its endeavour to extend self-government to that country, have given to certain Hindus such judicial positions as justices of the peace. But they are very limited in number and it has been found in the actual working out of the experiment that it is almost impossible for a Hindu to get justice from a Hindu justice of the peace. Why? If the justice happens to be a Brahmin the parties who have committed the offence, or who have a civil case to place before him, are removed by ten or twelve castes, they are not allowed to come before this Brahmin justice of the peace and pollute him and his caste by laying their case before him. They must approach him through the intervening castes. I ask any hon. gentleman in this House, if any one of us undertook to question another man and had to do it through twelve individual voices, would the twelfth man get as clear an idea of the question which he desired to ask as the first man would? We all know that he would not. When you add to that the bitter prejudices of the caste of India, it simply goes to show the impossibility, as long as that exists, of introducing or allowing the Hindus to exercise the right of citizenship in Canada, or in their own country for that matter. I shall not deal with that question at any greater length.

The racial and social side of the question is a very serious one. In Canada we cannot afford to permit three hundred thousand people to be placed at the mercy of some eight hundred million people. A mere tremor of immigration from Asiatic countries into Canada would very soon swallow up the character and traits of the people of British Columbia, and sooner or later of the whole of Canada.

Another side of this question, which is very important, is the industrial side. I wish to point out these facts in order to prove my statement that we must be careful of Asiatic immigration from an industrial standpoint. When I first went to British Columbia twenty years ago, our sawmills were manned almost entirely by white men. About fifteen years ago the mill owners commenced to engage Chinese in connection with that work. They used the Chinese in the common work, such as piling lumber in the yards and so on. With what result? Very soon they found that the supply of labour for more skilled classes of work was becoming less. Why? Because the young fellows, who originally had been drafted from the families of the white men who piled the lumber, and who usually went in to attend some machine in the sawmill, were not there. They had been replaced by the single Chinese outside. This went on until they found they had to put the Chinese onto the planers, the stickers and the finer machines, with the result that very soon they found the supply of white labour for these machines becoming depleted. They then had to train the Chinese to do the skilled work, until in the last few years our mills in British Columbia are manned almost entirely by Chinese, and later on by Japanese as well. What I want to emphasize is this, that by cutting off this man with his family who was doing the common work, you cut off the supply of labour for the finer jobs, because these men in the mills are trained from one position to the other. It is not very high class labour, but it is labour which requires a certain amount of training. Some people say that you cannot do without Chinese, as you must have domestic servants. The supply of white domestic servants has been cut off. I know the domestic servant problem has become actue here as well as in British Columbia. This is one thing that contributes to the scarcity. The daughters of these white men were the girls who supplied our homes with

domestic servants. You have not got them now, simply because the lowest class of work in one particular industry has been supplied by Chinese, and later on by Japanese. A few years ago, we had nine or ten thousand white fishermen on our coasts. To-day we have only about 500. The rest are Chinese or Japanese, who work in our canneries. The canneries will tell you that they cannot get white men to work for them. On the eastern coast, those who go to cure the fish are largely the members of the families of the fishermen. If you have single men, Chinese or Japanese, many of whom come to British Columbia for the fishing season, doing the fishing, you have cut off the white fishermen with their families, and you have also cut off the supply of labour for the cannery to cure the fish, with the natural result that they have to secure Chinese for the canneries. By the policy of admitting in years gone by a large number of Asiatics, we have cut off the the lower class of labour, the common labourer, with the result that the supply of white labour has been cut off in many other lines, forcing employers to hire Chinese and Japanese and now the Hindu for those various lines of work. I contend that the problem that has been given to this Government by the policy of the late Government is one which it will take many years to solve. It is impossible to get a white man to go in and work with a lot of Chinese. He will not do it, because the sentiment, style of living and every other element that go to make up the common everyday life are so entirely different that no white man will engage in competition with a Chinaman. The result is that you have this friction in British Columbia, particularly accentuated in that province in the industrial line, against the Asiatics.

By this treaty, we have made certain arrangements. I wish to close with a reference again to this correspondence and to the facts. I trust my hon. friends opposite will simply be fair with us now and face this question as it is. It is not right or proper for the Government to place on the table the private arrangement made by the hon. member for Rouville (Mr. Lemieux) with the Imperial Government of Japan. Hon. gentlemen opposite know that that argument should not be used against the Government in dealing with this question. It is an unfair argument and is not constitutional. Therefore I eliminate it. We have the assurance of the Prime Minister, on his responsibility as leader of the Government of Canada, that such an arrangement, which is satisfactory, exists. We have proved, through the experience of the last few years, that this arrangement has restricted Japanese immigration to this country. With those two facts, the fact of the restriction and the fact of the assurance of the Prime Minister that it will be continued, I think that no argument should be used on account of the absence of the actual document. What have we proved? We have letters from the Prime Minister and from the representatives of the Imperial Japanese Government. I feel it incumbent upon me to refer to them, because they have been persistently misrepresented by hon. gentlemen opposite. In their anxiety to make a strong argument against the treaty, they have misconstrued the plain and simple reading of these letters. In the face of the 'gentleman's' agreement, as we are pleased to call it, there could not have been any underlying motive in this correspondence. Therefore, we are justified in taking this correspondence at its face value. The Prime Minister prepared this Bill as the decision of himself and his Cabinet. He sends this Bill to the representative of the Imperial Government of Japan, and he says:

> The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself and makes no discrimination in favour of any country.

Let me pause for a moment. The Prime Minister has inserted in this Bill a clause regarding the Immigration Act. It was therefore incumbent upon him to make reference to that Act when he submitted the agreement to the Japanese authorities. He says that the Immigration Act of Canada, which I have under my hand at the present time, is a general Act which applies to every country in the world alike. And we pride ourselves on that fact. It is true that this Act has within it a clause which gives power to the Government in case of emergency to do certain things, but, under normal conditions the Act is one which applies to every person alike. He goes on to say:

> It is not perceived therefore, that your Government will have any objection to the embodiment in the enclosed draft Act of Parliament of the proviso——
>
> Sub-section (a) of clause 2—
>
> —which has already been agreed to in the case of the United States.

And he enclosed a draft of the Bill. The reply to that states:

> I am now in receipt of a reply stating that the Imperial Government have no objection to the proposed Bill, and that they feel assured that the Immigration Act of Canada of 1910 being applicable, as stated in your note, to the immigration of aliens into the Dominion of Canada from all countries including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

That was a correct and proper thing to do. It was incumbent upon the Government to have a clear understanding of what was intended by this Act, and it was incumbent upon the representatives of the Imperial Government of Japan to state clearly what they understood its meaning to be. The reply to that letter, which has been quoted many times in the course of this discussion, and has been referred to as something in respect of which the Government should be condemned, is as follows:

Ottawa, 5th March, 1913.

Sir,—I have the honour to acknowledge the receipt of your note dated the 1st instant, in relation to the Treaty of Commerce and Navigation between Great Britain and Japan signed at London on the 3rd April, 1911, in which you communicated to me the reply of the Imperial Japanese Government stating that they have no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910 being applicable to the immigration of aliens into the Dominion of Canada from all countries including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

I have the honour to inform you that the Government of Canada has received this reply with the greatest satisfaction, and that the proposed Bill will be introduced so soon as the pending business now engaging the attention of Parliament will permit.

I have the honour to be, Sir,
Your obedient servant,
(Sgd.) R. L. Borden.

Honourable T. Nakamura,
Consul General for Japan,
385 Laurier Avenue E.,
Ottawa, Ont.

This letter means that the Government of Canada, having submitted this Bill, with this particular clause contained therein, to the Imperial authorities of Japan, express their pleasure upon its return without any suggested amendments, and in other words, that an amicable conclusion had finally been arrived at in connection therewith. Let me direct the attention of the House to the following remarks of the right hon. leader of the Opposition during the course of his address yesterday:

Mr. Speaker, we have no intention on this side of the House of offering any opposition to the ratification of the treaty which is now sought by the Government, if certain information which we hope to have as the discussion proceeds is on the line we expect.

He says further on:

The method——

And he refers to the arrangement which has been made—

—is certainly the best solution of that problem, and now that we have these explanations on the part of my right hon. friend, I think there is no reason why we should refuse our assent to the treaty.

These are the words of the leader of the Opposition, and apparently the hon. member for St. John (Mr. Pugsley), who, as we understand, has some aspirations with regard to the leadership of the party, desires to defy the authority of the right hon. leader of the Opposition, because he said most emphatically that the Bill should not pass in its present form, and that it possessed many objectionable features, especially with regard to immigration. The leader of the Opposition, whose statements we are prepared to accept in preference to those of the hon. member for St. John, states that it is quite satisfactory, and that there is no reason why the assent of Parliament should not be given to the Bill. The hon. member for Rouville, who is an authority on this question, having given it a good deal of attention, congratulated the right hon. leader of the Government upon the happy conclusion of the negotiations, and so I submit that the Government of Canada have protected the country in this regard, retaining the control of immigration within itself instead of allowing such control to remain in the vague state in which it previously existed —I say 'vague' advisedly, vague not to the Government, but to the public. That private state document was not known to the public, but the facts in connection with the matter give to the people of the country an earnest of the principles upon which the Government have assented to this treaty.

Mr. E. M. MACDONALD (Pictou): The hon. member who has just taken his seat, in a very long and interesting address, has evidently found it necessary to make a good deal of explanation in regard to this matter. His address to the House yesterday when the Speaker was in the Chair, evidently did not meet his views, and, having had occasion to reflect on the situation, he decided that in the interests of his constituents, he should make another speech. I trust that no hon. member of this House thinks as the hon. member for Vancouver does in his imputation that I have evidenced a lack of courtesy in my utterances in this House. In making any remarks upon any matter that comes before the House, I am always willing to yield to any hon. gentleman who desires to ask a question, but, in view of the nature of the debate which took place on the Naval Bill, during the course of which hon. gentlemen opposite declined to give to the House and to the country their views on the most important question we have had before us for twenty-five years, while desiring at the same time to exercise the right of interrupting

hon. gentlemen on this side of the House, I took the ground that if hon. gentlemen opposite desire to express their opinions they should stand up like the rest of us and discuss them without confining their efforts to frequent interruptions of hon. gentlemen on this side of the House, who are endeavouring to fulfil their duties as members of parliament.

The greater part of my hon. friend's remarks were directed to a consideration of the evils attendant upon Asiatic immigration into this country. The problem which he indicates as being before the Canadian people in this respect seems to me to be a very serious and extremely vital one. The picture which my hon. friend presented of 800,000,000 people living on the other side of the Pacific ocean, being a menace to our future prosperity and our identity as a nation, is one which might well lead hon. gentlemen of this House and the people of the country to pause and reflect on the possible results of such a condition. But when my hon. friend discusses naval protection in this country, the presence of 800,000,000 Asiatics is a matter of no consequence. He is perfectly willing to have the ships which are built with the money of the Canadian people floating around Gibraltar or any place other than in the waters of the northern Pacific. The circumstances surrounding these Asiatics shrink into insignificance, however, when my hon. friend is considering the question of how we can best provide for the naval protection of this country. My hon. friend has been frank enough to tell us that this has been a political question in British Columbia. Unquestionably it has. He made a curious admission that all the Acts passed by Premier McBride in British Columbia during the last fifteen years, excluding Asiatics and taking away their rights were not intended as serious legislation and had no meaning save that they were introduced for the purpose of affecting public opinion. But at an earlier date he complained that the ruthless Grit Government in Ottawa had destroyed forty pieces of legislation by disallowance. Had the Minister of Justice remained in the House—and he is never in the House except when is he called in to do some special pleading for scandals; he is never here as a Minister of Justice ought to be when important legal questions are bing discussed——

Some hon. MEMBERS: Order.

Mr. MACDONALD: I repeat the statement that the Minister of Justice is not in the House when important legal questions are being considered; he is more conspicuous by his absence than any other minister of this Government, and he ought to be here when we are considering such questions as this. I do not know what we have a minister of justice for; he has less to do than all the other ministers who honour this House by their presence. If the member for Vancouver (Mr. Stevens) had not wiped out all Dick McBride's fake legislation with the statement that it was not intended to mean anything, I would have asked the Minister of Justice whether he agreed with Sir Charles Fitzpatrick and other ministers of justice who had recommended the disallowance of that legislation. The Conservative party in British Columbia have made this Asiatic immigration question a political football and they have taken the position deliberately that the Conservative party stands for a white Canada, the protection of white labour, and absolute exclusion of Asiatics. That has been the policy of the Conservative party in British Columbia for ten years, and that is the policy they endeavoured to commit the Prime Minister to in 1908 by the forged telegram they read. And yet to-day when this Government now in power hands out this gold brick on the question of Asiatic exclusion, we have academic dissertations by the member for Vancouver on the menace of the Japanese and the peril of the Asiatics and all these platitudes that he has been dealing out on the lecture platforms throughout the country. And the people of British Columbia are asked to believe that the Government have fulfilled the promises they made when in opposition, that if they got into power they would provide for Asiatic exclusion. We were promised by the hon. member (Mr. Stevens), who has made his exit speedily from the House, that he was going to tell us whether this Government would venture to pass any regulation or amendment to the Immigration Act which would exclude a single Japanese who is not excluded to-day. His exit was no doubt due to the fact that he did not want to answer the question I put to him. We are told by the supporters of the Government that we have a treaty with Japan, and that that treaty is going to do wonderful things, and in section 1 of that treaty we have it provided that any person who belongs to Japan shall in all that relates to travel and residence be placed in all respects on the same level as native subjects; that they shall have rights equally with native subjects of Canada to carry on commerce, manufacture, trade in all kinds of securities, and so on, and there are other sections which give the Japanese coming to Canada the widest powers. We are told by these gentlemen opposite that although this is in the treaty it is curtailed in some way, and that the pledge as to absolute exclusion of Asiatics is being fulfilled by this wonderful treaty and this great statute. We are told there has been an agreement entered into by the

Prime Minister and the Consul-General of Japan at Ottawa, but it is not pretended that that agreement is to have any greater or wider effect than the arrangement made by the hon. member for Rouville in 1907. The Prime Minister is reported at page 7128 of 'Hansard' as saying:

Notwithstanding the control of immigration which is maintained by both Canada and the United States, the Government of Japan themselves propose not only with regard to the United States but with regard to Canada, to continue the control of the immigration which has been practiced by that Government in respect to both countries during the past six or seven years.

And so, what we are going to have under this Bill, is a continuation of the arrangement made by the hon. member for Rouville with the Government of Japan in 1907. And we all know in 1907 how that arrangement was abused. Every Conservative member of this House from British Columbia went through the province declaring that the arrangement made by the hon. member (Mr. Lemieux) was of no value whatever. In 1910 I visited every part of that magnificent province and the one and only question in which the people were interested was this Asiatic immigration question, and the position taken by the Conservatives on the platform was that the Government of Sir Wilfrid Laurier was doing nothing for the people of British Columbia that the much-abused arrangement made by the hon. member for Rouville was of no value whatever, and that the rights of labour in British Columbia and all over Canada had been disregarded by the Liberal Government at Ottawa. And then we had Premier McBride, from 1902 to 1910, passing these fake Acts of Parliament, acording to my hon. friend from Vancouver, Acts which were never intended to have any effect. I see in the British Columbia statutes that my hon. friend from Kootenay (Mr. Green) was the father of an Act which provided that no Japanese should be employed in any responsible capacity in any of the mines of British Columbia. He was one of those who presented one of these fake Acts which the people of British Columbia thought were serious legislation intended to provide for the exclusion of Asiatics from their province, and which we know to-night never were passed with any such intention.

Mr. LEMIEUX: Shams, shams.

Mr. MACDONALD: Shams, intended to be sent to Ottawa with a view of having them disallowed. The same Government was then in power in British Columbia that is in power to-day, but since the present Government came to power in Ottawa, we have not heard a word from Sir Richard McBride or Mr. Attorney General Bowser about the vindication of the rights of the people of British Columbia in regard to the exclusion of Asiatics. Why did not they send the same legislation down here since the Conservatives came to power as they sent before, and let the present Minister of Justice say whether he would recommend to the Government that it should be disallowed? If the Minister of Justice were here I would like to ask him whether he would not be bound to do the same thing as Sir Charles Fitzpatrick and Sir Allen Aylesworth had done, and recommend that such Acts should not be allowed. If Sir Richard McBride passed any legislative reproduction of the legislation which he had passed in previous years and came down here, I venture to say that the present Minister of Justice would at once recommend the disallowance of such legislation, he would be bound to do so if he had any regard for his position as a lawyer.

The Conservative party said in 1908 that this much abused arrangement of the hon. member for Rouville was not worth the paper it was written on. Immediately after that, in 1909, the present Prime Minister in this House moved a resolution upon this question. The conclusion of it will show what he thought of the treaty he is now making:

That this House, while expressing its profound appreciation of the friendly intentions and courteous assurance of the Japanese Government, and while declaring its sincere desire for the most cordial relations with Japan, desires, nevertheless, to record its strong protest against a policy under which our wage-earning population cannot be protected from destructive and unfair competition except by entreating the forbearance of a foreign government.

That is what the Prime Minister said as to the arrangement made by the hon. member for Rouville which he is now continuing practically ipsissima verba. If there is to be any exclusion of Asiatics from this country it can only come about as the result of the continuation of the arrangement made by the hon. member for Rouville. Where else are they going to get it? We have a curious little clause in this Bill, one of those jokers that are sometimes inserted in legislation by astute draftsmen to amuse some people who think they are going to get something, and it is well to look at it critically. The treaty, which gives absolute right to the Japanese people to come into this country and do as they please, the same as natives of the British Empire, is first declared to have the force of law in Canada provided that nothing in the said treaty or in this Act shall be deemed to repeal or affect any provisions of the Immigration Act. That is, although we have the absolute undertaking in the treaty that the Japanese people can come into this country ad libitum, that provision is put in that it is not to be held to repeal

or affect the provision of the Immigration Act. Is there anything in the Immigration Act under which our Government to-day could exclude the Japanese and exercise rights in regard to the Japanese which are different from what they could exercise in regard to British subjects for instance? I say, as a humble member of the legal profession, having studied the regulations and the Act, that there is nothing in the Immigration Act at this time which empowers the Government of this country to exclude any man who comes from Japan unless he falls under the prohibited classes of people who are idiots or who are shut out upon some such ground any more than there is to exclude the man who comes here from the British Isles. If it is so, and it is conceded and the argument of my hon. friend from Carleton on that head cannot be answered, what is there in this Act that creates any right or power in this Government to deal with citizens of Japan in any way differently from what they have been dealt with in the past? It is suggested that possibly they may extend that Act and may pass new regulations. My hon friend read the correspondence which took place between the right hon. the Prime Minister and the Consul General of Japan. I shall not read it, any one who understands the English language and who will construe the effect of these documents, because they must be read with this treaty, will come to the conclusion beyond all doubt that the status of a man from Japan, so far as the Immigration Act is concerned, is to be the same status as that of a man who comes here from England. Those letters preclude the idea for one moment that a single regulation can be passed that is not now to be found on the statute-book or the regulations of this Government. The idea will be suggested in British Columbia that the Dominion Government has control of this immigration. I say that this Dominion Government would not dare to pass any amending immigration law or to amend the regulations that have been made under it because they have no power to do so under this statute, so far as the Japanese are concerned. The Prime Minister to-day spoke about the principle of law that when a statute referred to another statute the general meaning of that reference was that it was that statute as amended from time to time. The Prime Minister did not tell the House that that legal application is one that is only made by virtue of a special clause in an interpretation Act which says it can be done and there is no clause in any Act or in this treaty which in any way can provide for the adding to the words 'the Immigration Act,' such words as are suggested by the hon. member for Edmonton. 'And such amendments as may be passed from time to time.' You will find in the Interpretation Act in the revised Statutes a clause by which you are able usually in interpreting a statute to read in those words. You cannot adapt that Act to this treaty. Go to any provincial statute and you will find a similar clause but at common law the words of the document itself which contains the agreement between the parties must be held to strictly as there is no interpretation Act which can be resorted to for the purpose of adding to them in any way.

Wolsley on International law deals with the construction of treaties. Let us take one rule that he lays down. Supposing it is urged by hon. gentlemen opposite that one of the meanings that can be attached to sub-section (a) is that it really means 'the Immigration Act and such amendments as thereto may be made from time to time' and supposing that the other construction suggested is that it means what it says on the face of it, the Immigration Act, namely the Act in force at the date of the passing of the treaty. Wolseley says:

> If two meanings are applicable, that meaning is to be preferred which is least for the advantage for the party for whose benefit that clause is inserted.

This clause is inserted in this statute confirming this treaty at the request of this Government and substantially for their benefit. 'That construction is to be preferred which is least for the advantage of the parties who made the request.' That is the absolute rule in the construction of international law for construing a benefit, says Wolsley.

> In securing a benefit he ought to express himself clearly. The sense which the accepter of conditions attaches to them ought rather to be followed than that of the offerer.

Now, the party that offered was the Government of Canada, and the sense in which that offer is to be understood is very easily to be gathered from the letters of the Consul General of Japan who does not say anything about immigration being amended from time to time. He speaks of the Immigration Act of 1910; he specifically refers to the year in which it was passed. Woolsey says: 'that the sense which the accepter of conditions attaches to them ought rather to be followed than that of the offerer.' There you have a sound writer on international law giving his interpretation. Then there is another statement by the same writer:

> Odious clauses, such as involve cruelty or hard conditions for one party, are to be understood strictly, so that their operation shall be brought within the narrowest limits.

If the view that some hon. gentlemen will no doubt endeavour to take out to the province of British Columbia is that this condition was inserted in this statute and also in this treaty, it was a condition which they had accepted because it implied that there was some condition attached to the Japanese that they were of a different order of people from the subjects of their nations. But you go to Wolsley on international law and he tells us that when you are dealing with a condition of that kind, you are to be understood strictly

—so that their operation shall be brought within the narrowest limits.

Now, if to-day there is not within the four corners of that statute or of those regulations, any right by which this Government can exclude a man who comes from Japan any more than they exclude a man who comes from Britain, and that is what the correspondence between the Prime Minister and the Japanese representative shows clearly, then so far as the effect of this Act is concerned, it is absolutely nil. When hon. gentlemen talk about the absolute exclusion of Asiatics, I have no hesitation in saying that subsection (a), construing it in the light of the principles of international law, is an absolutely dead letter. There is not a man who comes from Japan unless he comes within the prohibitive clauses which apply to all countries, who can be stopped under that legislation, so long as this treaty remains in effect. Instead of wild dissertations about events and occurrences of fourteen years ago I would like to hear from some hon. gentlemen opposite upon this particular piece of legislation. The position to-day is that the Government are fooling the people of British Columbia as they have been fooling them on this exclusion question for ten years. They have had to put this fake on the statute-book so that they can go on fooling them for some years more. Now I would like to ask my hon. friend if he could tell me when this Government intends to pass any statute or to make any regulation by which anybody who came from Japan to this country could be excluded. We have not got an answer to that question. I would like hon. gentlemen on the other side to tell us whether they intend to pass any amendment of the law. I could quote authority in regard to the construction of statutes to show that this could not be done because it would interfere with this treaty, once adopted, and would interfere with the rights of His Majesty, whose assent to this treaty with the Empire of Japan has been given subject to Canada's consent, and once Canada's consent is given, Canada cannot go on amending this treaty. It cannot go on putting in new clauses or making restrictions from time to time for political reasons. That door is closed once this treaty is settled, and anything which interferes with it, which in any way expressly affects the Act is a matter which would have to be dealt with by the Imperial Government. I hope the people of this country understand just where we are upon this question. There is not a single advantage given with respect to the rights of this country so far as the exclusion of Asiatics is concerned. On the contrary we have expressly intimated that we would not do anything in the future. My hon. friend quoted from sections 37 and 38 of the regulations, as if there existed some provisions under which this Government could deal with the people from Japan. Unfortunately he did not explain the letter which was written by the Prime Minister in regard to these particular regulations and sent to the representative of Japan which was to the following effect:

4. The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country. It is not perceived, therefore, that your Government will have any objection to the embodiment to the inclosed draft Act of Parliament of the proviso which has already been agreed to in the case of the United States.

I have the honour to be, Sir,
Your obedient servant,
R. L. Borden.

What does that mean? Simply this, that the Prime Minister of Canada wrote to the Consul General of Japan saying: You are aware of this clause in our Immigration Act; we put you entirely in the same position as British subjects; hitherto we have had the idea that you were citizens of a nation which was to some extent of a second class order, but now we are putting you on the same plane as the British Empire; consequently you cannot have any ground of complaint. Then the answer made by the Consul General of Japan was:

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government has no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910, being applicable, as stated in your note to the immigration of aliens into the Dominion of Canada from all countries, including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

On the faith of that statement, upon the assurance of the Prime Minister that no discrimination would be made against Japan in the future, or against the subjects of Japan, the treaty was signed. So

terests of Canada alone. This treaty dero- that, we have this joker in the Bill, which is intended to fool the people of British Columbia and which does not mean anything except that they can keep out idiots, people of unsound mind and imbeciles who come from that country. But it was necessary for my hon. friend from Vancouver to have something to take home with him, so that he could talk learnedly about the provisions of the Immigration Act.

That little joker was put in for him. It does not mean anything. But in addition to that joker and, inane as the clause is, the Prime Minister has pledged the faith of Canada to the great Japanese nation that there shall be no discrimination hereafter against men from Japan, no legislation shall be passed to say that a man from Japan shall be treated in any different way from a man who comes from the British Isles. The pledged faith of Canada has been given to that statement and instead of the gentlemen from British Columbia being able to go back to their province and tell the people there that they have made a step forward in the fulfilment of their promises that there would be absolute exclusion of Asiatics, they will be obliged to admit that there has been a retrograde step made by the Government and they and their chief men who have been so busily engaged in passing their fake legislation in that province are in the humiliating position that they have to admit that they are now attempting to fool the people of Canada as a whole whereas they formerly only fooled the people of one province. That is where matters are in regard to this Bill.

This Bill provides for a renewal of the treaty with Japan, and it puts the impress of the Conservative party upon the arrangement made by my hon. friend from Rouville—this much-abused arrangement which occasioned a vote of want of confidence in this House in 1908 and which was attacked all over the province of British Columbia as being an absolutely inadequate and impossible solution. The result is to-day that, as a matter of law—and I submit that no reasonable answer can be made to the argument which we have presented—the Government stand in this position: We are affirming and continuing the arrangement which was made by the Laurier Government; that is all that can be done in regard to this question of Asiatic exclusion; we are saying to the world that Sir Wilfrid Laurier was right and that the Liberal party took the only course that could be taken in order to deal with this question in a satisfactory way.

Mr. LEMIEUX: It is our vindication.

Mr. MACDONALD: It is a vindication of the position which the Liberal party took in regard to this question, it is a slamming of the door in the faces of the men who have talked about the absolute exclusion of Asiatics in British Columbia for the last ten years.

Hon. FRANK OLIVER (Edmonton): Mr. Chairman, as I understand the matter there is not to-day a treaty between Canada and Japan. We are undertaking to deal with this matter on an absolutely clean sheet and, unless there is benefit to accrue to Canada as the result of the treaty, it is better that it should not be entered into. From all I have been able to gather in the course of the debate, the material advantages are, to say the least, limited. The presumed benefit that is to result by reason of a better condition regarding immigration matters seem to be very much in doubt. As I understand the case it is this: We have a clean sheet to start with, we provide that we shall not, so far as Japan is concerned, be enabled to amend or improve, in the matter of restriction at any rate, the Immigration Act as it stands to-day. The Immigration Act as it stands to-day is to be the only Immigration Act we can have so far as Japanese immigration is concerned so long as this treaty continues. That is the position as it was stated by the right hon. Prime Minister (Mr. Borden). We must therefore accept it.

Under a provision of the Act, as it stands at present, the subjects of Japan may be discriminated against, but we have the declaration of the Prime Minister made to the representative of Japan that, no matter what the interests of Canada may call for, that power shall not be exercised. We have tied ourselves in two particulars; the one is that we shall not be able to change the Act, and the other is that we shall not be able to enforce the Act that we have. That is the position in regard to the immigration features of this Act.

I say to the Government that, this being admitted, and it is admitted, there should be some serious reason given to justify the passing of the Act. It may be said that it is not conceivable that the interests of Canada would require that special discrimination should be made against the subjects of Japan. I had the honour of saying to the right hon. the Prime Minister last night that my experience is that in immigration matters provisions which may be absolutely adequate and satisfactory to-day by changed conditions, may be entirely inadequate and unsatisfactory to-morrow and that we are never safe in binding ourselves against the amending of our Act to suit our own interests. The provisions of the Act as they are to-day are a declaration of the right of Canada to make selection of those who seek her citizenship in the in-

gates from that principle and is an injury to Canada to that extent.

The question that is brought before the committee by my hon. friend from Moosejaw (Mr. Knowles) relating to legislation of the province of Saskatchewan, and the disallowance of that legislation, goes beyond the question of immigration. It is more important than the question of immigration. It trenches upon the most elementary right of the provinces of the Dominion. Circumstances have arisen which demonstrate the necessity of protecting the provinces in the exercise of their rights in caring for their citizens. My hon. friend from Vancouver agrees with my hon. friend from Moosejaw that the conditions are such as to render this an absolute requirement in the interests of Canada, and we are proposing now to agree to a treaty that will absolutely prevent the protection of these rights. This feature of the case has not been discussed to my mind, as fully as it should have been, and it is in the last degree important. I wish to draw attention to that part of the treaty that is affected. Section 3 of article 1, says:

3. They shall in all that relates to the pursuit of their industries, callings, professions, and educational studies be placed in all respects on the same footing as the subjects or citizens of the most favoured nation.

In other words, if this treaty is passed the legislature of Saskatchewan, or of any other province, would have no standing in attempting to protect that part of their population that it was intended to protect by the legislation that this Government intended to disallow. The position to-day is that the legislature of any province has the right to pass such legislation for the protection of its citizens, and this Government has to exercise its right of disallowing in order to prevent that protection. If this Act is passed, then this Government is relieved from the responsibility of exercising such right of disallowance and this Parliament has deliberately cut away from the provinces of Canada that right to protect those who need their protection according to the circumstances that have been related. I do not wish to delay the committee, but I wish to emphasize strongly this point. I understand it is the desire of the Government that the Bill should pass out of committee to-night on account of its anxiety to secure the passage of the Bill as soon as possible. There are other members of the committee who desire to speak on this Bill who are not present at the present moment therefore I give notice that on the third reading of the Bill I desire to move as an amendment to section 2 the following:

That subsection (a) of section 2 be amended by adding after the word 'Act' in the third line thereof the words 'or any amendment or amendments thereto which may hereafter be enacted.'

I desire further to give notice that on the third reading of the Bill I will move as a proviso to article I:

Provided always that nothing in this article I. contained shall be deemed to interfere with or in any way restrict the legislative powers or authorities of local legislatures in the different provinces of Canada.

I consider that these points are of sufficient importance that they should be placed on record and that there should be full opportunity of discussing them in the light of their great importance before this Bill receives its third reading.

Bill reported.

On motion of Mr. Rogers the House adjourned at 11.45 p.m.

HOUSE OF COMMONS.

FRIDAY, April 4, 1913.

The SPEAKER took the Chair at three o'clock.

BRITISH-JAPANESE TREATY.

Rt. Hon. R. L. BORDEN (Prime Minister) moved third reading of Bill No. 156, respecting a certain Treaty of Commerce and Navigation between His Majesty the King and His Majesty the Emperor of Japan.

Hon. FRANK OLIVER (Edmonton) moved:

That the Bill be not now read a third time, but that it be referred back to the Committee of the Whole, with instructions to amend the same by inserting in paragraph (a) of section 2, after the words 'the Immigration Act,' 'or of any amendment or amendments thereto which may hereafter be enacted; or the provisions of any existing Act of a provincial legislature or any subsequent act thereof, which but for such treaty would be within the authority of such legislature.'

He said: Mr. Speaker, in moving this amendment, I do not wish to delay the House at any serious length, but the subject dealt with in the amendment is of such importance and is so affected by the terms of the treaty, that I do not feel free to permit the Bill to become law without entering a formal protest and placing my views in concrete form. I have nothing to object to in all that has been said in behalf of the people of the Empire of Japan, or of the amicable character of the relations which have subsisted between this country and Japan. This does not bring into question the merits of the people of Japan, or of their government, or of their good faith in any way. It is a matter which is of im-

mediate and urgent concern to the people of Canada and it is from that point of view, and that point of view alone, that I desire to bring it to the attention of the House.

The essential principle of our Immigration Act is that Canada shall be mistress in her own house and shall have the absolute right, under all circumstances, to make selection and restriction with regard to immigrants as may seem to be most in the interest of the people of Canada. It is because, as I have followed the debate on this question, that that principle is departed from in the Bill now before the House that I desire to move this amendment, the adoption of which would, to a very considerable extent, better the position under the treaty, if it is adhered to. I do not wish, as I have said, to exaggerate the situation or to attach an undue importance to the immediate material result, either of the treaty, or of the amendment that I propose. Admitting that the material question is not seriously important, either in the treaty or the amendment, in so far as it relates to the proposed agreement between Japan and Canada, or in so far as it concerns the relations between Japan and Canada, the importance, to my mind, is in Canada maintaining absolutely the principle which she has established, because, if it is departed from in the case of Japan, it forms a precedent for further departure in other cases as they arise which cases might very well be of stupendously greater importance. The principle is very simple, and it is very right. We are dealing with this matter entirely in the new; that is to say we are not tied at the moment in any way. Then, it seems to be the plain duty of Parliament, in the discharge of its responsibilities to the people of Canada, to see that the fundamental principle of the Immigration Act is not in any degree interfered with and it is with that object in view that I move the amendment.

I am speaking now only of the first part of the amendment. The second part of the amendment relates, not to immigration, but to the jurisdiction of the provinces of Canada in the discharge of their responsibilities to their people. A condition has arisen which was brought to the attention of this House yesterday, which condition calls and, it is admitted properly calls, for interference by the provincial legislatures. As we stand to-day, the provincial legislatures have an absolute right to pass the legislation that the circumstances seem to call for. But, as I understand it if we pass this Bill, if we agree to this treaty, our provincial legislatures are deprived of that right and are debarred to that extent. I maintain that it is essentially the business of this Parliament to see that no international agreement is made which will prevent our local legislatures from properly safeguarding the rights, privileges and interests of the people of those several provinces.

I have nothing to say of the difficulties that may be in the way of successfully negotiating this treaty if this amendment is agreed to. That is a matter for the Government of the day to consider, but it would be unfair to the Government, as it would be unfair to the country, to allow this measure to pass and not bring to the attention of the House and, as far as possible, to the attention of the country, that condition which is very seriously affected by the terms of this treaty. I would be glad to have other words that would meet the requirement I have in view, and perhaps better conform to the purpose of the treaty, substituted for the amendment I propose, but I am moving the amendment having in view a certain purpose which is necessary to my mind and in the interest of the people of our country and I am calling the attention of Parliament and of the Government to the necessity of meeting the case and not allowing this treaty to pass without such an amendment as would adequately and reasonably meet that condition.

It is not to the point to say that the treaty that we propose to negotiate to-day is the same as the treaty which was in force some years ago. I do not know whether the terms are the same or whether they are not the same. The point is that, within our knowledge, a certain condition has arisen in our country that called for action by our provincial legislatures and, in my humble judgment, it is for this Parliament to see that, under any international arrangement that we may enter into, the legislatures are not unduly hampered in the discharge of their responsibility to their citizens.

Mr. HUGH GUTHRIE (South Wellington): Mr. Speaker, I just wish to say a word or two in regard to the amendment to clause 2 which has been proposed by my hon. friend from Edmonton (Mr. Oliver), and more particularly with regard to the first sub-section of his proposed amendment, which is to add the words, 'or of any amendment or amendments thereto which may hereafter be enacted.' In one view of the case, in my judgment, it is most important that definite language of this nature should be inserted in this clause of the Bill. The Bill as drafted and as it has passed the committee specially provides in subsection (a):

That nothing in the said treaty or in this Act shall be taken to repeal or affect any of the provisions of the Immigration Act.

And, anyone reading that enactment, without giving it more or less careful con-

sideration, would be impressed with the binding force of the terms of the Canadian Immigration Act upon that treaty with Japan. The Immigration Act of 1910, as it stands on our statute-books to-day, is the only Act which will come within the purview of the treaty under the Bill as we have it before the House at the present moment on amendment. It has been argued by the Prime Minister that as a matter of law or of interpretation, any amendment which may hereafter be made to the Immigration Act would of necessity form part of sub-section (a). I take issue with my right hon. friend on that proposition of law and interpretation of statutes, and particularly of the interpretation of a treaty. I submit that if the Bill is passed as at present before us we cannot make a single amendment to the Immigration Act of 1910 which will have the slightest force or effect on the treaty with Japan now before us. I think I am on firm ground in making that statement. By the ordinary rules of common law, as recognized in this and every English speaking country, nothing outside the four corners of the document itself would have any application, and the only manner in which subsequent legislation of this House in regard to the Immigration Act could be made applicable to the Japanese treaty would be by force of an Act of this Parliament known as the Interpretation Act. The Interpretation Act forms no part of the Japanese treaty or of the Act by which we propose to ratify it now. If it is the intention of this House that the Immigration Act of 1910 and any amendment which may hereafter be passed shall apply to the Japanese treaty, then we must state it in clear language, or we must incorporate our Interpretation Act with the language of sub-section (a). That is the only way in which future legislation with respect to immigration would be binding upon Japan, or have any effect in regard to this treaty. If my argument in that respect is not a sound legal argument, I would like the objection to it to be pointed out now. It is beyond challenge that the only Act that will apply to the present treaty is the Immigration Act of 1910 as it stands on our statute-books to-day. If that be so, is there not serious objection to this legislation? I cannot imagine why subsection (a) was incorporated in this Bill at all. In my humble judgment it is absolutely without meaning. If it has any meaning, that meaning has been circumscribed by the correspondence which has taken place between the head of this Government and the Consul General of Japan. This clause has only been inserted in this Bill, in my opinion, as a sort of trick, as an artifice; it resembles what one might describe as something in the nature of flim-flam legislation; it is a sort of a gold brick handed out to the people of British Columbia to lead them to believe that this Conservative Administration, after the declarations it made while in opposition throughout a long course of years, now, when it has come to power, has carried out the pledge which it undoubtedly made to the people of British Columbia, whereas, when the proposal comes to be analyzed, it does nothing of the kind and it has not advanced the position one iota over what the position was before.

It is rather odd that we have not had more comment on this Bill from hon. gentlemen representing constituencies in British Columbia. It is true that the Minister of Agriculture (Mr. Burrell) and the hon. member for Vancouver (Mr. Stevens) did give the House the benefit of their knowledge on the subject, but what of other hon. gentlemen representing British Columbia constituencies in this House—the member for Kootenay (Mr. Green), the member for Nanaimo (Mr. Shepherd) are both in their places, and neither has had an opinion or a suggestion to make; whilst two hon. members who should have been here, the hon. member for New Westminster (Mr. Taylor) and the hon. member for Victoria (Mr. Barnard), are not in their places and have not been in their places since the discussion began. We have only to go back to the year 1907 to see in what position hon. members from British Columbia are placed. We know that in 1907 there was a disturbance, more or less aggravated, in our Pacific coast cities, said to have resulted from the influx of large numbers of Japanese. We know that at that time there was considerable turmoil in British Columbia, and the question became a live issue indeed. We know absolutely that in the general elections of October, 1908, the strong delegation of five Conservative members from British Columbia to this House was a direct result of the agitation which had gone on during the preceding years, and also a direct result of the promises which had been made in this House by the present Prime Minister. In 1909, the right hon. gentleman made it perfectly clear what the attitude of himself and of the Conservative party was in regard to this question. He condemned the Liberal Government in this resolution which he offered as a vote of want of confidence:

That this House, while expressing its profound appreciation of the friendly intentions and courteous assurances of the Japanese Government, and while declaring its sincere desire for the most cordial relations with Japan, desires nevertheless to record its strong protest against a policy in which our wage-earning population cannot be protected from destruction and unfair competition except by entreating the forbearance of a foreign government.

That was the policy of my right hon. friend in 1909. Has he carried that out? I submit that he has entirely failed to do so. He rests this matter precisely where it rested before his Government took power in September, 1911. Has the position been

changed? Can anyone fairly say that there has been any change? Can any hon. member for British Columbia go back to his constituents and say: The Conservative party has taken control of the question of Japanese immigration and has placed it on a different basis from that upon which it rested during Liberal rule in this country? Why, Sir, that cannot be said for a moment. I believe that the only function of sub-clause (a) will be to mislead the people of British Columbia. If that clause in this Bill passes unamended, it may have that effect. I submit that the people of British Columbia should know that, notwithstanding the language of sub-clause (a), the restriction of Japanese immigration into Canada to-day rests upon the good faith and the bona fides of the Japanese Government in carrying out the agreement made with them in 1907 by the hon. member for Rouville (Mr. Lemieux). The matter rested there then and it rests there now, notwithstanding that the Government has in this instance sought to mislead the people of British Columbia by including sub-clause (a).

That is the effect of sub-clause (a) in this matter, if it has any. By the Immigration Act of 1910, we can exclude certain undesirable people and also certain classes of people, no matter from what quarter of the world they may come. To-day, under the Immigration Act of 1910, the Governor in Council might pass regulations which would entirely prohibit Japanese immigration into this country. If I am not right in that, let me be put right. The Governor in Council might pass regulations imposing a head tax on Japanese immigration, which would practically operate as a prohibition. That is the position to-day. Had my right hon. friend left the matter at that and had he not involved the matter by writing the assurances which he has given to the Government of Japan, something might have been said in favour of the contention that the Immigration law of Canada would be the binding law in regard to immigration into this country. Had he allowed the correspondence, which took place in the first instance between him and the Japanese Consul, to stand, there might have remained power for this Government to prohibit Japanese immigration, but the Japanese Government would never have consented to that arrangement. I think that is obviously the reason for the assurance My right hon. friend, having seen the difficulty, boldly takes the course that he will assure the Government of Japan that in no case will there be discriminatory legislation against the Japanese under the Immigration Act or under any other act, which will prevent them from migrating to Canada. He has given that assurance in solemn form, and he has received its acknowledgement in solemn form by the Government of Japan. Can it be argued for a moment that the Government of this country would disregard the binding obligations which the Prime Minister has seen fit to throw around this treaty, to the effect that no discriminatory legislation shall be passed against Japan?

Suppose, however, that this Bill, as drafted, goes through and that this treaty is affirmed, and suppose also that we receive some declaration, as was suggested by my right hon. friend, from the Government of Japan that they will still carry out the agreement made with my hon. friend from Rouville, and that while this treaty is still in force, immigration does come from Japan. Suppose that the Japanese Government should in the future disregard the agreement which they have made and that Japanese should land in British Columbia in large numbers. Can we restrain them ? I submit that we cannot, because we are bound by the contract which we have made with them directly through the Prime Minister. We may have a disagreement. We may amend our immigration law or we may pass an Order in Council under the Immigration Act imposing a penalty or a head tax which would practically exclude Japanese immigration. Suppose we did so, and that a difference arose between Japan and this country as to our rights to do so. I presume that matters of this kind would be settled amicably by a tribunal of arbitration. What would a board of arbitration say ? They would say: 'There is your treaty, which you affirmed; there is your Act of Parliament in precise language; there are your explanatory letters and your conditions subscribed to by the head of your Government, passed by your Parliament with full knowledge of the contents; how are you going to get away from that position ?' Would not that treaty be binding upon this country ? I submit that it would, and anyone who has studied the interpretation of treaties either in a concrete case or merely for the purpose of investigation, can only come to the conclusion, which I have indicated to the House, that any arbitration tribunal would hold in such a case that Canada was bound under this Act by the precise language in the Immigration Act to-day, and that the application of the Immigration Act is limited by the express stipulations which have been made between Canada and Japan through the correspondence carried on between the Prime Minister of Canada and the Consul General of Japan.

In the interpretation of treaties, there are general rules which are recognized. Words must be given their plain and ordinary meaning.

In cases of difficulty or dispute, the intention of the parties is to be gathered from the surrounding conditions. That is laid down at great length in Oppenheim's International Law, volume I, page 559. There is also very precise language on the same subject in the authority quoted last night by my hon. friend from Pictou (Mr. Macdonald), Wolseley on International Law. I submit that in the interpretation of this treaty, if it goes through in its present form, any tribunal would say that where there is a conflict as to the correct interpretation to be put upon any phrase, it would be construed most strongly against the granting authority in this case against Canada. The same rule which applies in all our courts, which is the law of the land, in regard to the interpretation of private contracts holds in this case,—the conditions are to be taken most strongly against the grantor; they would be taken most strongly against us in the present instance. I submit with confidence that any tribunal that came to deal with the case would hold, in the light of the Prime Minister's letter promising that there should be no discrimination against Japanese immigration coming into Canada, that this correspondence rendered nugatory any amendment to our immigration laws which might hereafter be passed for the purpose of depriving the Japanese of the right to land in Canada under the treaty. It would be the judgment of any tribunal that Canada was bound, bound hand and foot, by her strict contract. The contract rests to-day upon no higher basis on no firmer ground than did the agreement entered into between the Government of Japan and the Government of Canada through the good offices of the hon. member for Rouville. I have such confidence in my opinion on this matter, that I would like to hear it challenged.

My right hon. friend the Prime Minister is in his place, and at the conclusion of my remarks, I would like to have my opinion challenged by him. My hon. friend the Minister of Justice (Mr. Doherty) is in his place also, and he might enlighten the House upon this question. If the Prime Minister, who, I know, is a gentleman of the widest legal knowledge as well as parliamentary experience can demonstrate to me that sub-section (a) of section 2 of the proposed Act will carry with it amendments which may be made in the future to the Immigration Act, I will withdraw all I have said on the subject. If he can convince me by any sound authority that he can offer to the House, that his own letters and the letters from the Government of Japan through the Consul General of Japan in Canada, have not binding effect and force as documents of interpretation which induced Japan to enter into this treaty, I am prepared to withdraw all I have said. So sound do I believe my opinion to be that I challenge contradiction upon this point. Then, why has the clause been inserted? The reason is plain, obvious. It is merely, as I said at the outset, to permit the people of British Columbia to think that the new Administration has kept within its own hands the power over immigration from Japan into this country which the former Government allowed to be exercised solely by the Government of Japan. The case of the United States is very different from that of Canada in this respect. In 1894, when the United States was arranging a treaty with Japan similar to this treaty, the United States particularly provided that the laws then in force or thereafter to be in force in regard to immigration should be applicable to the treaty. They recognized the difficulty that the law in force in the United States in 1894 might be changed, and they provided that the law then in force or thereafter to be in force should apply. We find that in 1907 the United States did change its immigration law—changed it very radically, by inserting a clause which gives the President of the United States power by proclamation to exclude such classes of immigration as he deemed advisable in certain given circumstances. In the following month, March, 1907, President Roosevelt issued a proclamation under the new Immigration Act of the United States excluding Japanese and Korean immigration from the continental United States. He had the power, and he exercised the power; and that same power is on the United States statute book to-day. It is a power that Japan knows as it has been exercised against Japan, and would be binding upon Japan in any sound interpretation of that treaty.

But our immigration law is not on the same footing as the United States Immigration Act. Our immigration laws to-day provide expressly for the exclusion of certain insane, criminal, idle, worthless classes of the community whom we do not want in Canada, no matter from what country they may come. These, I agree, could be excluded to-day under the Immigration Act of 1910. Further than that, the only other power of exclusion I know of is a discriminatory power. Under sections 37 and 38, in order to exclude the classes from coming, we should have to discriminate, but we cannot discriminate against Japanese any more than against British subjects—I think we agree upon that; we could not pass an Act to say that any resident of Great Britain or any class of residents in Great Britain shall not come to Canada.

Now, the Prime Minister has placed the question of Japanese immigration just

upon the same plane as he has the case of British subjects. He says there will be no discrimination against Japan—practically that the Japanese shall be to all intents and purposes on the same plane as British subjects. That is the actual meaning of the words he used. If that be so, and if the Japanese can come to Canada, how are you going to stop them? Let any hon. member opposite, any of these hon. members who were so loud in their declamations against the Liberal Government in regard to Japanese immigration, rise in his place to-day or at any time and show how they propose to stop the immigration coming to Canada from Japan should it come. There is only one way of doing it, and that is under the agreement, the private agreement, the 'gentleman's agreement,' as it has been called, which I have referred to and which was negotiated by my hon. friend from Rouville (Mr. Lemieux). Is there anything more to it? Then, as I have said, why place that sub-section (a) of section 2 in this Act? It is only a gold brick; this is only flimflam legislation; it can only have one effect, and that is to cheat the people of British Columbia. You cannot prohibit the immigration of a single Japanese who can comply with the other requirements of our Act—who is sound of mind and body and otherwise not undesirable—you cannot prohibit a single man of them under the Immigration Act of 1910, and you cannot add to that Act by amendment or otherwise and still have a binding treaty arrangement. True, you can give a year's notice and denounce the treaty—the old treaty, I believe could be denounced within six months. But we do not enter into treaties to denounce them; we enter into treaties to maintain and hold them. This Government, in entering into this agreement with Japan, does it, I suppose, to have a binding arrangement for a long term of years, and I commend it in that regard.

I have no great objection to offer to the treaty itself or to the arrangement which has been made under it. I think that the arrangement made by the hon. member for Rouville was an excellent arrangement, and one that the Government not only will do well to continue, but which, under the circumstances, they must continue if they are going to exclude Japanese from this country. I agree with the hon. members for British Columbia that the immigration from Japan is not an immigration of which Canada has any great need. I look upon it as more or less undesirable. I do not share with these members to the full their view that there is a great peril on the coast of Canada, the yellow peril as it is called. I do not look upon it as a menace to Canada; but I would prefer that Japanese immigration be not only limited but stopped. I believe in a white British Columbia and a white Canada, but I realize the conditions under which we live. I realize the international relationships under which not only Canada but the Empire exists, and, having regard to existing national and international relationships, I believe that the Bill, in principle, is not objectionable and that the treaty ought to be affirmed. But I believe that the pernicious clause in the Bill, the flimflam clause as I called it before, is sub-section (a) of clause 2 and that clause should not appear there as its only effect will be to mislead in the first instance and to involve us in trouble in the second instance.

Mr. BURRELL: Would my hon. friend like to move that the clause be deleted from the Bill?

Mr. GUTHRIE: I believe it should be withdrawn, particularly in view of the correspondence, because if that correspondence means anything the Immigration Act, in relation to this treaty means nothing. I have not moved an amendment to that effect, but I think, myself, it should be withdrawn

Right Hon. R. L. BORDEN (Prime Minister): My hon. friend (Mr. Guthrie) has made some very strong statements about the effect of this resolution and he will pardon me if I do not go over them in detail, because I have answered nearly all of them before. He seems to take a rather curious position, however, as he considers that proviso (a) ought to be deleted, while at the same time he is prepared to support a motion that it should be extended.

Mr. GUTHRIE: I did not say it ought to be extended.

Mr. BORDEN: He is not in harmony with the hon. member for Edmonton in that regard?

Mr. GUTHRIE: I think the treaty should be affirmed.

Mr. BORDEN: It would be a little more satisfactory if we could understand exactly what the position of hon. gentlemen is or whether they have any common position in regard to this Bill. I thought my hon. friend rose to support the motion of the hon. member for Edmonton; now it appears that he did not rise to support that motion but to oppose it. The hon. member for Edmonton (Mr. Oliver) is very particular about this proviso now. He was a member of a government which accepted the treaty of 1894 without any proviso, absolutely and without reserve, and now he considers that the policy which he then adopted and carried into effect was so absolutely wrong that we, in reserving effective control to the Government and Parliament of Canada, are not going far enough. My hon.

friend has come to a new condition of mind with a great deal of rapidity, but he has not made very clear to this House the reasons which induced him to take one view of the situation in 1905 and 1907 and a precisely opposite view to-day, when this treaty is under consideration. It would have been more satisfactory to have indicated the reasons, if there are any, for this remarkable change of front.

My right hon. friend the leader of the Opposition and my hon. friend from Rouville (Mr. Lemieux) attach all importance to a declaration which is to be anticipated from the Government of Japan as to the understanding consummated by the hon. member for Rouville and they attach much less importance to this proviso. In my previous remarks I conceded the value of the arrangement that has been made, but I also attach prime importance to the fact that the proviso in this treaty does give us, in the final analysis, control of the situation. The member for Edmonton (Mr. Oliver) takes an absolutely contrary view. He seems to attach no importance to the understanding and because he thinks that understanding is not of value, therefore he desires that the clause which we propose shall not only remain in the Bill but shall be extended along the lines he suggests.

There does not seem to be much common ground between the hon. member for Edmonton and the hon. member for Rouville or between the hon. member for Edmonton and the right hon. the leader of the Opposition. The member for Edmonton and the member for South Wellington (Mr. Guthrie) have alluded to the importance of inserting a proviso that this treaty shall be subject to future amendments to the Immigration Act. In the first place, I would point out that nothing of that kind has been done in the United States. I do not say for a moment that that ought to be an absolute guide for us.

Mr. OLIVER: If I am not mistaken the hon. member read from some legislation of the United States the very provision which the hon. member for South Wellington quoted a moment ago.

Mr. BURRELL: Not in the last treaty. It was the treaty of 1894.

Mr. OLIVER: In some treaty.

Mr. BORDEN: In 1894. I had explained that the proviso in the treaty of 1894 had been eliminated in the treaty of 1911 between the United States and Japan, and that instead of that proviso there was a formal statement in the proclamation of the President of the United States, which was formally assented to by His Excellency the Japanese ambassador at Washington, and in which it was declared that the provisions of the treaty should be subject to the Immigration Act of 1907, I was calling the attention of the House to the fact that the published declaration so accepted by the Government of the United States made no reference to future legislation.

Mr. GUTHRIE: The United States Act of 1907 gives the President power to make a proclamation to exclude them.

Mr. BORDEN: The Act of 1907 gives the President of the United States power to make a proclamation in respect of certain persons having passports and the Act of 1910 of the Dominion of Canada, the perfect integrity and force of which is reserved by this Bill, gives to the Government of Canada powers at least as large as, and in my opinion, larger than those contained in the Immigration Act of the United States. Therefore, my hon. friends have no support for their arguments in the comparison of the declaration made by the United States with the proviso which we have inserted in this Bill.

Mr. CARVELL: Would my right hon. friend consider then that the statements contained in the correspondence between himself and the Japanese Consul would in any way restrict the powers given to the Government by the Immigration Act?

Mr. BORDEN: Certainly not. I consider that the correspondence does exactly what I have stated over and over again. It directs the attention of the Government of Japan to the Immigration Act of 1910, passed by this Parliament, and it points out to the Government of Japan, through the Consul General of Japan residing at Ottawa, that that legislation does not discriminate in favour of any country in the world, and that it is necessary to provide in connection with this treaty that it shall be subject to the Immigration Act of 1907, inasmush as Canada desires to maintain control over immigration, not only from Japan, but from every other country in the world.

Mr. CARVELL: Would my right hon. friend consider, in the face of that, that if the Parliament of Canada should pass discriminatory legislation, it would be a breach of contract with Japan?

Mr. BORDEN: I say to my hon. friend from Carleton, so far as that is concerned, that the correspondence leaves absolutely untouched the Immigration Act of Canada as applicable to Japan, and to every other country in the world.

Mr. CARVELL: What about the future?

Mr. BORDEN: I do not know that I can make it any plainer. Does my hon. friend think that the Immigration Act of 1910 does not contain sufficient safeguards?

I am not going over that argument again; I have read the clauses on which I rely, and which in my opinion contain as valuable and perfect safeguards for this purpose as can be found in any legislation of a similar nature throughout the world. But my hon. friends on the other side of the House have argued this question from first to last as if there was likely to be in the future a question of restricting the immigration of some particular nationality. My right hon. friend the leader of the Opposition disclaimed any such idea as that in the speech which he delivered upon the second reading of this Bill, wherein he pointed out, as I had pointed out before him, that the question is not a question of race or of nationality, but a question of economics, a question of industrial competition. I say that every difficulty that has ever been faced in the province of British Columbia in regard to this matter could be met and solved by the exercise of the powers contained in the Immigration Act, not in respect to persons of a particular race or of a particular nationality, but by the exercise of those provisions with regard to persons of a certain class or occupation. The treaty between the United States and Japan in 1894, reserved power to the Government of the United States to deal not with Japanese subjects as a body, or as a race or as a nationality, but with labourers from Japan. The same purpose was afterwards set out in the Order in Council passed in 1895 by the Government of Canada, which provided for restricting the immigration of labourers and artisans from Japan into Canada. That is the whole question, the question of industrial competition. I would like to read what the leader of the Opposition said in regard to that, and if I remember his language correctly, I concur entirely in the views he then expressed:

> I am well aware of the nature of the prevailing opinion in British Columbia in this regard, and I do not find fault with it. In British Columbia, in California, in Australia, in South Africa, wherever Asiatic labourers come in contact with labourers of European descent—there has always been friction, and this friction will be unavoidable so long as the standard of living as between European and Asiatic labourers is not brought to an approximately common level. The conditions of living to which the Asiatic labourer has been accustomed for centuries are such that he can afford to live upon a wage altogether out of proportion to that which is necessary to the European labourer, and that is the reason why there has always been friction as between them.

Every hon. gentleman in this House who has made any study of the question will concur in the view that the estimate of the right hon. gentleman as to the causes of the difficulties which have prevailed in the past, particularly in the province of British Columbia, is a just and true estimate.

Now, my hon. friend the member for Edmonton (Mr. Oliver) desires to have this statute amended by a proviso that it shall be subject to any future Acts of provincial legislatures. I think my hon. friend upon reflection will come to the conclusion that it would be absolutely impossible for us to negotiate any such treaty as this with a proviso of that character attached to it. We are to obtain certain rights for our citizens entering Japan; we are to obtain certain rights of commerce, we are to obtain certain rights for our ships entering the ports of Japan, and in return for that we agree that the citizens of Japan may acquire corresponding rights in this country. It would be quite impossible for us to expect the Government of Japan, or the government of any country, to enter into a stipulation, that the provisions of the treaty might be modified from time to time in the future by Acts of provincial legislatures. After very careful examination, I do not see anything in this treaty which could operate to the detriment of the citizens of this country if it should go into effect. Some hon. gentlemen on the other side have brought it as a matter of reproach against us that a certain communication from the Secretary of State for the Colonies was not communicated to the Government of Saskatchewan. I would like to say that hon. gentlemen are entirely mistaken in that regard. That communication was transmitted ipsissimis verbis to the Prime Minister of the province of Saskatchewan, and he had full knowledge and communication of its subject matter, and of the suggestions of the Secretary of State for the Colonies as to a possible remedy without any discrimination against persons of any race or of any nationality.

Under these circumstances, Mr. Speaker, there seems no reason whatever for the amendment which my hon. friend from Edmonton has proposed, and I cannot accept it. It would be out of keeping, particularly the latter portion of it, with what we might expect to receive the assent of the Government of Japan. Further than that it must be borne in mind that the citizens of Japan coming to Canada under the terms of this treaty must carry on any business or enterprise in which they desire to engage in Canada, conformably to the laws of this country, and not otherwise. In these circumstances I venture to think that the House would not be justified in accepting the amendment, and that it should be rejected.

Mr. F. B. CARVELL (Carleton, N.B.): It is not my intention to address the House at any length, because I discussed the question very thoroughly in the commit-

tee stage last evening. I merely want to direct the attention of the House very briefly to the important question put to the right hon. the Prime Minister, by the hon. member for South Wellington (Mr. Guthrie) a question which in my judgment he has failed to answer. As he has failed to answer it, I wish to repropound the question to the hon. the Minister of Justice, and I am satisfied he will not skate round it, but will give a real answer not only to the members of the Opposition, but to the members from British Columbia in respect to the proposition we are putting up on this side of the House. I may be guilty of tedious repetition in restating our contention, but I will take a chance of being called to order for transgressing the rules, and my reason for doing so is that this is a matter of supreme importance to the people of Canada and to the people of British Columbia. The proposition is that, under the terms of clause (a), section 2, we are binding ourselves to the provisions of the present Immigration Act and, by the correspondence which has taken place between the Prime Minister and the Japanese Government, we are in honour, if not legally, precluded from going any farther than the terms of the present Immigration Act. The terms of the present Immigration Act only provide that you can restrict a certain number of prohibitive classes from any country whatever—they may be idiots, criminals or lewd characters—but if you can prevent a Japanese coming in here on these conditions you can prevent an Englishman. With these exceptions under the Immigration Act, you are bound to treat all classes of persons alike, unless you can change your regulations under the provisions of sections 37 and 38. The Prime Minister seemed to believe that under the provisions of sections 37 and 38 you will not discriminate against the Japanese. That is the point that my right hon. friend was skating around. My right hon. friend has skated around the real question at issue. He has not answered the question. He has not stated whether, in his judgment, he would have the right to pass an amendment to the Immigration Act and make it apply to Japan. There is no doubt that he would have the right to make it apply to China, to France and to any other country in the world except Britain. I except Britain because, under the law, we would not be able to discriminate against that country. But, we tie our hands; under this agreement and the corespondence we are precluded from passing any discriminatory legislation or adopting any discriminatory regulation in so far as Japan is concerned. On this side of the House we say that is not proper legislation. We say that you had better leave it out entirely, leave our hands free and unfettered, and leave us in a position to deal with this matter de novo. You tie our hands so that should we propose to make an amendment to the Immigration Act, in order to deal with every person on a parity, we cannot apply it to Japan. To my mind that is the real sting in the whole legislation and that is the sting that we are trying to bring to the attention of hon. members from British Columbia. That is the sting that hon. members from British Columbia will not answer and it is the sting that the hon. Minister of Agriculture (Mr. Burrell) and those around him, absolutely refuse to answer.

Mr. BURRELL: I would ask my hon. friend to state what the point is.

Mr. CARVELL: The point is that we are binding ourselves hand and foot to the provisions of the present Immigration Act which prevents us from adopting discriminatory legislation against Japan for all time, or as long as this treaty lasts, because we cannot go any farther than we have the right to go under the present Immigration Act. Under the provisions of the Immigration Act, and the correspondence between the Prime Minister and the Japanese authorities, we are precluded from passing any amendment or regulation stronger than we have at the present time. That brings us back again to what has been stated before. If I am right, and if my hon. friend from South Wellington (Mr. Guthrie), who is a good lawyer and who has put this matter in such plain language as to call for an answer, is right, then we are thrown back entirely on the gentleman's agreement made by my hon. friend from Rouville (Mr. Lemieux), the gentleman's agreement which was condemned in such unmeasured terms by the right hon. Prime Minister himself in 1908. He went so far as to move an amendment and to insist upon a vote upon it. He is on record in 1908 and I have the terms of his amendment here. Perhaps it would not do any harm to read the amendment again. Here are the concluding words of the amendment proposed by the right hon. gentleman in 1908:

> That this House, while expressing its profound appreciation of the friendly intentions and courteous assurances of the Japanese Government, and while declaring its sincere desire for the most cordial relations with the Japanese people, desires nevertheless to record its strong protest against a policy under which our wage-earning population cannot be protected from destructive invading competition except by entreating the forbearance and aid of a foreign government.

That was the attitude of my right hon. friend in 1908, that was the attitude of his

supporters from British Columbia in 1908 and that was the attitude of the whole of them down to the 21st September, 1911. Now they turn around and say: We were all wrong then; the gentleman's agreement is the only protection we have and it is all we want. They are admitting that we were right and that therefore the provision they are putting in this Bill is only a gold brick. They admit that there is no protection outside of this gentleman's agreement. That is the point, and before this House should be called upon to vote upon such an important international matter as this, a matter fraught with such important consequences to the white people of British Columbia, a matter, as the hon. member for Vancouver (Mr. Stevens), said, of 800,000,000 people as against 350,000, it is the duty of the hon. Minister of Justice to give us his legal opinion as to the effect of this legislation.

Mr. STEVENS: If this clause is so objectionable and so absolutely worthless, why does not the hon. gentleman move that it be deleted from the Bill?

Mr. CARVELL: I said yesterday afternoon that I did not see any difference whether it was deleted or not. I would just as soon see the clause deleted from the Bill as to see it pass in its present shape. I would prefer, for the sake of greater security, to have it left in, provided the amendment is adopted, but if the Bill goes through without this amendment, I would rather see the clause deleted entirely.

Hon. H. S. BELAND (Beauce): Mr Speaker, I fully realize that the interpretation of a treaty is very dangerous ground for a layman to venture upon, but I have been following this debate very closely for the last two days and I have, in particular, listened very attentively to the different explanations furnished by the right hon. Prime Minister himself. I am free to admit that I am not any farther advanced in the way of information. I understand that this treaty has two different aspects, the commercial and the immigration aspect. As to the commercial aspect, it appears that the unanimous consensus of the House is that it is not important. Hon. gentlemen on the other side of the House, particularly my hon. friend the Minister of Agriculture (Mr. Burrell), have so stated. The important feature of this Bill, and of the treaty, is the immigration feature. I would like to have some more light upon it and I may be pardoned for asking to be further enlightened in that regard. Let us suppose for a moment that we do not ratify the treaty by this Bill, and what is the situation in Canada regarding the control of Japanese immigration? It is this: the Canadian Government is in a position to stop entirely Japanese immigration by resorting to clauses 37 and 38 of the Immigration Act. That is admitted by the Government. In spite of the agreement that has been consummated by my hon. friend from Rouville (Mr. Lemieux), that is admitted. Let us suppose that we ratify the treaty by adopting this Bill. We cannot read the Bill or the treaty except in the light of the correspondence that has been exchanged between the Prime Minister of Canada and the Consul General of Japan. I refer to a new feature of this discussion which was introduced by the Prime Minister yesterday and to-day, regarding the industrial side of the question. I read from the words of the right hon. gentleman:

Therefore it would not be a question of excluding a particular race.

Right here, my hon. friend from Vancouver (Mr. Stevens) called my attention and the attention of gentlemen on this side of the House to the word 'race' in clause 38. He undoubtedly thought he was making a very strong point, and his point has been discarded by the Prime Minister——

Mr. STEVENS: I did not make any argument on the word 'race.' I drew the attention of hon. gentlemen opposite to the words 'occupation and destination' which followed the word 'race,' as the hon. gentleman will see if he will read my remarks.

Mr. BELAND: I was present, and I remember that the hon. member paused at the word 'race' in clause 38. At all events the Prime Minister discussed this race question and he said:

Therefore it would not be a question of excluding a particular race but of excluding persons of a particular occupation.

Later on he said:

It was a question of the immigration of labourers and artisans; it was not a question of the immigration of Japanese subjects.

If this means anything, it means that the Prime Minister might adopt a regulation in virtue of the Immigration Act of 1910, by which Japanese labourers and artisans would be excluded from Canada. This is what the Prime Minister, writing to His Excellency the Consul General of Japan, says:

The Imperial Japanese Government are doubtless aware, as the fact is, that the Immigration Act applies to the immigration of aliens into Canada from all countries, including the British Empire itself, and makes no discrimination in favour of any country.

I call the attention of the House to the following words in the letter of the Prime Minister to the Japanese Consul General:

It is not perceived, therefore, that your Government will have any objection to the embodiment in the enclosed draft Act of Parliament of the proviso which has already been agreed to in the case of the United States.

If the right hon. the Prime Minister had said in his letter to the representative of Japan: you will not have any objection though we propose to exclude Japanese labourers and artisans, would any gentleman in this House believe that the representative of Japan would have answered as he did answer:

Having reported the matter at once to my Government, I am now in receipt of a reply stating that the Imperial Government has no objection to the proposed Bill and that they feel assured that the Immigration Act of Canada of 1910, being applicable as stated in your note to the immigration of aliens into the Dominion of Canada from all countries including the British Empire itself, no discrimination will be made against Japanese subjects in this respect.

If the Prime Minister had written to the Japanese consul asking if he would have objection to the proposal to exclude Japanese labourers and artisans, of course we all knew the Consul General of Japan would have answered: yes, we have the greatest objection in the world to a proviso being put in the treaty, by which you would exclude Japanese labourers and artisans. And so I say, Mr. Speaker, that the correspondence exchanged between the Prime Minister of Canada and the representative of Japan is binding upon us. Is the Government ready to say that they could exclude Japanese artisans and labourers in the future? Of course they will not and cannot say that. In my opinion, as a layman, this correspondence is as important as the treaty itself.

We all realize that there is a political side to this. Japanese immigration has been made a political football in British Columbia. It is not overstating it to say that the hon. gentlemen who represent the seven ridings in British Columbia in this House have been elected on that anti-Japanese ticket, and with the understanding that the Conservative Government, if it came to power, would entirely abolish Japanese immigration into Canada. That, without doubt, was the pledge made during the election. And what is the position taken by hon. gentlemen from British Columbia to-day? They have been undoubtedly pressing upon the Prime Minister to include in this treaty such a proviso as we have in clause 2, and of course when the treaty would be ratified these gentlemen would go back to British Columbia with a feather in their cap and they would say: the Liberal Government was no good; they never dared stop Japanese immigration; we have done it; we have said in our Bill ratifying the Japanese treaty that the Immigration Act will apply. How can the Immigration Act apply in face of this correspondence exchanged between the Prime Minister and the Japanese consul? It cannot apply at all and I say again: wipe out the state agreement; wipe out the Bill when it is ratified; and there is left to this country the Immigration Act to which you can resort and by which you can prevent Japanese immigration, because you are permitted under that Act to discriminate. After this treaty is ratified the Government is not permitted to discriminate, and the situation in regard to Japanese immigration will be worse than it is under the agreement of my hon. friend from Rouville What is the situation to-day? What has it been for the last six or seven years? In accordance with an agreement brought about by my hon. friend from Rouville, when he went to Japan, Japanese immigration is restricted to a very small number annum. I do not know what the number is, as the agreement is confidential, but I know that the number is small. That agreement has been strictly adhered to, has been praised by the right hon. the Prime Minister, by my hon. friend from Vancouver (Mr. Stevens), and, I understand, by every hon. member. If this agreement is satisfactory, why let it be understood or spread broadcast that this Government might adopt some very stringent measures regarding Japanese immigration? Is not Japan an ally of Great Britain? Is there a gentleman in this House or in Canada to-day who would think that any Canadian Government would go any further in order to improve upon the situation which we have to-day? No government would do so for obvious reasons.

This correspondence is binding upon a Canadian Government whether Conservative or Liberal. We cannot go back upon it. We cannot pass any regulations that would discriminate. Call it a race regulation, a labour regulation or an artizan regulation, you cannot pass it to exclude the Japanese, unless you refuse to adhere to the correspondence exhanged between the Prime Minister and the Consul General of Japan. If the treaty is not important from a commercial point of view, we should not bother very much about ratifying it. The immigration situation is not improved by it at all. I am not personally concerned in this question, as I am not a member from British Columbia; I am purely a Canadian. I shall not express any opinion regarding the desirability of having Japanese immigration. I believe that, when it is restricted as it is to-day, it cannot interfere with the national development of this country. I say, however, that the only policy, which you can adopt in connection with Japanese immigration is a policy of conciliation. That is the policy which has been resorted to in the past by the late Government. It is the policy which has been adopted to-day by the present Government; but, for political reasons, for the advancement of the

Conservative cause in British Columbia, it has been deemed necessary to pass a treaty in which a clause is incorporated, which is a sham clause, a gold brick, a make believe in order to keep British Columbia in line.

Mr. MICHAEL CLARK (Red Deer): Mr. Speaker, I want to participate in the danger to which my hon. friend from Beauce (Mr. Beland) felt himself exposed in venturing to interfere in a discussion which has been carried on entirely by learned gentlemen; but it is necessary to take some risks in this world, and I am prepared to risk offence in speaking on this subject, even although I am a layman in regard to the matter. My hon. friend appeared to me to express some surprise that hon. gentlemen opposite occupy a different position on this subject from that which they occupied three years ago. A transformation of that kind on the part of hon. gentlemen opposite does not now create any surprise in me. It is a transformation which has taken place too frequently any longer to excite surprise, at least amongst observant individuals. I do not know any question on which hon. gentlemen opposite occupy the same position that they did three years ago. I pointed out the other day that, even on the tariff question, they are taking up such positions that I have to take their side in an argument. It is true that, in regard to the tariff, I saw an endeavour to keep consistent in the debates on that subject on the part of my hon. friend the Minister of Agriculture (Mr. Burrell) the other night. He was good enough to draw my attention to the fact that Japan is a protectionist country. I was not unaware of the fact. Some days before my hon. friend gave me that information, I had been reading a very carefully written article showing what a failure protection had been in Japan. I should be out of order if I went further into that subject at this time; but perhaps, on the agricultural Bill or on the budget, I may be able to draw swords with my hon. friend on the protectionist tendency of Japan. I hope, as a good Englishman, that my hon. friend will not go to Asia for a good many of his ideals. British ideals suit me very well; and I am not sure, with all my lack of Imperialistic sentiment, that I am not a better Englishman upon this point than my hon. friend the Minister of Agriculture. I can quite understand Japan being a protectionist country. The Japanese are a very alert people; numbers of them have been in the United States, and they have copied the United States as Canada did, on matters of tariff, but they have not observed so far that the United States is leaving tariff. I think Canadians are very much quicker on the matter, and that you will see a rapid change in Canada in a few years; and I have no doubt that in time to come the Japanese will learn what is going on in the younger nations of the world on this particular matter.

I support the amendment of my hon. friend from Edmonton. That amendment simply retains to Canada the power to deal with what may be a very exceptional state of affairs. I understand that is the import and intention of the amendment.

Mr. OLIVER: And emergency.

Mr. CLARK: I am afraid that, if I use that word, I shall be called to order. No one, who has regard to the events that happened on the Pacific coast a few years ago, would feel safe to get up in this House and say that an exceptional state of affairs might not arise. A good many years after I came to this country, a riot took place in the streets of Vancouver, and there was actual bloodshed between some Orientals and the Anglo-Saxons of that city. With that fact in mind, and with the situation in the Orient in mind, no thoughtful person would say that such a state of affairs might not arise in which it would be necessary for Canada to have the power to modify the immigration laws of this country; and, as I understand it, the amendment simply keeps for Canada the power to deal with such a state of affairs if it should arise. There is no one in this House more satisfied than I am to learn that the Japanese Government most loyally carried out the arrangement which was made by my hon. friend from Rouville. But the Japanese Government might not always have the power to restrain their own people. I do not know much about that side of the case, but it is conceivable to any one of us who reflects upon the subject that an exceptional state of affairs might arise. Therefore, the amendment to retain within the power of Canada the elementary power to deal with that state of affairs is one which meets with my approbation and which I shall support.

I think I shall have the consensus of opinion of hon. members of this House on both sides, when I say that in matters of foreign policy as a general principle, and so far as we can go without giving away vital principles, there ought to be no party divisions in this House. That is the general principle to which most of us will accede. And the reason is obvious. In our domestic affairs, we may differ and agree again without very dire results following. We can patch up our domestic difficulties. But in the case of a breakdown in foreign policy, war is the result; and General Sherman probably stated what was true—he most certainly stated what he knew—when he declared that 'War is hell.' Now, it is for this reason, I repeat we ought to be most careful how we allow questions of foreign policy to become questions that divide us in a partisan sense in this Chamber or in this Parliament. I have very strong reason for wishing that hon. gentlemen opposite had, within the last

few years, given due importance to what I consider is this important principle. One of the respects is, that, if they had done so this session of Parliament would now have been over—and we should have done the work that was allotted to this session. If my hon. friends had stayed with their opinions upon the important question of defence, we should not have been four months in trying to persuade them that what they said three years ago was greater wisdom than what they are saying now. And, certainly, if they had said three years ago on this Japanese question what they are saying now, I do not think there would have been quite so long a debate upon this Japanese treaty. I do not think it can be successfully contradicted that in the province of British Columbia in the election of 1908, the Tory party ran their election upon the principle of the total exclusion of Asiatics. That cannot be contradicted by any man who has regard for the facts.

Mr. CARVELL: And the election of 1911 as well.

Mr. CLARK: In 1911, the question did not cut quite so large a figure, so far as my information goes. But in 1908, the Tory party of British Columbia ran upon the principle—and were understood by the people to run upon the principle—of the total exclusion of Asiatics. I do not hear anyone contradict that statement.

Mr. PUGSLEY: It is true.

Mr. CLARK: If they admit the truth of it, I think it would have been to the credit of the party opposite for more than one to get up in their places and say that when one is in office one has a greater sense of responsibility than when one is out of office; and that it had become so necessary to 'beat Laurier' that whatever stick they used at that time did not much matter to hon. gentlemen opposite. During the election of 1908, I passed through the town of Cranbrook, and saw there one of the most notable pieces of election paraphernalia that I ever remember—a white sheet with black letters, and on it I read, 'Vote for Borden, Goodeve and a white British Columbia'. That was laying down a pretty absolute line of policy. I do not give my right hon. friend the Prime Minister any blame for that. He had a very busy time, as he always has in a general election; he could not keep track of his British Columbia friends. I do not charge him with taking that course. The fact is that when his course was out of agreement with that of his followers in British Columbia, they simply altered his telegrams to suit their own ideas. So I do not say he knew anything about the streamer on the streets of Cranbrook. It was there, however, for I saw it and read it.

Mr. MEIGHEN: What is the matter with that principle?

Mr. CLARK: My hon. friend himself had better answer that, because he has departed from it now.

Mr. MEIGHEN: I cannot see that.

Mr. STEVENS: It is the same principle to-day.

Mr. CLARK: If a Tory principle is something you are never going to put in practice, if it is a mere pious opinion, as I have said, that is all right. But what I object to in my hon. friend from Portage la Prairie (Mr. Meighen) as I told the House the other day, is that he has too many pious opinions. This is another one. I explained to the House that a pious opinion is one that you work out with great difficulty in theory and never put in practice. The hon. member evidently has principles, but why does not he practise his principles? It is like a man preaching honesty, and stealing all the time. I have no objection to his principles, it is his practice that hurts me. Well, that was the streamer, that was the principle on which the election was fought. I do not wish to dwell too much at length upon the electioneering devices of my opponents. I quite recognize that a virile people, a strong people, will have the defects of their qualities, and whether they go into building a navy or winning an election, they will do it in vigorous style for the most part. They may forget their virility at certain times, but there is no fear but that in the long run they will come back to the practise of virile methods. In a domestic matter, I should have regarded such devices as I have described with less severity, but in a matter of foreign policy, though we may describe it as a defect of a virile people, the sooner we get rid of these defects the better. I do not think anything more reckless was ever done by a political party than was done in the election of 1908 by the Tory party of British Columbia. It was not only a reckless policy, it was a hypocritical policy; for, on a subsequent visit to British Columbia, not long after the election, I was riding through the streets of Victoria in an automobile which belonged to a friend of mine, and drew my friend's attention to the fact that there was a Chinaman sitting cross-legged upon a very nice hedge bordering a good looking dwelling. And I said: 'You have not got that white British Columbia.' 'No,' he said, 'that is the house of the hon. member for Victoria.' I understand he was one of those who at that time stood for a 'white British Columbia,' and the next time I saw where he was in regard to 'a white British Columbia' he had a full-grown Chinaman trimming the

hedge around his house. It was not only a reckless but a hypocritical campaign. I should have been ashamed to be elected under a streamer the doctrine emblazoned upon which I departed from in the conduct of my private affairs. A more reckless and hypocritical campaign was never carried on.

The present attitude of the party opposite is probably the most complimentary attitude to a political opponent of which I have any recollection. On general principles, I think a government deserves credit when it follows the foreign policy of its predecessor, although that predecessor was of an opposite political colour. I remember very well a speech in which Sir Edward Grey claimed great credit because he was able to mention a number of foreign engagements entered into by Lord Lansdowne which he had been able to continue, and the first one, according to my recollection, was the Anglo-Japanese Alliance. I desire to give my right hon. friend and his party, so far as they support him, credit for following out the policy of his predecessors in office and recognizing that it was a wise policy, but the extent to which they deem it is a wise policy now is the extent of their condemnation of political and party tactics which I have already described as reckless and hypocritical, and I must say that the present attitude of the party opposite is paying a great compliment to my hon. friend from Rouville; it is the highest compliment they could possibly pay to him, because they admit that all the criticisms they passed on him in years that have gone were for political purposes, that the arrangement he made was a most statesmanlike arrangement and that the best thing that they could do when they came into office was to continue that arrangement exactly as he made it.

With regard to the amendment, I shall vote for it, because I quite realize that the conditions upon the coast are exceptional. They might at any moment prove more exceptional. Hon. gentlemen from British Columbia know that what I am saying is the truth and in accordance with the belief of the great majority of the inhabitants of their province; and, after all, the first duty of the Parliament of Canada is to interpret and carry out, so far as we can, the sentiments of our own people. On this ground, with a clear conscience I shall give a vote for the amendment, which, as I say, simply retains for Canada the power to deal with questions that may arise at any moment and give rise to very serious consequences, and which, I understand, we are giving away the right to deal with.

Mr. ARTHUR MEIGHEN (Portage la Prairie): The course of the Opposition in the matter of the present Bill has been a very difficult one for me, at least, to follow. The right hon. the leader of the Opposition commenced his remarks on the 2nd of April with the following assurance:

> We have no intention on this side of the House of offering any opposition to the ratification of the treaty which is now sought by the Government, if certain information which we hope to have as the discussion proceeds is on the line we expect.

Sir WILFRID LAURIER: Hear, hear.

Mr. MEIGHEN: That was the official announcement of the right hon. the leader of the Opposition, and that he now affirms by his welcome 'hear, hear.' Then at the close of his remarks he gives expression to these words:

> The method which has been adopted of having with such a government as the Japanese Government an understanding on mutual good faith, which has been carried out for five years, is certainly the best solution of that problem and now that we have these explanations on the part of my right hon. friend I think there is no reason why we should refuse our assent to the treaty.

Sir WILFRID LAURIER: Hear, hear.

Mr. MEIGHEN (reading):

> The treaty does not go very far and I shall ask later on why the the commercial part of it has not been made applicable to Canada. So far as it goes we will be quite happy to give it our sanction.

Put the two statements together and I affirm and invite correction if I am wrong that the Opposition officially and in unqualified language has approved of the Bill so far as it goes. Then, as the debate proceeded, members from various constituencies began, from different directions, to make attacks on the Bill, they attacked it from various point of views. For the most part those attacks ran up against one another, the arrows shot by one struck another either in front or behind, with the result that I found it very difficult to know what had to be met in supporting the Bill. After tracing the Opposition along, catching up to it here and there and following it around two or three circles, I find that I am not yet very well able to know what the Opposition policy is. All criticism has been forsaken this afternoon except such as pertained to the efficacy of sub-clause (a) of section 2 of the Bill, as to whether or not we have strengthened or weakened our position by retaining our rights under the present immigration law of Canada in sub-clause (a), read in the light, as hon. gentlemen opposite insist, of the correspondence between the Prime Minister and the Consul General of Japan. Where the Opposition stand on that question is as much a mystery to me now as it ever was. It is contended in language of extreme in-

genuity by the hon. member for Pictou and of equal vigour, at all events, by the hon. member for Carleton, that the whole effect of sub-clause (a) of section 2 is lost, that, were there no correspondence, sub-clause (a) might have some effect, we might be still clothed with the powers with which we were clothed under our Immigration Act; but by virtue of two letters, they say, we have no results at all and nothing can go from sub-clause (a) because it is repealed by the correspondence. But no sooner have they taken up that attitude than the hon. member for Edmonton (Mr. Oliver) takes a different one. He says: I would like to preserve sub-clause (a) as it is. I do not think it is at all deleted by the correspondence, the correspondence is quite strong enough to hang to sub-clause (a) but I would add to sub-clause (a) a provision that not only shall we retain our protection under the Immigration Act but any further protection we choose to enforce by amendments to that Act. It is clear to any understanding, it must be abundantly clear to the hon. member for Red Deer, that if the correspondence has the effect of utterly severing us from any result we might obtain from sub-clause (a), it will be equally efficacious in surrendering the whole result of the clause as amended. Take the clause as it is and as amended the effect of the correspondence, good, bad or indifferent, is just the same. If the correspondence has the effect of obliterating sub-clause (a) as it is, it has just as clearly the effect of obliterating sub-clause (a) as amended. That must be the position of the hon. member for Edmonton and the hon. member for Red Deer, who alone of all the hon. gentlemen opposite has had the hardihood to support the amendment. The legal gentlemen on the opposition side must be all askew; they consider the correspondence quite powerless as to its effect on the sub-clause. So we have the three positions; one by the right hon the leader of the Opposition that the Bill, so far as it goes, is good and deserving of the affirmation of members on both sides of the House, unqualifiedly good so far as it goes. We have the hon. member for Carleton (Mr. Carvell) and the hon. member for Pictou (Mr. Macdonald) asserting that the second clause, the main clause of the Bill, is now destroyed by the correspondence, is a flim-flam, a sham and a gold brick, not deserving of the affirmation of any member on either side of the House. Then we have the position taken by the hon. member for Edmonton and the hon. member for Red Deer who say that they quite separate themselves from both branches of their colleagues and would take the Bill as it is; only they would provide that hereafter we may, at any time we like, repeal the treaty by amending our Immigration Act.

Mr. OLIVER: Will the hon. gentleman just repeat that that is his understanding of the facts of the case—that an amendment of the Immigration Act would practically repeal the treaty?

Mr. MEIGHEN: The Immigration Act undoubtedly could be amended so as to repeal the treaty, so far as the immigration clauses go. That is my judgment. But the Immigration Act as it stands to-day is sufficient and ample to protect this country by virtue of the powers conferred on the Governor in Council to make regulations. The Immigration Act as it stands to-day needs no amendment whatever to protect this country in matters of immigration. At the moment this treaty was negotiated, the Immigration Act, as it stood, contained in clauses 37 and 38 ample safeguards for the security of this country in the event of any of the contingencies which seem to be feared by the hon. member for Edmonton and the hon. member for Red Deer. Those clauses are as clear as day, undiscriminatory in any sense against the subjects of any country. They were designed with the view of enabling the Parliament of Canada, as represented by the Governor in Council, to frame regulations based on the considerations of our national development, on internal considerations, and are such as will protect us against what we conceive to be injurious immigration.

Mr. KNOWLES: If, under clause 38 of the Immigration Act, the Government were to make regulations discriminating against the entrance of Japanese, would that be an infraction of the treaty?

Mr. MEIGHEN: What I say is that the Government can make regulations after the passing of this Act, and just as powerful regulations, as they could before the passing of the Act.

Mr. MACDONALD: Against the Japanese particularly?

Mr. MEIGHEN: Any regulations they choose to make in virtue of section 38, from considerations that arise out of the internal affairs of Canada.

Mr. KNOWLES: My hon. friend does not seem to understand my question.

Mr. MEIGHEN: I understand it thoroughly.

Mr. KNOWLES: I will repeat it. If the Government should see fit to make regulations under clause 38, which would discriminate against the entrance of Japanese into British Columbia, would such regulations be an infraction of the treaty?

Mr. MEIGHEN: Whatever regulations the Government choose to make, from the considerations and general principles laid

down in the Immigration Act, they could still make. The hon. gentleman might interpret them as discriminatory, or he might not; I am not the judge of how he would interpret them. But certain principles are laid down in that clause, and so long as the Government has regard to those principles they can make any regulations they like, and they are just as well equipped with the power now, as they were before the passing of the Act. The correspondence does not say that notwithstanding anything in the Act there shall be no discrimination; the correspondence would read that way if hon. gentlemen opposite were right. The correspondence reads this way: That by virtue of the provisions of that Act, inasmuch as those provisions themselves are not discriminatory, we have no objection to that Act, and we have no objection to be bound by it.

Mr. OLIVER: Does my hon. friend assert that the only purpose and intent of that provision is that there shall be discrimination?

Mr. MEIGHEN: I certainly did not so assert. I have no difficulty in answering hon. gentlemen opposite; the real difficulty is that I cannot answer to suit the various sections of hon. gentlemen opposite.

Mr. KNOWLES: I think this is the first time I have asked the hon. gentleman a question in this Parliament. I do not think he has fully understood my question. Suppose that the Government were to pass a regulation by Order in Council under clause 38 of the Immigration Act, prohibiting the coming of Japanese into British Columbia, which they have undoubtedly the power to do, either temporarily or permanently, under the Immigration Act, would that be an infraction of this treaty?

Mr. MEIGHEN: The Government of Canada after the passing of this Act has just as much power to make any regulation provided by the Immigration Act as they have to-day.

Mr. KNOWLES: Can they exclude Japanese?

Mr. MEIGHEN: What we are discussing is this point, if there is any point: whether or not we are now disrobing ourselves of the protection we had before. I answer, no; and if we are not, why should I stand here and answer interminable questions that do not affect the matter in the least? So long as the Act is not affected, so long as the Act stands supreme, unabbreviated and unimpaired, we are not concerned. The powers of the Government under that Act stand as they stood before; the correspondence in no way abbreviates that power, and that ends discussion on that point. Hon. gentlemen opposite have abandoned everything else in respect to the treaty. It might be well for the hon. member for Moosejaw to ask the hon. member for Edmonton a few questions. The first question the hon. member for Edmonton would ask him would be: you who are my colleague and admirer from Moosejaw, argue that sub-clause (a) of clause 2:

> Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act.

—means nothing, inasmuch as the correspondence has the effect of repealing it.

Mr. KNOWLES: No.

Mr. MEIGHEN: The hon. member for Moosejaw does not say that. That doctrine is confined to the hon. member for Pictou (Mr. Macdonald), and the hon. member for Carleton (Mr. Carvell).

Mr. KNOWLES: I want to explain my position. My hon. friend says that I do not take that position. What I say is that in my speech of an hour and a half yesterday I never referred to the correspondence. He is confusing me with someone else.

Mr. MEIGHEN: Has my hon. friend read the correspondence?

Mr. KNOWLES: Several times; have you?

Mr. MEIGHEN: That is why you do not refer to it. The hon. members for Pictou, South Wellington, and Carleton, New Brunswick, hang their whole case on that argument. They say we might just as well wipe out sub-clause (a), because all the protection we had in the Immigration Act is repealed by the correspondence. Let the hon. member for Edmonton ask those gentlemen, and tell me what on earth can be the good of his amendment which contains sub-clause (a) as it is to-day. He says it shall not only be saved, but that certain corrections which we may make in the Immigration Act shall be saved as well.

Now, I am anxious to get other business before the House. Legislation almost ad lib stands still for consideration, and hon. gentlemen opposite would do a great service to the House, especially in the matter of expediency, if, before making attacks in their disorganized state on legislation, they would get together. In that way the supporters of the Government, or those who believe in the Government Bill, would be better able to meet their attacks. It is utterly impossible to ascertain the views of hon. gentlemen opposite as a whole. The hon. member for St. John (Mr. Pugsley), for a time, seemed to think that our coastwise trade regulations were surrendered by this Bill. The right hon. leader of the Opposition, for a time, was afraid that we were not getting a square deal in trade matters—that, under the Bill, we were going to be

subjected to discrimination at the hands of Japan in matters of trade. Both of these ideas were clearly dispelled and now the three sections of objectors stand upon a different plane, on different horns of the dilemma, and take positions that are mutually antagonistic.

Mr. D. D. McKENZIE (North Cape Breton): The hon. gentleman who has just taken his seat (Mr. Meighen) seems to think that there is a great difference of opinion on this side of the House in respect to the question under discussion. He wanted to know where we stood, what our contentions were. I think that my hon. friend will find that, if any opinion is asked on this side of the House in the regular way of a vote, there will be no division at all in our ranks, but that, as usual, we will stand behind our leader on this question and support the amendment that is presented to us. No person on this side of the House has expressed the opinion that we should vote against the Bill in its entirety, or against the schedule attached to it in its entirety, but we have some proposals to make in respect to the Bill and to the schedule and, if the right hon. the leader of the Government will accept them, or any part of them, we think that both the Bill and the agreement will be all the better as a result. The great reason for discussion on this side of the House, if the hon. member for Portage la Prairie wants to know, is that we dislike to see the Government and their supporters, travelling under false colours, we dislike to see them trying to run with the hare and hunt with the hounds on this question. They are accepting this treaty in its entirety and practically without any reservation whatever from the Government of Japan, whereas, on the other hand, they are holding out to the people of British Columbia the idea that they are giving them certain reservations, certain protection, which, in fact, they are not giving them. That, as clearly as I can put it, is the position and that is the basis of the discussion that has taken place from this side of the House. It is peculiar to notice that, in the formation of this treaty and in its piloting through the House, hon. gentlemen on the other side, and particularly the right hon. the leader, is following the trail blazed by the United States in dealing with Japan. In 1894, the Government of the United States put in their treaty, practically word for word, the amendment which my hon. friend from Edmonton (Mr. Oliver) is pressing to-day. It was put in the treaty, not in the Act. The right hon. the leader of the Government to-day says: I will not put any terms of restriction in the treaty, but I will put them in the Bill. I submit to you, Mr. Speaker, and to hon. gentlemen opposite that it does not make any difference whatever to the general effect of the stipulations whether they are in the Bill or in the treaty; they have the same effect. What were the terms contained in the American treaty of 1894? They will be found on page 7117 of 'Hansard,' in a speech of the right hon. gentleman who leads the Government. They are:

> It is however understood that the stipulations contained in this and the preceding article shall in no way affect the laws, ordinances and regulations in regard to trade, immigration, or labourers, police and public securities which are in force or which may hereafter be enacted in either of the two countries.

That leaves a free hand for any enactment that may be made in the United States at any time after the passing of the Act. My hon. friend from Edmonton wants us to have the same power and authority as that which was reserved to itself by the Government of the United States. The Conservative Government, in 1895, wanted the same condition in the treaty of 1894 when they were called upon to ratify it. The terms which they wanted are set out in the speech delivered by the right hon. the Prime Minister on the 2nd of April, and which will be found at page 7118 of 'Hansard.' The terms which the Conservative Government at that time wanted were these:

> The Canadian Government, in adhering to this treaty, would desire a stipulation with respect to Japanese immigration similar to that inserted in the treaty between Japan and the United States and they desire a further definition of the word 'labourers,' by adding thereto the words 'including artisans.'

The Conservative party of that day were not willing to bind themselves to accede to the principle that they should not be allowed to pass any legislation or adopt any regulations which might be necessary should the occasion arise. If it was good law and good policy for the Government of the United States to have that proviso in their treaty in 1894, if it was a good sound proviso for the Conservative Government to insist upon it in 1895, and if they saw fit to have it incorporated in the treaty at that time, why would it not be a good thing to-day and why should not the amendment of my hon. friend from Edmonton be accepted?

The hon. member for Portage la Prairie (Mr. Meighen) has rather beaten around the points that are really at issue between the two sides of the House, and has not given any very definite opinion one way or the other. He has simply devoted himself to showing that there were divisions amongst us on this side of the House and

he therefore concluded that it was not necessary for him to say anything at all about the real question that is up for discussion. He asked: Why, if the Bill is useless, do you ask for power to make amendments? It may be a special pleading to point out to my hon. friend that when the Government of Japan are accepting the Bill as it is to-day they can say nothing about any amendments which are hereafter passed. If they are willing to accept the Bill and the agreement, and if we do amend the law, they can neither find fault with the law or with the effect it may have on the treaty when so amended.

Hon. gentlemen opposite ask with a good deal of force: Why did you allow the treaty of 1907 to pass? You, the Liberal party, are forever to be condemned because you permitted that treaty to pass in 1907 without any stipulation protecting the coast of British Columbia. That is not a fair proposition. Hon. gentlemen know that it is quite easy to be wise after the fact. They know that when the treaty was passed in 1907 there was no condition requiring any safeguard for the ports of British Columbia, or any other part of Canada. If at that time the people of British Columbia were threatened with invasion from Japan or elsewhere, then the present Prime Minister and his political friends who sat with him in opposition were in duty bound to point that out, but they were perfectly satisfied with the treaty when it was presented to this House, and they accepted it without any protest. The confirmation of that treaty was not a political question; it was an international question in which both sides of politics were interested, and if a mistake was made it was made by all the representatives of the people in this Parliament. It is, therefore, not a fair criticism to tell the people of British Columbia to-day that the Liberal party was remiss in their duty in not safeguarding the interests of the people of British Columbia when they allowed that treaty to pass. However, no such excuse exists to-day. We have passed the crisis in British Columbia: but what occurred before may occur again, and now that we are passing a second treaty it behooves us to take precautions in the light of the experience we had a few years ago.

No one has greater regard for the legal ability of the Prime Minister than I, and I should be sorry to differ from him on a question of law, if the distinction was fine. But the case seems so absolutely clear that I have not the slightest hesitation in differing from the right hon. gentleman as to the effect of his correspondence, the provisions of the Act, and the treaty. What was the purpose of that correspondence? If it had no purpose at all it need not have taken place, and even if it did, it might have been regarded as private and

not made part and parcel of the whole arrangement as it has been made. The first letter of the Prime Minister explained to the Japanese Consul that our Immigration Act was absolutely universal in its application; that it was the same against the man who came from Ireland, or Scotland, or England, as against the man who came from Japan. And naturally the Japanese representative in replying says, that if the Japanese are put on the same footing as Scotchmen, Irishmen, Welshmen or Englishmen, Japan could have no objection, because Japan could not expect better treatment for its citizens than the people of Canada were according to their own kith and kin across the sea. That is the meaning of the correspondence with the Prime Minister, if it has any meaning at all.

But, if the Prime Minister should be blamed for not putting the whole case to the representative of Japan, I would be prepared to say that he was at least not technically correct when he stated that our Act did not discriminate against anyone. It is true that on the face of the Act it does not discriminate, but sections 37 and 38 provide for absolute power of discrimination, and put the power of discrimination in the hands of the Government or of a minister, who can use it if it should be thought proper. I submit that an Act of Parliament which enables a minister of the Crown to discriminate against any set of immigrants is a discriminating Act, and it is simply a question of the will of the minister or of the Government whether that power shall be exercised or not. But, on that score, the representative of Japan replies that it does not concern him very much what the Immigration Act says, because he has the word of the Prime Minister of Canada in black and white, that there shall not be any discrimination against the subjects of Japan. I suppose the representative of Japan does not profess to be qualified to give opinions as to the international effect of legislation in this Parliament, and he was satisfied because he had the First Minister of Canada stating in writing that there was no discrimination. In his reply, he does not say: I have read your Act and I agree in that statement; but he tersely and shortly says: There will be no discrimination against any of the subjects of my country. In his last letter the Prime Minister clinches this by saying there will not be any discrimination, and so I would like to know where do the representatives of British Columbia find authority to discriminate? To enable any discrimination, they will have to wipe out altogether the correspondence of the Prime Minister, because the very minute that the first Japanese lands in British Columbia and is interfered

with in any way, other than would a Frenchman, a German, an Englishman, or a Scotchman, that Japanese subject has the right to appeal to the written letters of the Prime Minister of Canada and to claim there shall be no discrimination against him. That certainly would be a violation of the terms as laid down by the letters of the Prime Minister and the acceptance of them by the representative of Japan. That being the case, I submit that, to say that we still have the terms of the Immigration Act in force in regard to Japanese immigration, is to state something that in my judgment is absolutely without foundation. It is simply putting the people of British Columbia in line with the old fable that is told about a lion going to ask a certain man to give him his daughter for his wife. The fable says that the lion went to the man with that request and the man said: 'No, I shall not give you my daughter. You have terrible teeth; you have awful claws. If you cut those claws and pull those teeth, you can have my daughter.' The lion was so enamoured of the daughter that he went and pulled his teeth and cut his claws and then presented himself for the prize of getting the gentleman's daughter for his wife. The man, however, said to him then: 'I have nothing to do with you. I care nothing about you. You have no power and I can treat you as an ordinary, good-for-nothing, old dog that might prowl around my premises.' I submit to the people of British Columbia that, when they are getting the Immigration Act in force, surrounded with this clause, they have it with its claws cut and its teeth pulled. If the people of British Columbia are willing to accept the Immigration Act rendered nugatory in that way, nothing but a mere name, of course they are entitled to any glory which they can get from it. I am sure, however, that they will see the matter in its true light. While I do not think that anybody on this side of the House proposes to vote against the Bill in its entirety or against the schedules thereto, in view of the campaign that has been conducted in the province of British Columbia for the last five or six years, and in view of the declarations of the Prime Minister and other hon. gentlemen opposite, we would not be doing justice to the people of British Columbia if we did not strip bare before them the policy that is being submitted to them now in order to make them believe that they are getting something when they are really getting nothing.

Mr. J. H. SINCLAIR (Guysborough): Mr. Speaker, I have been listening with a good deal of interest to this debate, and I was hoping that my hon. friend from Portage la Prairie (Mr. Meighen) would take with some seriousness the point raised by my hon. friend from St. John (Mr. Pugsley) in regard to the rights of shipping on the coasts of this country as affected by this treaty. I understood that my hon. friend from St. John raised the point that the various clauses of this treaty dealing with shipping would enable Japanese vessels to engage in the coasting trade of Canada. The first article of the treaty that deals with the question is article VI, which reads as follows:

There shall be between the territories of the two high contracting parties reciprocal freedom of commerce and navigation. The subjects of each of the high contracting parties shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce, and, conforming themselves to the laws of the country to which they thus come, shall enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation as are or may be enjoyed by native subjects.

This would enable a Japanese vessel engaged in trade on the Pacific ocean to engage in trade between any two ports on the coasts of British Columbia.

Mr. SPEAKER: The hon. gentleman must confine himself to the amendment before the House, which refers to an entirely different clause from the one he is discussing.

Mr. SINCLAIR: I understood, Mr. Speaker, that the motion before the House was the third reading of the Bill; and under that motion, I supposed that I was at liberty to deal with the clauses of the treaty itself.

Mr. SPEAKER: The rule with regard to debate, when an amendment is before the House, is that it is the question which a member is permitted to speak to.

Mr. PUGSLEY: This is a very important matter. I have always understood that, when a motion is before the House, if an amendment is moved thereto, a member can speak both to the main motion and to the amendment; otherwise, if he spoke to the amendment, he would be debarred altogether from speaking to the main motion, as he would not be allowed to speak a second time.

Mr. SPEAKER: The rule in regard to an amendment, as I understand it, is this: If the amendment is, 'that all the words after 'that' be struck out, and an amendment be substituted in lieu thereof,' it would be proper to discuss the original motion and the amendment; but, if it is an amendment merely of a clause, and not of the whole question, then the rule provides

that debate must be confined to the amendment or the question that is before the House for decision. The question before the House for decision is the introduction of this amendment.

Mr. PUGSLEY: The amendment is more than that. It is that the Bill be not read a third time, but that it be referred back to the Committee of the Whole. If the amendment prevailed, it would mean that the Bill be not adopted by the House unless amended accordingly.

Mr. SPEAKER: If the amendment prevailed, the Bill would go back to the Committee of the Whole with instructions to deal with only this one clause. The Committee of the Whole could not deal with or discuss any other portion of the Bill on such instructions. Therefore that is the only question for decision before the House. If my understanding of the rule is correct, and I think it is, though, of course, not infallible, then the rule requires the confinement of the discussion to the amendment; and it would not be permissible to discuss other portions of the Bill not connected with it.

Mr. EMMERSON: Would it not be in order for an hon. member, even though there were an amendment, to discuss the whole Bill on the motion for the third reading?

Mr. SPEAKER: Yes.

Mr. EMMERSON: Then, is a member excluded from so doing because another member has chosen to move an amendment? He wishes to speak to the amendment, but at the same time he wishes also to discuss the whole question of the third reading. It seems to me reasonable and in accordance with every principle upon which we base our rule that an hon. member should have the privilege of discussing not only the third reading, but the amendment, a notice of which is before the House. If he is obliged to confine himself to the amendment under discussion, he is precluded from in any way discussing the third reading.

Mr. SPEAKER: No, the hon. member is wrong in that respect. As soon as this amendment is disposed of, whether lost or carried, then he can discuss the third reading of the Bill. If the amendment is carried, the Bill will go to committee and come back again for third reading, but if it is lost, then the House takes up the question of the third reading, and that can be discussed.

Mr. SINCLAIR: I rose simply to mention some considerations which, it seems to me, support the position of the hon. member for St. John; and if I had been permitted to go on for a moment, you would have saved much time in connection with this point of order. I do not know whether I may be allowed to name the clauses to which I wish to refer. Let me point out that articles VI, XXI and XXIV relate to the question of shipping. It occurred to me that there is a good deal in the position taken by my hon. friend from St. John—that it will be contended that the Japanese vessels have the right to carry on coasting trade in Canada, under these various clauses. Article XXI says:

> The coasting trade of the high contracting parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws of the United Kingdom and Japan respectively.

Now, as I understand the laws of the United Kingdom, there is no restriction in regard to the coasting trade, but any vessel is allowed to carry on coasting trade between the ports of the United Kingdom. This clause should be amended so as to read: 'the United Kingdom, Canada and Japan,' because we have special laws not found in the laws of the United Kingdom, and it should refer not only to the laws of the United Kingdom and Japan but to the Canadian laws regulating the coasting trade. The other clause to which I refer is article XXIV:

> The high contracting parties agree that, in all that concerns commerce, navigation, and industry, any favour, privilege, or immunity which either high contracting party has actually granted, or may hereafter grant, to the ships, subjects, or citizens of any foreign state shall be extended immediately and unconditionally to the ships or subjects of the other high contracting party, it being their intention that the commerce, navigation, and industry of each country shall be placed in all respects on the footing of the most favoured nation.

Under special orders in council there are a number of other nations allowed to carry on coasting trade in Canada in ships of certain tonnages. For instance, Norway can carry on coasting trade with any vessel or steamer over 1,500 tons. If you are giving to Japan under this treaty all the rights of the most favoured notion in connection with that trade it strikes me we will give them the right to carry on the coasting trade in Canada. I feel certain the Prime Minister does not intend that that should be done, especially as the shipping of Japan is expanding. I understand that they have a line running to the Pacific coast, and under the rights given them under this treaty, they could coast between Vancouver and Victoria or Prince Rupert, or even the eastern coast if they are enterprising enough to do so. I merely point out this to the Prime Minister in case the point may not have occurred to him.

The House divided on the amendment (Mr. Oliver):

YEAS:

Messieurs:

Bureau,	McKenzie,
Carroll,	Marcil (Bonaventure),
Champagne,	Marcile (Bagot),
Charlton,	Molloy,
Chisholm (Inverness),	Murphy,
Clark (Red Deer),	Neely,
Devlin,	Oliver,
Douglas,	Pacaud,
Fortier,	Proulx,
Gauvreau,	Pugsley,
Knowles,	Reid (Restigouche)
Kyte	Richards,
Lafortune,	Ross,
Laurier (Sir Wilfrid),	Sinclair,
Law,	Thomson (Qu'Appelle),
Loggie,	Turgeon,
Maclean (Halifax),	Verville, and
McCraney,	Warnock.—36.

NAYS:

Messieurs:

Achim,	Lavallee,
Ames,	Lewis,
Armstrong (Lambton),	Macdonnell,
Arthurs,	McCurdy,
Ball,	McKay,
Barker,	McLean (Queen's, P.E.I.),
Beattie,	Marshall,
Bennett (Simcoe),	Meighen,
Blain,	Merner,
Blondin,	Middlebro,
Borden,	Morphy,
Bowman,	Munson,
Boys,	Northrup,
Bradbury,	Paquet,
Burnham,	Paul,
Burrell,	Perley,
Clare,	Rainville,
Clark (Bruce),	Robidoux,
Clarke (Wellington),	Rogers,
Cockshutt,	Sevigny,
Coderre,	Sexsmith,
Crothers,	Sharpe (Lisgar),
Doherty,	Sharpe (Ontario),
Donnelly,	Shepherd,
Elliot,	Smith,
Fisher,	Smyth,
Foster (King's, N.S.),	Stevens,
Fripp,	Stewart (Lunenburg),
Garland,	Sutherland,
Gauthier (Gaspé),	Thompson (Yukon),
Girard,	Thornton,
Green,	Tremain,
Guilbault,	Walker,
Hartt,	Wallace,
Hazen,	Weichel,
Henderson,	White (Renfrew), and
Hepburn,	Wilson (Wentworth).—76.
Jameson,	
Lancaster,	

PAIRS:

Ministerial.	Opposition.
Lamarche,	Lapointe (Kamouraska),
Mondou,	Demers,
Bellemare,	Gauthier (St. Hyacinthe),
Clare,	Cash,
White (Leeds),	Emmerson,
Barnard,	Martin (Regina),
Fowler,	McLean (Sunbury-Queens),
Stanfield,	Pardee,
Aikins,	Turriff,
Stewart (Hamilton),	McCoig,
Boulay,	Papineau,
Barrette,	Seguin,
Forget,	Martin (St. Mary's),
Currie,	Nesbitt,
Webster,	Proulx,
Nantel,	Michaud,
Foster (Toronto),	Tobin,
Hughes (Victoria),	Guthrie,
Taylor,	White (Alberta),
Alguire,	McMillan,
Baker,	Kay,
Bennett (Calgary),	Buchanan,
Bristol,	Bickerdike,
Broder,	Brown,
Reid (Grenville),	Carvell,
Davidson,	Chisholm (Antigonish),
Cochrane,	Graham,
Cromwell,	Lovell,
Nicholson,	Hughes,
Kemp,	Wilson (Laval),
Pelletier,	Lemieux,
Lesperance,	Power,
Rhodes,	Macdonald,
Morrison,	MacNutt,
Alguire,	McMillan,
Monk,	Bourassa,
Thoburn,	Robb,
Roche,	German,
Schaffner,	Cruise,
Chabot,	Beland,
Edwards,	McRea,
Brabazon,	Gordon,
Elson,	Clarke (Essex),
Boyce,	Cash,
Crocket,	Ethier,
Carrick,	Cardin,
Best,	Brouillard,
Osler,	Boyer,
Porter,	Lapointe (Montreal),
Steele,	Lanctot,
Clements,	Delisle,
Wilcox,	Lachance,
Nickle.	Boivin,

Amendment negatived.

At six o'clock House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

SUPREME COURT OF THE INDEPENDENT ORDER OF FORESTERS.

House in Committee on Bill No. 30, to consolidate and amend the Acts relating to the Supreme Court of the Independent Order of Foresters, and to change its name to The Independent Order of Foresters.—Mr. Macdonell. (Mr. Deputy Speaker in the Chair.)

On section 1:

Mr. GUTHRIE: I have received a letter from one of the judges of the county courts

of Ontario, a former member of this House, who seems to think that the Bill affects him very seriously.

Mr. MACDONELL: The object of the Bill, which is of considerable importance and affects a very large number of persons who are members of this fraternal society, and also indirectly affects similar societies and their members. This is one of the oldest of the fraternal societies. These societies are face to face with insurance and business conditions that compel them to rearrange their business and practically put it upon a reserve basis. This Bill is intended to have that effect with respect to the Foresters. I understand that other societies similarly situated will likely take advantage of this Bill. The Bill was fully considered in the Banking and Commerce Committee, where the High Chief Ranger and counsel for the society fully explained it, the Department of Finance concurred in it, and after a forenoon's consideration it was adopted without dissent. The society are coming here earlier than they expected to come because of the fact that in the United States, where they do a very large amount of business, some twenty states of the Union have passed an Act called the Mobile Act, an insurance law which requires all companies doing business in their territory to put their business upon a reserve basis while many other states propose to pass such a law. This organization has in the United States 133,000 policy holders out of a total membership of 243,000. The chief officers of the society therefore felt that it was very necessary to take immediate steps to put the society upon that reserve insurance basis and they expect that, if this Bill passes, they will have their business in those twenty states not upon a reserve basis by 1917, when the law to which I have referred takes effect. When the Bill was before the committee, the hon. member for Carleton (Mr. Carvell) had a letter, perhaps somewhat similar to that which the hon. member for South Wellington has, but, on an explanation from the promoters, that hon. gentleman made no objection and concurred in what was done. The first five sections contain nothing that is not now in the Act of Incorporation and the amending Acts of the order, so that there is nothing new in the sections until we come to section 6.

Mr. GUTHRIE: Judge Jamieson, who writes me, says that he joined the Foresters about 1883 and, having attained the age of 70, under this certificate was entitled to payment of his policy in annual instalments of ten per cent, that is, $300 per annum. Four of these payments have been made to him, but now he thinks and I think that under this Bill there may be some rearrangement which will adversely affect his right to claim under this certificate. He claims that his right is a vested right and his contract is an executed contract and that no legislation should be passed to vary it. If my hon. friend can assure me that there is nothing in the Bill or the schedules which would affect rights of this kind, I would have no objection to the Bill passing.

Mr. MACDONELL: I can give no assurance of that kind; in fact, what transpired proved this, apparently, that all policies of members who joined since the year 1899 are upon a reserve basis and so far as they are concerned, I fancy that their contracts will remain as they are. This is a society or insurance company and as I understand the matter as it was explained in the Committee, the insurance of those who were members before 1899 is not upon a high enough basis to protect it and put it upon a reserve basis, and there will have to be some rearrangement with regard to their insurance. I cannot say what form that will take, but, belonging to that earlier group, the instance mentioned by the hon. gentleman will, according to the explanation given, be one of those policies that will have in some way to be rearranged upon a new basis in order to put the whole society upon a reserve basis. That, of course, is all worked out in the schedule and the various sections of the Act.

Mr. EMMERSON: I am a member of the Order and have been since some time in the '80's. I was present at the committee when the Bill was under discussion. It was clearly explained to the committee. The Bill simply gives certain rights to the order whereby, at the option of the members, they can elect to adopt one of three courses which the society is authorized to carry out upon two-thirds majority of the delegates at the Supreme Court which is held at stated periods. Every section of the area over which the Supreme Court has jurisdiction is represented. There are two hundred and ten delegates. They come from the United States and from the Dominion of Canada and by a two-thirds majority of those two hundred and ten delegates a course can be selected which will enable the society to adopt it. The position is this: A certain class of those who are insured at the rates increased under the Act of 1908 could have assumed a different class and could have paid dues which would have covered their risks. They did not do so. They elected to remain in a lower class in the hope that something would happen which would assure to them all the benefits which they had anticipated when they first joined the society in 1908. That class have a certain reserve which protects them, but there is a deficit which grew up from the early inception of the order to the time of the legislation in 1908 by reason of the assessment dues being inadequate. If they were to take their benefit now from that fund it would simply mean that, if they were in-

sured for a thousand dollars, they would be entitled to $750. Those who have, however, since that period of 1908, paid the higher system are in a different class and their policies are worth their face value. Not so with this class. After all, this legislation is simply for the purpose of enabling the society to take one of three courses and the membership of the society have a voice in determining as to which course they will take. I think it is reasonable legislation and I think it is in the interests of all classes of the membership of the order.

Mr. GUTHRIE: I think that what my hon. friend from Westmorland (Mr. Emmerson) has said would apply with great force to current policies. But the policy to which I have referred is not a current policy. It is in the nature of a matured policy, a certificate issued under conditions which say that, when the insured arrives at the age of seventy, if he has paid all dues, he shall be entitled to receive annually ten per cent of the face value of his policy. That policy matured in 1907 before the re-arrangement of rates to which my hon. friend referred. It became in the nature of a vested right I would think that it would be wrong and bad in principle that after the insured had honestly made all these annual payments—and this is only one of a number of similar cases—legislation should now be introduced which might in a way affect this completed contract.

Mr. EMMERSON: When did it mature?

Mr. GUTHRIE: In 1907.

Mr. EMMERSON: Then it is a liability which they have to carry out.

Mr. GUTHRIE: If it is a liability which they must carry out, and if that is made clear in the Bill I would have no objection, but I am afraid that, in clause 4 and in the schedule, it is not very clear.

Mr. WHITE (Minister of Finance): If my hon. friend has any doubt about it—and, offhand, I do not pretend to pass upon it—I would suggest that the Bill be allowed to stand until the matter that he has drawn our attention to is looked into more carefully. This is a private Bill, but it received very careful consideration on the part of the Insurance Department and from myself. The position is substantially as it has been set out by my hon. friend from South Toronto (Mr. Macdonell) and my hon. friend from Westmorland (Mr. Emmerson). The actuaries in the Insurance Department believe that this legislation is very much in the interest of the order as a whole and I think there was no dissent from that view expressed at the committee. There are two main classes, as I understand, of policy-holders—those who entered prior to 1899 and those who entered subsequently to 1899. Those who entered subsequently to 1899 are paying a proper amount, having regard to actuarial calculations, so that no question of deficiency arises in connection with their policies. In regard to those who entered prior to 1899, a rather numerous class, I think about one-third of the entire order, for the reasons mentioned by my hon. friend from South Toronto and more particularly because of the American legislation to which he has referred, the society, in order to continue in a solvent condition, would be obliged to increase the rates. That increase would bear very heavily upon those who are over fifty years of age; in fact, it would appear to be prohibitive in so far as some are concerned. The assets of the Foresters now belong to the order as a whole and are held in that way really on account of all the policy-holders. This Bill proposes to divide the assets into three classes one portion to be set aside, after a proper actuarial calculation has been made, and allocated to those policy-holders who entered prior to 1899. That portion of the assets would represent the amount, actuarially speaking, which belongs to that class of policy-holders. A certain portion of the assets are allocated to those policy-holders who are on an actuarial basis according to the Foresters' experience.

Mr. EMMERSON: Is it not rather that the actual amount which all the individual members of that class have paid in, less the proportion of charges, is set aside for their benefit?

Mr. WHITE: I understand that is the position. I used the word 'actuarial' in the ordinary insurance sense.

Mr. EMMERSON: That might be misleading.

Mr. WHITE: Perhaps so. There is a third fund that represents the surplus of the order; a substantial body of assets which is to be set aside in aid of the class as to which there is a deficiency of assets, namely, the class who entered prior to 1899. So much for the division of the assets under the Act. As to the payment to be made, in this class who entered prior to 1899 section 4 of the schedule says:

> The society shall ascertain, as at the first day of October, 1913, the valuation deficiency in respect of all the outstanding mortuary benefit certificates or policies of the members who entered the society under the constitution and laws from time to time in force prior to the first day of January, 1899, and shall apportion such valuation deficiency among the said members in proportion to the amount of the mortuary benefit certificates or policies: Provided that the share of the valuation deficiency so apportioned to any member shall not exceed the reserve proper to such member's mortuary benefit certificate or policy

according to the Foresters and four per cent annual interest.

It goes on to describe the course to be followed in respect to the polities of those members who entered prior to 1899:

If the supreme court of the society, at the session to be held pursuant to the provisions of section 12 of this Act, by resolution so decides, the society may charge against each such mortuary benefit certificate or policy as an assessment, a sum not exceeding its proportion of the valuation deficiency aforesaid. Such assessment shall thereupon be payable to the society by the member on the said first day of October, 1913, or if not so paid, shall be a lien or debt against such member's mortuary benefit certificate or policy bearing interest until paid at the rate of four per cent per annum compounded annually.

In another part of the schedule it is provided:

In the event of the said supreme court failing to adopt, at the said session, either of the methods of meeting the valuation deficiency hereinbefore set forth, the society shall ascertain and apportion to the mortuary benefit certificate or policy of each of the said members its share of the accumulated funds determined as provided in paragraph 3 of this schedule, and shall charge annually against such credit and interest at the rate earned by the accumulated funds of the society and the net mortuary assessments or premiums received from such member during the year, such member's share of the mortuary and disability claims accruing during such year, together with such additional annual sums as shall be necessary according to the Foresters experience and four per cent annual interest to provide the benefits other than the mortuary and disability benefits stipulated in such member's mortuary benefit certificate or policy, and when such credit is exhausted the society shall collect and is hereby empowered to collect from the said member such additional or increased assessments during each year as shall be necessary to answer such member's share of the mortuary and disability claims accruing during such year together with the Superintendent of Insurance.

Without being technical, I understand that if the order were to impose the additional amount of assessment that would be required to put upon a proper basis the policies held by members who entered prior to 1899, a very large percentage of that membership would be obliged to drop out. That would of course injure the prestige of the society and, would be a very considerable loss to those who were members prior to 1899, and who would be obliged to cease membership by reason of the increase in the rate.

When this matter was first brought to my attention, the Bill was in a very different form to what it is at present. There were three things I insisted upon: in the first place, I decided that the Bill should be very carefully checked by the Insurance Department; in the second place, in addition to the usual advertising in connection with a Bill of this kind I arranged that notice should be given in The Forester which is sent to every member both in Canada and the United States, that this application was to be made, in order that any parties who might desire could appear before the committee, and, the third thing I insisted upon was, in my opinion, important. If the committee will look at section 12, they will observe:

The supreme court of the society may meet in regular session within six months from the date of the passing of this Act, and if at such session a resolution to accept this Act is supported by two-thirds of the votes cast this Act shall come into force on the day on which such acceptance takes place, and notice and proof of such acceptance shall be filed with the superintendent of insurance.

At first it was suggested that that vote should be one-half although under the existing legislation of the Foresters the rates can only be changed by a two-thirds vote. I took the view that it should remain at two-thirds, and consequently in the amended Bill it appears in that form. The matter is technical and dry but I think I have given the House an idea of the reasons for the introduction of this Bill and the need of the legislation. A very substantial number of members of the order are affected by this Bill in this way: If upon the calculation being made that is provided for in the schedule, there was a deficiency, then a man having a policy of $2,000 with a deficiency of $250 might elect to have a lien upon his policy, instead of paying up the amount, so that his policy would be for $750 instead of $1,000. A very full explanation was given in the committee, and it was listened to very carefully, and I think intelligently considered. The question which my hon. friend from South Wellington (Mr. Guthrie) has raised, was not especially dealt with in the committee. If he desires that this Bill should stand, it might stand over until the next occasion on which private Bills are taken, in order that the matter might receive attention from the department, and the true position as to this policy situation submitted to my hon. friend. There seems to be no doubt that the legislation is in the interests of the order as a whole, although in some cases the policies will be cut down and the assessment increased.

Mr. GUTHRIE: Perhaps, so far as the assessment of rates is concerned, this amendment would suffice:

That nothing in this Act contained shall affect or limit the right of any member who is a holder of a benefit certificate or policy which has heretofore become payable in instalments to him or has become a paid-up policy or certificate upon his attaining the age of 70 years.

There is a clause in all the older policies which says that a member upon attaining the age of seventy may cease altogether to make further payments. There is another clause which says that he may withdraw his money in annual instalments of ten per cent per annum. As most of these older certificates were taken out prior to 1899, it may be found that there was some deficiency in the old fund. It would be a pity, if a man, who has taken out a paid-up policy and locked it up in his desk for four or five years, or who has been receiving instalments, were now to be asked to pay to this fund. I think in all these policies, there is a vesting power in the policy. Clause 12, which was suggested by the Minister of Finance is a very excellent clause, but I fear it would not protect the older policy-holders. Those who are now seventy and over are few in comparison with the tremendous number of policy-holders in this order. If such a clause as I have suggested be acceptable, the Bill could go through; otherwise I should like to see it stand over until a suitable clause could be drafted.

Mr. WHITE (Minister of Finance): I understand the hon. member for South Toronto (Mr. Macdonell) is willing the Bill should stand. I would suggest that the hon. member (Mr. Guthrie) give to him and to myself a letter with respect to the particular policy which he has in mind, in order that we may have the matter looked into carefully. I appreciate what my hon. friend has said with regard to vested rights.

Progress reported.

PORT NELSON COMPANY, LIMITED.

House in Committee on Bill No. 114, to incorporate the Port Nelson Company, Limited.—Mr. Beattie. (Mr. Deputy Speaker in the Chair).

Mr. OLIVER: This is a somewhat unusual Bill. Would the promoter be good enough to explain it to the committee?

Mr. BEATTIE: It is a Bill for the general development of the country at Port Nelson.

Mr. OLIVER: Is it a commercial company or a development company, or what kind of a company is it?

Mr. BEATTIE: It is a commercial company for the development of that part of the country.

Mr. OLIVER: Is it a land company or a commercial company or both?

Mr. BEATTIE: A commercial company, not a land company.

Mr. OLIVER: Has the name Port Nelson any geographical significance?

Mr. BEATTIE: It is the name of the old company which is already incorporated.

Mr. OLIVER: Has it relation particularly to what we call Port Nelson on Hudson bay?

Mr. BEATTIE: The head office of the company is in Winnipeg, but the Bill refers to Port Nelson.

Bill reported.

Mr. BEATTIE moved the third reading of the Bill.

Mr. PUGSLEY: I think the third reading of this Bill should stand, because it strikes me that it is a most extraordinary Bill. It has gone through so quickly that I have not had time to look at it, and I should like the Minister of Justice to look at it.

Bill stands.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill No. 153, respecting the Bank of Saskatchewan.—Mr. Knowles.

Bill No. 92, to incorporate The Metropolitan Mortgage and Loan Corporation.—Mr. Meighen.

PRUDENTIAL LIFE OF CANADA.

House in Committee on Bill No. 115, to incorporate the Prudential Life of Canada.—Mr. Meighen. (Mr. Deputy Speaker in the Chair.)

Mr. OLIVER: I presume that this Bill is in accordance with the usual form of Bills of this charcater; that there is nothing special or peculiar in it. I should like to have that stated, so that it can be on record.

Mr. MEIGHEN: I can give the assurance to the hon. member in this way: The purpose of this Bill, as he will have observed, is to erect a company which was incorporated under the statutes of the province of Manitoba into a company with a Dominion charter. That is, in a word, the sole purpose of the Bill. The hon. member asks if it is in accord with the form regarded as satisfactory by this House and the committee that has charge of the Bill. It is, with this exception: recently, the committee and the House have favoured a form which merely empowers a Dominion company so incorporated to take over a Manitoba company. The form in which this Bill stands is one that has frequently been used in similar cases. I could mention, for instance, the Canada National Fire Insurance Company, the Hudson's Bay Insurance Company, the Royal Guardian, and the Merchants' and Traders'. The reason we adopted this form

instead of the other is that it enables the company now incorporated to commence business on obtaining the consent of the shareholders of the old company, without waiting for the Manitoba Legislature to pass an enactment enabling the old company to merge in this, which, under the other form, would have been necessary.

Bill reported, read the third time, and passed.

BRITISH-JAPANESE TREATY.

Consideration of the proposed motion of Mr. Borden for the third reading of Bill No. 156, respecting a certain Treaty of Commerce and Navigation between His Majesty the King and His Majesty the Emperor of Japan, resumed.

Hon. WILLIAM PUGSLEY (St. John): Mr. Speaker, I desire to move an amendment, and in doing so I shall make only a few remarks, as I understand that the Minister of Finance is desirous of proceeding with the third reading of the West Indies Treaty Bill. I therefore beg to move:

That this Bill be not now read a third time, but that it be referred back to the Committee of the Whole House with instructions to amend the same by adding at the end of paragraph (a) in section 2 the following words: 'or any regulation or regulations made or which may hereafter be made thereunder by the Governor in Council.'

If this amendment were adopted, paragraph (a) of section 2 would read:

Nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act, 1910, or any regulation or regulations made or which may hereafter be made thereunder by the Governor in Council.

I hope that the Minister of Public Works (Mr. Rogers) who is leading the House, will consent to this amendment. A very great deal of serious consideration has been given to the effect of the letters from His Excellency the Consul General of Japan to the Prime Minister, in which he states that in the opinion of the Imperial Government there will be no discrimination against Japanese subjects. We have also before us the reply of the Prime Minister acquiescing in that view. It seems to me that if there can be no discrimination against Japanese subjects in accordance with that correspondence then certain hon. members in this House are being misled, because they are supporting the Bill, particularly those from the province of British Columbia, on the distinct ground that it will be quite open to the Governor in Council to pass regulations under this clause 2 of the Bill which will discriminate, if the Governor in Council thinks proper to do so, against Japanese subjects. It is desirable to make that clear. I can imagine nothing more likely to produce unsatisfactory relations between Japan and Canada than any misunderstanding as to what will be the rights of Canada with respect to immigration from Japan after this treaty is ratified. The section is limited entirely to the Immigration Act of 1910. That Act, it is true, does not itself discriminate but it gives power to the Governor in Council to make regulations which will discriminate. As I said, in view of the correspondence which shows that the Imperial Government of Japan has been led either intentionally or otherwise to believe that there will be no discrimination it seems to me, that the position of Canada ought to be made absolutely clear and it ought to be provided in the section that nothing in the treaty shall be held to repeal or to affect either the Immigration Act of 1910, or any regulations made or which may be hereafter made by the Governor in Council under that Act. If the Government do not accept my amendment I quite appreciate that it will be useless for me to prolong the discussion or to press it to a vote but I would say that if it is the intention that Canada shall exercise the right to pass regulations which may discriminate against Japan, that should be clearly set forth now so that the Imperial Government of Japan may know the intention of Parliament to vest that power in the Governor General in Council and that the ratification of this treaty will be made on that understanding so that the Japanese will have no right to hold that it was intended to take away that power from the Governor in Council.

Mr. EMMERSON: In rising to second the amendment of the hon. member for St. John, I desire to make a few observations with respect to the subject matter of the Bill now under consideration. I have been for many years a member of this House and during the past seven years I have heard a great deal with respect to the relations of this country with the Empire of Japan. It is true that I have not taken very much part in the discussions on that subject and I would not do so on this occasion were it not that it seems to me that the occasion demands some reference from myself as a representative of eastern Canada. In past years, because of the position which was taken by a former government, issues have been raised not only in western Canada but in eastern Canada in relation to our attitude towards the people of the Orient and particularly towards the people of Japan. I can approach the consideration of the question free from any prejudice and with a desire that every phase of this question may be dealt with without regard to these prejudices. I look

upon the Bill now under consideration as involving three features. There is first its international feature, then its commercial feature and last and by no means the least important, the immigration feature.

Mr. SPEAKER: I think the hon. member is getting beyond the rule of debate. The motion is that the Bill be referred back to amend a single clause, and the discussion, therefore, to be relevant, must be confined to the proposed amendment.

Mr. EMMERSON: I appreciate that, but I think that the remarks which I propose to address to Your Honour have relation to the second clause of this Bill. That clause, it seems to me, involves an International question, incidentally the commercial feature of it, and directly and especially the immigration feature it is proposed to amend. We recognize that in order to carry out faithfully and bona fide this treaty, there is involved the question of International relations between the Empire of Japan and the British Empire of which we form a part; and as one of the units of the British Empire, in relationship to the Government of the United Kingdom, it is necessary even in discussing this amendment to bear in mind the position in which we might be in that particular regard. I think that my hon. friends opposite have striven to prove during the discussion of this feature, that in this clause they are preserving to the people of Canada and to the Parliament of Canada the right to control immigration and are maintaining their powers with respect to immigration. In the exercise of these powers we must have due regard to the International phase, and of course as has been very well set forth by hon. members opposite, we are actuated by the desire to have some good accrue to the Dominion of Canada from the standpoint of the extension of our trade relations with the Empire of Japan. This question cannot be discussed apart from the past. My hon. friends opposite, as I have stated, have endeavoured to show that under the present arrangement, and under clause 2, the entire control of immigration from Japan is to be placed in a very much better position than it has been heretofore. I think my hon. friends must have realized some of the difficulties that are incident to the position which an opposition is constrained to take on occasion. I realized from the argument made by my hon. friend from Vancouver (Mr. Stevens), that he now claims he has the right, by reason of this second clause in the Bill, to exclude at any time the Japanese as immigrants. It was the contention of the same hon. gentlemen in years past that it was a very desirable thing to exclude them, and he now claims that in order to accomplish that exclusion it is necessary to have this second clause. On the part of my hon. friend from St. John (Mr. Pugsley) and others on this side of the House, it is held that if we leave the matter as it is in the Bill at the present moment, the proposed amendment would make it inoperative, and that it would not accomplish what my right hon. friend the Prime Minister hopes to accomplish in that respect.

I can appreciate the embarrassment of my right hon. friend in respect to this matter. Indeed, it seems to me that his attitude and his contention with regard to this Bill, and his correspondence give evidence of his playing strange pranks with the principles which his supporters held and advocated in 1907, and afterwards. It must cause some embarrassment. I have before me some literature which was in circulation in British Columbia in 1908 at the time of the general election. I see that the Conservative party issued during that election, not only in British Columbia, but elsewhere in Canada, some political tracts which contained startling announcements. I have one which was circulated during that election, and it says:

> Japanese Immigration—A Startling Record of Diplomatic Blunder—A National Surrender —Conservative Government Guarded the Right of Restriction—Laurier Administration admitted Japanese of All Classes Without Restrictions.

These are the headlines, and under them you have a full statement of the alleged recklessness of the Laurier Government with respect not only to Chinese Immigration, but to Asiatic immigration generally. I shall not read all the statements contained in this pamphlet which was so widely circulated, and which was the result of the agitation started in this House. That agitation spread beyond the walls of this Chamber into all the provinces, even into the provinces of the East. I heard of it even in my own constituency. The labour organizations were agitated and inflamed because of the attitude of the Laurier Administration in permitting Asiatic immigrants to come into this country to compete with our own labour. In this document there is a statement of the patriotic position assumed by my right hon. friend the Prime Minister, then the leader of the Opposition. It is from a speech delivered by my right hon. friend in Vancouver, in September, 1907, which speech was the basis of the policy initiated by him in this House in 1908. That policy took the form of a resolution which has already been quoted during this debate and which, therefore, I shall not read. (Reading):

> We are bound to respect that treaty with Japan as long as it remains in force. We are bound to accord just and honourable treatment to our fellow subjects throughout the Empire. But one central idea overshadows all others and it has been well expressed by Mr. Borden in a speech delivered at Vancouver, in September, 1907.

This is the introduction of those who were the authors of this campaign literature. Mr. Borden said on that occasion:

Let us have a due sense of Imperial as well as Canadian interests involved; let us appreciate the sanctity of treaty rights and the respect which must be paid to a great nation like Japan, the ally and friend of Great Britain; let us remember the importance of trade relations with both China and Japan. But above all let us never forget that there are considerations greater than those of trade or material progress.

The Conservative party, which brought this splendid province into our great Confederation, will maintain one supreme consideration to which all others must give way and it is this: British Columbia must remain a British and Canadian province, inhabited and dominated by men in whose veins runs the blood of the great pioneering races which built up and developed not only western but eastern Canada as well. And while recognizing our duty to the great Empire whose flag will always float above us, we respectfully maintain that Canada in such vital essentials must be accorded a freedom of judgment as perfect and unfettered as that already exercised not only by the other great dominions of the Empire, but by Great Britain herself.

There is a statement clearly enunciating a principle which is entirely antagonistic to the one on which this section is based. It is entirely foreign to the principle which my right hon. friend is now adopting. In September, 1907, my right hon. friend, then leader of the Opposition, was on the Pacific coast, and:

On the 24th he reviewed conditions at length, described the treaty arrangement of 1906-7 as 'permitting the entire population of Japan to migrate to Canada if they desired to do so'; stated that Parliament and the Opposition had accepted the treaty on Sir Wilfrid Laurier's assurance as to the limitation of emigrants from Japan; blamed Mr. W. T. R. Preston, Government commissioner in the East, for at least a part of the influx; and added these words: 'Let us respect the allies of Great Britain, but let us remember that there are other considerations beside trade relations and material advancement, and of much greater importance. We must not allow our shores to be over-run with Asiatics and become dominated by an alien race. British Columbia must remain a white man's country; the same blood must flow in the veins of those who build up eastern and western Canada as flowed in the veins of those who made Great Britain; and while we respect the grand old flag of Britain which floats over our heads, and are proud of her institutions and our loyalty, we must expect, and have a right to expect, the same measure of justice meted out to us as is meted out to any other part of the Empire.

There was a declaration of policy by my right hon. friend, made I assume for political purposes, because it was made to the electors of western Canada, and was designed to meet, as he thought, the wishes of the people. This agitation did a great deal of injury throughout Canada from a political standpoint to the Government of Sir Wilfrid Laurier. I am not going to repeat what has been stated as regards the results in British Columbia at the following election. But I am going to say that in eastern Canada, in all of the labour centres, there was an antagonistic feeling in the labour organizations to the Laurier Administration as a result of the inflammatory appeals that had been made against my right hon. friend's (Sir Wilfrid Laurier's) Government in regard to the Japanese treaty. My right hon. friend (Mr. Borden) put the blame upon the Government of that day. It was alleged that the terms of the treaty were governed by an understanding that had previously been entered into with Japan and which was ratified at the time of the visit of my hon. friend from Rouville to Japan in 1907. The attitude of my right hon. friend the Prime Minister of to-day is entirely different from the one that he took then. He has not justified his position in answer to the arguments made by my hon. friend from South Wellington (Mr. Guthrie) this afternoon. At the time my right hon friend was making these appeals to the people of western Canada, the course of the then leader of the Government (Sir Wilfrid Laurier) was clear-cut and dignified. We all know that my right hon. friend, the then leader of the Government, was waited upon by representatives of the Labour Congress of Canada. Resolutions had been passed as a result of the agitation which had its origin on the floors of this House and on the Pacific coast, the Government of the day were presented with these resolutions and they were given to understand that, if they gave their adhesion to the treaty and did not take action whereby there should be an absolute restriction of immigration from Asiatic countries, they must surely suffer. They were menaced by a labour organization and by the whole population of British Columbia.

On September 21 Sir Wilfrid Laurier replied to the Labour Congress resolution which has been already quoted and, after a reference to Canada's full and free acceptance of the treaty with Japan, as being given for purposes of trade and in response to popular desires, he proceeded as follows:

The treaty has proved of great advantage and our trade with Japan under it has considerably increased. You base your appeal for the denunciation of the treaty on the allegation that a crisis has arisen in British Columbia by reason of the unprecedented influx of Japanese. Whilst it is true that most regrettable incidents have lately occurred in Vancouver, there seems reason to doubt that the cause was the influx of Japanese, as I am in possession of a telegram from the Mayor of Vancouver, which has been rendered public, which expressly avers that the disturbances were directed against Asiatics generally, rather than against Japanese

On the 26th of December the Prime Minister dealt with the isssue at the manufacturers' banquet in Toronto.

Mr. SPEAKER: In my judgment the hon. member is wandering from the question before the Chair; and, while I dislike very much to interrupt him, I think it would be well that the House should keep as closely as possible to the rules of procedure I have before me the authority from which I quoted this afternoon. At page 299 May says:

A member must direct his speech to the question under discussion; that is, the question that must be first decided by the House.

The question before the House now is that certain words be added to sub-section (a) of section 2 of this Bill. Cushing says:

The question to which a member is bound to speak is that which was last proposed from the Chair——

The amendment of the hon. member for St. John (Mr. Pugsley) was last proposed from the Chair:

—which is the question immediately pending, and which, according to the course of parliamentary procedure, is next to be taken.

The principle of this Bill has been endorsed on the second reading, and that principle is contained in the second clause. The Bill has gone through Committee of the Whole, and the committee has considered each clause and passed upon it. The Bill now stands for the third reading, and the motion is to send it back into Committee of the Whole for a certain purpose. Therefore, according to my understanding, and according to the authorities which I have cited, it is proper to confine the discussion to the proposed amendment, and in doing that an hon. member cannot go into the history of what has taken place in the country as a result of immigration from Japan. These are my views of the relevancy which ought to be observed in carrying on debate.

Mr. EMMERSON: I have every desire to observe strictly the rules of the House, but I thought I could not discuss the amendment except in conjunction with the section which involves a certain principle. I had intended this afternoon to make some observations on the point as to why the Government incorporated in this Bill subsection (a) of section 2.

Mr. SPEAKER: If the hon. member confined his remarks to that, he would be perfectly in order; and if the House were now considering the third reading of the Bill, his observations, to which exception has been taken, would be relevant. But on the question now before the House, I considered that the remarks of the hon. member were not relevant.

Mr. EMMERSON: The Government contend that sub-section 2 of their Bill accomplishes certain things which they promised the people of British Columbia they would accomplish, and in discussing the amendment I thought it necessary to dwell briefly on that point. My contention was that the position taken by the Prime Minister in 1907 is not being given effect to by this Bill as it stands, unless the amendment of the hon. member (Mr. Pugsley) is incorporated as part of sub-section (a). I presume I would have a right to speak of this on the third reading of the Bill, and really what I was doing was with the intention of saying all I have to say on this occasion, and therefore, to save the time of the House.

Mr. BORDEN: Under that threat, my hon. friend might be allowed to proceed.

Mr. EMMERSON: I was pointing out that on the 26th of September the Prime Minister dealt with the isssue at the manufacturers' banquet in Toronto, and I quote:

After pointing out that Canada had originally gone into the arrangement with a view to helping Canadian trade and industry in the Japanese markets, and that the Government had understood the policy of Japan to be one of restricting its emigration, he spoke of the difficulty which had arisen in British Columbia. What are we going to do under such circumstances? A section of the people in Winnipeg have called upon the British Government to annul the treaty. Well, the treaty has been in operation only two years. We are just commencing to reap the benefit and to denounce it would be simply panic; and for my part I am not disposed, whether in this or any other action, to act in a panic. To look about, to inquire, to reflect, before I make up my mind.

The then leader of the Government, now leader of the Opposition, took a statesmanlike view of the matter. After considerable reflection, he took certain action with respect to Japanese immigration. At that time and subsequently the right hon. the Prime Minister (Mr. Borden) condemned the attitude of the present leader of the Opposition, not only in this House, but in the province of British Columbia. To-day, however, my right hon. friend is taking the very course that was taken by the then leader of the Government and is adopting his policy. He has put in this Bill a clause which, he alleges, brings about certain results which, as has been amply demonstrated by other hon. members are not brought about. I contend that the position of hon. gentlemen opposite to-day is a stultification of the course that was taken in this House in 1908 and in British Columbia during the elections of 1908. My right hon. friend, in his correspondence with the Government of Japan has said that

it is not a racial question and that the Immigration Act and the regulations which may be passed under it do not involve a matter of race; yet the argument is made by my right hon. friend, and certainly by those sitting behind him, that the Immigration Act, as it stands to-day, and the regulations which can be made operative thereunder, can exclude the Japanese race. My hon. friend the member for Vancouver (Mr. Stevens) has sought to impress his constituents with the idea that, regardless of this treaty, regardless of the correspondence that has passed between the representatives of the Government of Japan and the right hon. the Prime Minister, at any moment, under sub-section (a) of article II, not only the provisions of the Immigration Act but regulations passed under that Act can be made operative, if found necessary, in order to absolutely exclude Japanese immigration. Yet in a letter to the representative of the Government of Japan, my right hon. friend has stated, in words that are as clear and unequivocal as words can be, that that cannot be done under the provisions of the Immigration Act. The assurance is given that the Immigration Act is to be inoperative in that regard. Yet my hon. friend from Vancouver (Mr. Stevens) after my right hon. friend has taken the sting out of the head and rattle out of the tail of the rattlesnake, says that Japanese immigration can be excluded in the interests of his constituents. I am not imbued with any feelings of prejudice against the Japanese. I have a very great admiration for their achievements and for them as a people. The attitude of my hon. friend is a very strange one, indeed. He made an argument in favour of expansion of trade with Japan and stated that he could overlook a great deal in order to accomplish that; but so far as the Japanese themselves are concerned, he is an exclusionist. My hon. friend is reversible in that regard when it comes to a question of the people of the United States. He will exclude their trade, but he will permit all immigration of American men and money that he can possibly get.

Mr. STEVENS: I am afraid that my hon. friend has not followed very closely my remarks on this and other matters.

Mr. EMMERSON: My hon. friend took a very strong position against reciprocity, and I know he has taken a very strong position in favour of the exclusion of Japanese. I heard him speak in favour of trade with Japan. My hon. friend, in another regard, speaking on April 2, gave voice to some utterances that appealed to me, but the principle enunciated by him was one that I thought did not harmonize with his attitude on all occasions in this House. He said:

That, Mr. Speaker, absolutely protects the rights and privileges of the Dominion of Canada, so far as its treaty with Japan is concerned. I think that the basis upon which British shipping, which has been acknowledged for many years to be the most important of any nation in the world, has been built is the principle of freedom of navigation, and I think it behooves Canada rather to take a leaf out of the book of the history of this great industry in the Motherland, rather than to attempt by any means to restrict the commerce of other nations with ports on our coast.

Free trade in shipping is the principle followed by my hon. friend. He approaches, though he has not reached, the position that is taken by my hon. friend from Red Deer (Mr. Clark) with respect to the greater trade that we might have in Canada if we went beyond the mere matter of free trade in shipping. (Reading):

I have absolutely no fear as regards the coasts and ports of British Columbia in connection with the Japanese treaty. Permit me to point out that it will be more distinctly an advantage to Canada's shipping in Japan than it will be to Japanese shipping in Canada. Japan can only trade with the ports of British Columbia, whereas Japan is an island similar to Great Britain, and consequently physically and geographically lends itself to the advantageous development of Canadian shipping rather than to the development of Japanese shipping in Canada.

And the hon. gentleman gave utterance to a very generous sentiment:

I say that the reasonable interpretation, nay, Sir, the correct interpretation of this clause, demonstrates that it will be a distinct advantage to Canada. We are not seeking to have the whole plum; we recognize that in this treaty there must be give and take. It is the fundamental principle of a treaty and there must be a certain amount of give and take between the contracting nations.

Reciprocity is apparently what he has in mind, but he is not always so generous in that regard, and when it comes to dealing with nations other than Japan, he takes an entirely different principle. It seems to me that by this proposed amendment we conserve and maintain our rights as a Canadian people to hold and regulate our immigration, not only as regards every other country but as regards Japan as well. It seems to me that the fair interpretation of this whole treaty is that while we have the right to retain, and control, and legislate with respect to immigration with all other lands, we have not reserved to ourselves that right in relation to the Empire of Japan. In order to put it beyond question, even if there were a doubt, the amendment of my hon. friend from St. John should be accepted. I want to see this treaty put in force, but I want to see our rights as a Canadian people reserved. I believe it is of the highest importance

that the good relations which exist between the British Empire and the Empire of Japan should be preserved, and that, in spite of anything that may have been done in the past to make this question a political football, we should not do anything that would interfere with that good relationship. And I believe in promoting trade not only with Japan but with all countries, and that this treaty, in so far as it will promote the trade of Canada with one of the great countries of the world is to be very strongly commended. In the matter of the renewal, practically of the arrangement, which was entered into by my hon. friend from Rouville in 1907, I think that the right hon. leader of the Government is to be commended for the course he has taken in that respect. I think his attitude, although not in harmony with the view he took in 1907-8, in this House, commends itself to the judgment of the House and of the country. And, while it may be somewhat embarrassing—and it is, no doubt, embarrassing—for my right hon. friend to take that position in consequence of the principles which he enunciated in 1907, I think he should be the more generously given credit because of that embarrassment.

Hon. ROBERT ROGERS (Minister of Public Works): I cannot feel that my hon. friend from St. John was really serious in moving the amendment which he has proposed to the House to-night. I fancy he has served the purpose which he had in mind in moving the amendment, which was to give his worthy colleague, the hon. member for Westmorland (Mr. Emmerson) an opportunity to make the speech he has made to the House, and to which we have listened, as we always listen to the hon. gentleman's utterances, with the greatest possible attention. I am sure my hon. friend from St. John is too good a lawyer, too learned in the law, to believe for one minute that the amendment which he has proposed in any way alters the Bill now before us. The amendment first of all provides that this Bill be not now read the third time but that it be referred back to Committee of the Whole House. I am sure hon. members will agree with me when I say that I think we have spent at least sufficient time on this Bill in Committee of the Whole. We have been sitting for two days and two or three evenings in Committee of the Whole upon this measure, which should be sufficient for full consideration of the measure. The amendment goes further:

—with instruction to amend the same by adding at the end of paragraph (a) of section 2 the words: "or any regulation or regulations or which may hereafter be made thereunder by the Governor in Council.

I contend that there is nothing in this amendment that would give the Governor General in Council any more power than we possess to-day. Under the Bill before the House it is distinctly set forth in clause 8 that nothing in the said treaty or in this Act shall be deemed to repeal or affect any of the provisions of the Immigration Act. The Immigration Act is quite clear and if you will turn to section 38 of that Act you will find that the Governor in Council may, by proclamation or order, whenever he deems it necessary or expedient, prohibit, &c. It provides all that anything in this amendment of the hon. member for St. John would give to this Parliament or to the Governor General in Council. Therefore I say that no good purpose can be served by occupying the time of the House in passing an amendment that will not in any particular add to the powers that are already vested in the Governor General in Council for the carrying out not alone of this Act, but of the provisions of the Immigration Act. Therefore, we will have to refuse to accept the amendment of the hon. member.

Hon. FRANK OLIVER (Edmonton): I think that the purpose of the amendment is perfectly clear. The Premier has placed before the House a statement of the policy of the Government in regard to Japanese immigration. It seems to be the least forcible construction that can be given to the correspondence. The Premier has said that there will be no discrimination against Japanese immigration. At the same time, he has given it to be understood that this declaration or policy on the part of the Government does not and will not affect the terms of the Immigration Act. The purpose of the amendment is to find out in so many words how far the declaration of policy by the Government affects the case. The hon. member for St. John wants to put into the Act the words that will declare specifically that regulations hereafter to be passed under that Act are to be effective. If those words are to be put in there can be no question that the statement of policy by the Government is ineffective. There is no question as to what the Immigration Act means, but as long as the Bill remains as it is, limited to the Immigration Act as the Immigration Act is at the present time, coupled with the declaration of policy by the Government that the discriminatory features of the Act will not be enforced against Japanese, so long as that condition remains, we do not know what the effect of the Act is to be in actual practice.

Mr. MEIGHEN: If by the treaty or the correspondence, the powers of the Governor in Council under the Act to pass re-

gulations are circumscribed, has that any effect on the Act itself?

Mr. OLIVER: Yes.

Mr. MEIGHEN: Sub-clause (a) says that the Act must not be affected, so what can be the use of the amendment?

Mr. OLIVER: We want to put into the Act the words that will establish beyond question the purpose that is declared to be in view.

Mr. MEIGHEN: You have said already that it is established beyond question by sub-clause (a).

Mr. OLIVER: My hon. friend will have to give his own interpretation and allow me to give mine. I have not been able to follow his reasoning with respect to this Bill and I regret that he cannot follow mine. All we want is that if this Bill is to mean that there shall be no restriction on the right of the Government of Canada to discriminate in regard to immigration, it shall say so in plain words on its face. Then we can consider that the point is established and that no matter what declaration of policy may be made by the communication of the Prime Minister, the interests of the country which we desire to protect in this matter, are safeguarded. On the other hand, if the Government refuse to put those words into the Bill, to put in plain words in the Bill the declaration that is desired by this amendment, we are bound to conclude that it is the declaration of policy by the Government which will be effective and that the Immigration Act, to that extent, is deprived of the effect which it has aside altogether from this treaty. In other words, if there was no reference to the Immigration Act by the terms of this treaty, then that Act would stand exactly as it is; but when reference is made to the Immigration Act then that Act is limited by the terms of this Bill and we want the terms so amended that there shall not be that limitation.

Mr. BORDEN: We are impressed with the view that when we make the provisions of this treaty subject to the Immigration Act, we make them subject to everything that can be lawfully done under the provisions of the Immigration Act. To give a homely illustration, suppose a railway in Canada, not previously subject to the Board of Railway Commissioners or to the Railway Act of Canada were declared to be a work for the general advantage of Canada and became subject to Dominion jurisdiction and therefore subject to the Railway Act of Can- that it should also be subject to every regu- that it should olso be subject to every regulation that could be made by the Board of Railway Commisioner of Canada. The mere fact that it has become subject to the Railway Act renders it also subject to everything that can be lawfully done under the Act.

Mr. LEMIEUX: How would my right hon. friend extend that principle to international relations?

Mr. BORDEN: We are dealing with a statute of Canada or a Bill which, in the ordinary course, will become a statute of Canada. That Bill has been submitted to the Imperial Government of Japan, and they have declared themselves satisfied with it. When it passes it will have the force of law just as any other statute of Canada has the force of law.

Amendment (Mr. Emmerson) negatived on division.

Mr. BORDEN: In closing this debate, I should like to say a few words. There seems to have been a misapprehension in the minds of hon. gentlemen on the other side of the House. I am not quite sure whether they do not really understand the question as I think it ought to be understood, or whether there is merely an intentional misapprehension as to the purpose of the proviso in this Bill, and as to its effect. In the first place, a great deal of opposition has been manifested to this Bill during the past two days. It is rather surprising that that should have been the case when the right hon. the leader of the Opposition declared at the conclusion of his speech that, having received the information for which he had asked, he was perfectly satisfied with the Bill, and that it should pass without any suggestion of an amendment. Not only so, but the chief spokesman outside of the right hon. gentleman, the member for Rouville (Mr. Lemieux), went even further, and congratulated the Government upon having brought in the Bill in this form.

Mr. LEMIEUX: On my right hon. friend's conversion.

Mr. BORDEN: I will give my hon. friend's own words if he is doubtful about it. Sometimes perhaps he does not recall what he has said:

> First of all I sincerely congratulate the right hon. the leader of the Government on this his first diplomatic venture since he has been called upon to fill the high office of Prime Minister of Canada.

And further on:

> I congratulate the right hon. the Prime Minister on the measure of success he has attained in these negotiations.

Mr. LEMIEUX: Will you read what I said later on?

Mr. BORDEN: Does my hon. friend mean that he changed his opinion between the beginning and the end of his speech?

Mr. LEMIEUX: I am quite sure my right hon. friend wishes to be fair.

Mr. BORDEN: I was reading from the beginning of his speech, but if he said anything at the end inconsistent with what I have read from the beginning, I will be delighted to read it as well, and perhaps we shall be able to strike an average from the two statements. The principal point that has been made by hon. gentlemen on the other side of the House, is this: although I would not like to commit them all to this, for as my hon. friend from Portage la Prairie (Mr. Meighen), noted this afternoon, there have been three distinct lines of thought put forward by hon. gentlemen on the other side, and we do not know at the present moment what is really the line of thought to which they wish to be committed. As my hon. friend (Mr. Meighen), remarked, there are those who say that the Bill is a proper Bill which ought to pass without opposition; there are those who say that this proviso is absolutely useless and nugatory, and there are those who think this proviso desirable and useful but that it ought to be extended. I think the Opposition are fairly divided upon those three lines of thought, and it would therefore be impossible for me to say which particular line of thought represents their real attitude.

But it was not for that purpose that I rose to address the House; it was for the purpose of endeavouring to make plain what, it seems to me, any hon. gentleman in this House ought to be able to understand without explanation. There are two questions in connection with this proviso, two questions connected with the Immigration Act of Canada, the force and effect of which are absolutely reserved by the Bill which now stands for its third reading. The first is as to the legal power, and the second is concerned with international considerations. Let me make that plain. We took the ground in 1907 that there should be reserved to the Parliament and Government of Canada the absolute control of immigration to our shores. I say that we have done that. because we have reserved our power of control under the Immigration Act of Canada. I defy any hon. gentleman on the other side of the House to point out to me any contingency, in respect of danger from immigration, against which this country cannot be absolutely safeguarded by those provisions of the Immigration Act which I have read, and which have been quoted over and over again in this House. Therefore, I say that so far as the legal power is concerned, we shall stand exactly where we now stand in case this Bill becomes law. We stand with the absolute legal power to control that immigration from Japan, as we can control it from any other country in the world.

Mr. OLIVER: My right hon. friend is so very strong on the perfect completeness of the exclusion provisions of the present Immigration Act, that I want to say to him that in immigration matters it is the unexpected that happens.

Mr. BORDEN: The unexpected does often happen. The unexpected has happened in the case of my hon. friend who, in 1907, was content to accept a treaty without any reservation whatever, and who today thinks that the very efficient proviso and reservation which we make does not go far enough. The unexpected has happened there, but I do not think there is the slightest danger of the unexpected happening so far as those provisions are concerned. My hon. friend does not take sufficient credit for the provisions of his own Immigration Act of 1910. The provisions of that Act are of the most comprehensive character. I have not heard any hon. gentleman on the other side of the House offer the slightest suggestion of any condition which might arise, and which would not be amply covered by the provisions of the sections to which I have alluded. There has been no suggestion of that kind from first to last in this very prolonged debate.

That is one question, the question of legal power. The other question which hon. gentlemen on the other side of the House desire to confuse with this, is the question of international relations. I venture to submit to them, if they do not understand it already, that the question of international relations would arise in applying the provisions of the Immigration Act to as great an extent if this Bill were not passed as if it were passed. What was the position that the right hon. the leader of the Opposition took in that regard? The position which he took in his speech from first to last was this: that because Japan was a great and powerful nation, ranking among the first nations of the world, because Japan is now, and has been for years past, the ally of Great Britain, and of this Empire, under a convention which has lately been extended so that it will continue for eight years in the future, very great consideration would have to be given to any proposal for excluding the citizens of Japan by name or for discriminating against them. I venture to submit to any hon. gentleman in this House who has given this subject one moment's study, that considerations of that kind would have arisen just as explicitly and just as strongly if this treaty had not been accepted, and if we stood purely upon the existing condition of international relations between Great Britain and Japan. In the

one case you have to consider the legal power. We have preserved that legal power. In the other case you have to consider the question of international relations. If we are to give any force at all to the observations which the leader of thos hon. gentlemen has very cogently expressed, it must be apparent to any thinking man in this House who is disposed to be fair, that those considerations would come up in the one case as well as in the other.

Apart from that, I desire to add that the provisions of the Immigration Act, whether this treaty shall go into force or not, can be exercised, and may still be exercised, without any offence to the great and friendly nation with whom the treaty has been negotiated. As I have pointed out over and over again, although hon. gentlemen on the other side of the House have continued to ignore that consideration, the question is not, at the bottom, one of race or of discrimination against a nationality, but the question is one of economic concern. Therefore, it would be perfectly possible, whether this treaty did come into force or not, for the Government of Canada to pass regulations under the Immigration Act which would prevent the immigration of persons of a certain occupation whose competition would not be fair to the labouring men of Canada. The situation in that regard will be precisely in the future what it has been in the past since the treaty of 1894 ceased to have effect.

We stand to-day, therefore, in both respects, exactly where we would stand if this treaty did not come into force and the Conservative party to day, in the Bill which is presented for the consideration of this House, and which now stands for its third reading, are absolutely true to the policy that we enunciated in 1907, namely, the policy that the Government and Parliament of Canada should keep in their own hands, and within their own power the control of immigration from Japan or from any other country in the world. That is the policy which we laid out for ourselves in dealing with this question, that is the policy which is carried into effect by the Bill now before the House. It is absolutely consistent with that policy that we shall do what we propose to do, namely to give consideration to this question in the light of the cordial and friendly relations that exist between the great Empire of Japan and the Empire of which we form a part and to deal in a cordial, just and friendly spirit with any difficulties if they should arise in the future. I have not the slightest doubt that, if such difficulties should arise, we in Canada will be met in the same cordial and friendly spirit by the Government and representatives of the great Empire of Japan.

Motion agreed to, and Bill read the third time and passed.

Mr. BORDEN.

LAFONTAINE PARK, MONTREAL.

On the motion of the Prime Minister for the adjournment of the House:

Mr. LEMIEUX: I would ask the Prime Minister to take up with the Minister of Militia and the Minister of Public Works a matter which has caused great excitement in Montreal. I refer to the alleged proposed construction of a drill hall in Lafontaine Park. The city of Montreal has maintained that park for the public, and it has been understood that it would be reserved for park purposes for all time. The statement is attributed to the Minister of Militia that a drill hall would be built in the park, and when I asked the Minister of Public Works about it yesterday, he said he did not know. Will the Prime Minister get me the information for Monday, so that the people of Montreal may be relieved from anxiety?

Mr. ROGERS: When my hon. friend asked the question yesterday, I made inquiry in the Department, and no person there seemed to have any knowledge about it.

Motion agreed to, and House adjourned at 10.25 p.m.

HOUSE OF COMMONS.

MONDAY, April 7, 1913

The SPEAKER took the Chair at three o'clock.

FIRST READING.

Bill No. 164, for the relief of Charles Albert Flower.—Mr. Meighen.

ATLANTIC MAIL SERVICE.

Hon. L. P. PELLETIER (Postmaster General): Before the Orders of the Day are called, I have an important contract which I desire to place before the House, together with the Order in Council approving of the same. Were it in order, I would like to give some explanation of it, but I understand I cannot do so without the unanimous consent of the House.

Sir WILFRID LAURIER: Is it with reference to the Atlantic mail service?

Mr. PELLETIER: Yes.

Sir WILFRID LAURIER: I am sure the House would like to hear it.

The unanimous consent of the House having been given:

Mr. PELLETIER: A contract for the carriage of the mails has been entered into on behalf of the Government, by the hon. Acting Minister of Trade and Commerce

(Mr. Perley) and myself as Postmaster General. The contract, as I have said, is for the ocean mail service, and I shall make a brief explanation. Up to the present time the Canadian Atlantic mail service has been done with practically only four steamships, and the service has been once a week. Some other lines receive small amounts in connection with the mail service, but, in the past, a great part of the ocean mail service for Canada has been carried on through the port of New York. We have now entered into a contract under which we expect we will be able to take care of our own Canadian mail service to the Mother Country. In virtue of the postal union regulations, Canada, like all other countries, takes care of whatever part of its mail transportation it can, and for that part which Canada, or any other country cannot take care of, it pays to the country whose port the mails leave for their destination, rates which are fixed by the postal union. For the last six years or so, Canada has been paying about $185,000 a year for the Canadian mails going to England via New York. I am not criticising that; there was a good deal of reason for it, because Canada was not ready to take care of its own mails to the full extent we expect it is now. However, to provide against that, we have entered into this new contract under which, instead of having four steamships leaving Canadian ports with Canadian mails, we shall have twelve steamers. Omitting any reference to the small subsidiary mail service, the Atlantic mail service for Canada was done by the four ships: Empress of Britain, Empress of Ireland, Victorian, and Virginian The former contract was with the Allan Company, but it was divided between them and the Canadian Pacific Railway Steamship Company, with their two Empresses. Under this new contract instead of a weekly service we are going to have a service three times a week in summer and twice a week in winter, and instead of having four ships performing that service, we shall have twelve. I saw in the newspapers this morning that the contract we have entered into was with one company, which would subcontract it out to other companies, but that is not correct. The contract we have entered into is a straight contract with four important companies: the Allan Line, the Canadian Pacific Railway Line, the Canadian Northern Line, and the White Star Dominion Line. For the summer service, the Allan Line is going to supply the Victorian, the Virginian, the Corsican, the Tunisian; and until such time as these fine new ships, the Alsatian and the Calgarian, are ready, the Allan Line will put at our disposal the Grampian and the Hesperian. It is expected that some time in July the splendid palatial ships, Alsatian and the Calgarian, will be ready, and will then take their places in this service in lieu of the Hesperian and the Grampian. The Canadian Northern line intends to put on for this service its two Royals, the Royal George and the Royal Edward. The White Star Dominion line is going to put on for the summer service the Laurentic and the Megantic. For the winter service, we shall have the two Empresses, the Empress of Britain and the Empress of Ireland, the Alsatian and the Calgarian, the Victorian and the Virginian, and the two Royals, the Royal George and the Royal Edward. We are also going to have the Teutonic, of the White Star (Dominion) line, as a spare boat to replace any of these ships which may be out of commission or which it is necessary to overhaul. Thus for the winter service we shall have eight ships, exclusive of the Teutonic, which will be a spare boat, in order to have a continuous service. The summer sailings will be on Tuesdays, Thursdays, and Saturdays.

Sir WILFRID LAURIER: Where from?

Mr. PELLETIER: The ships can start from whatever port the companies please, provided they do not start from any but a Canadian port, namely, Montreal or Quebec in summer, and St. John or Halifax in winter.

Mr. PUGSLEY: Not both?

Mr. PELLETIER: Halifax or St. John at the option of the contractors, which means that each of the ports will stand on its own merits. We understake to deliver the mails through whichever of the ports the companies will choose, for both the winter and the summer services. As a matter of fact, for the summer service, the boats will start either from Montreal or from Quebec, whichever is chosen; but the mails will be landed at Quebec, because, as everyone knows, we can handle the mails at Quebec, and accommodate the public of all Canada much better than if the mails were landed at Montreal. There is a clause in the contract by which the four companies undertake, jointly and severally, to get some other ship in order to replace any one which may for a time be disabled or unable to make the service, so that we have assured for Canada a continuous service. We intend to have our mails taken over to the Mother Country and mails brought from the Mother Country to this country by Canada and on ships navigating Canadian waters. I have no doubt we shall succeed in accomplishing this object. As was expected, the sub-

sidy is to be increased. It will amount to a million dollars. This will include transportation of the mails from here to the Mother Country and from the Mother Country to Canada.

Mr. LEMIEUX: How is the subsidy apportioned?

Mr. PELLETIER: So much per voyage. In the first place, it is apportioned so much per week. Each ship, starting each week, will receive its apportioned share of the subsidy. This is all a matter of detail, which is given very fully in the contract which I intend to place before the House.

Mr. W. F. MACLEAN (South York): What is the present amount of this subsidy?

Mr. PELLETIER: The present cost for the weekly service is $600,000, with, as some hon. members know, an additional amount given to this and that other boat in very small sums which aggregate about $50,000 or $56,000 a year, so that the amount which we were paying up to now from the two departments, Trade and Commerce and Post Office, was about $656,000 a year. We are now going to have a tri-weekly service for summer and a semi-weekly service for winter, for the sum of a million dollars.

Mr. CARVELL: Will this cover the amount which we are paying for the New York service ?

Mr. PELLETIER: According to the Postal Union Convention, the census of all mail matter sent by different countries is to be taken this year. When that is done, it will regulate the position of all countries for six years. For the last six years we have been paying about $186,000 a year to the United States. The census is to be taken in May of this year, and that is one of the reasons why we have tried to close this contract as soon as possible. We do not expect that for this year we shall save the whole $186,000 which we have been paying for the last six years to the United States Government, but we expect to save part of it, because the census as I understand from Berne, the headquarters of the postal union, will likely come into force on the 1st of January, 1914. If that is so, we expect to save quite a sum from the difference in the weight of mail matter heretofore sent through the port of New York and the amount of mail matter which in May of this year will be sent through Canadian ports. Of course we cannot accurately estimate it now, but we expect it will be fairly large. So far as the mail coming from the Mother Country is concerned, according to the same regulations which have been in force for the last six years, we only got from the Mother Country some $23,000 a year whilst we were taking care of the return mails. Perhaps this would have been $46,000 a year, but there was a difference of opinion between the Home Government and our Government as to whether the Canadian Pacific railway steamers were Canadian or British couriers. The British post office contended that they were couriers for the Government of Great Britain and refused to pay more than $23,000 a year. According to the census which is to be taken this year, we expect that this sum will be very largely increased. With the amounts which, under this census, we save from the United States, and with the increased amount which we will get from Great Britain, we shall be in a splendid position next year and during the other five years to come, and we even expect that for this current year we shall be able to get enough under those two heads to recoup ourselves to a certain extent—maybe to a pretty large extent—for the increased subsidy which we undertake to pay under this contract. We have been told by these steamship companies that the payment for the winter service, which is the amount I have mentioned, is absolutely inadequate. They pretend, rightly or wrongly—we will look into that more carefully this year, because this is only a one year contract—that they are entitled to more for the winter service, which they claim is carried on at a loss. We have told them that we might consider that question next year, but we would like to have their concurrence in order to have the contract put into effect this year, so that Canada might get the benefit of the census from the 1st of May when the contract is to begin.

Mr. MACDONALD: Would the hon. gentleman tell us whether any arrangements have been made providing for an increase of speed in the boats that perform this service?

Mr. PELLETIER: The hon. gentleman will see by the contract—I do not wish to go into details——

Mr. MACDONALD: That could be stated briefly.

Mr. PELLETIER: The speed of these ships, the number of knots that they can make is mentioned in the contract. Of course we expect them to give us this service.

Sir WILFRID LAURIER: Are they not bound to give a certain service?

Mr. PELLETIER: Yes, the service I have described. The speed is mentioned in the contract, and they are bound, except in cases of accident or force majeure, to give us this service. The number of knots for each ship is mentioned in the contract.

Mr. MACDONALD: Is it a better speed than last contract?

Mr. PELLETIER: We shall have two ships, the Alsatian and the Calgarian, which give a better speed than others we had in the service. But the point is, that according to the calculations made in our department, with the speed which these ships are going to give us, and on account of the relatively shorter distance between Canada and Great Britain, we expect to succeed in landing our mails in Great Britain with this service as quickly as they would be landed from the port of New York. As to the winter service, while it is well known that the biggest ships going from the port of New York in winter time are taken off for the purpose of special cruising in the Mediterranean and other places, we have succeeded in securing for Canada the best kind of ships which will give us a splendid winter service. And as a result, we expect that the Canadian mails will be handed over on the shores of Great Britain as quickly as they would be through the port of New York.

Mr. MACLEAN (South York): What are the landing ports in Great Britain?

Mr. PELLETIER: They are, at the option of the companies, either the port of Liverpool or the port of Bristol, with the exception that so far as the Hesperian and the Grampian are concerned, which are only in the service for a short time, they will continue to go to Glasgow until the Alsatian and the Calgarian are ready.

Mr. PUGSLEY: But if the different companies receive an equal amount——

Mr. PELLETIER: The amount is divided by fifty-two weeks.

Mr. PUGSLEY: The White Star line has no winter steamers. What are its summer steamers?

Mr. PELLETIER: The Laurentic and the Megantic in the summer time. The White Star Dominion Line will also have one ship in winter, the Teutonic.

Mr. PUGSLEY: But the ships of the White Star are subsidized in summer. What ports do they go to in the winter?

Mr. PELLETIER: We are not concerned with that; we do not pay them when they go elsewhere in winter.

Mr. MACDONALD: I understood the Postmaster General to say that in the summer time the mails were to be taken aboard and embarked at Quebec. Is there any arrangement for the maritime provinces mails to be taken off at Rimouski?

Mr. PELLETIER: Yes, we have continued the arangement in reference to that. The mails for the maritime provinces are landed at Rimouski, so that the maritime provinces people get their mails quicker than they otherwise would.

Mr. MACDONALD: Is there any new condition in regard to speed affecting the vessels other than the two new vessels which the Allans are building?

Mr. PELLETIER: Not any greater speed than the ships engaged. We have taken the ships that are available and which are the best ships to-day in the Canadian service. Except the Grampian and the Hesperian, which are only temporary and which will be replaced with the two new ships, the speed of these ships is the best we have on the St. Lawrence route.

Mr. PUGSLEY: Are the White Star ships not to be allowed to sail from Portland?

Mr. PELLETIER: None of these ships are under this contract to sail from a foreign port.

Mr. PUGSLEY: I understand that the White Star ships are allowed to go to an American port in winter.

Mr. PELLETIER. But they do not get any subsidy for ships which are not in the winter service.

Mr. PUGSLEY: Does the hon. minister give the same subsidy in winter?

Mr. PELLETIER: It is by the week.

Mr. MACLEAN (South York): An equal subsidy for each mail voyage?

Mr. PELLETIER: No, for each week. The sum of $1,000,000 is divided into fifty-two parts, and each week will earn its share of the $1,000,000.

Mr. TURRIFF: Do the two ships in the winter service get the same subsidy as the three ships of the summer service?

Mr. PELLETIER: There are——

Mr. TURRIFF: I mean two ships a week.

Mr. PELLETIER: Eight ships with a spare one in the winter service and twelve ships in the summer service.

Mr. PUGSLEY: Do I understand that the steamship companies say that the winter service is not a profitable service and that they ought to have a larger subsidy?

Mr. PELLETIER: Yes, they claim that.

Mr. PUGSLEY: Then, it is true, is it not, that the White Star line gets per week during the summer the same subsidy that the others do; that will have the winter service and that in the winter the White Star are allowed to go to American ports?

Mr. PELLETIER: That was a matter of arrangement between the companies. But the hon. gentleman will remember that the White Star line gives a ship which will be one of the fastest in the service, the Teu-

tonic, and that that ship will be at our disposition for the whole winter.

In brief, from the 1st of May, we shall send our mails on these ships to the Motherland, and we are going to take care of our own Canadian mail service. I suppose the House will agree that this is another step towards nationhood. I beg to place before the House both the contract and the Order in Council authorizing the same.

Mr. SPEAKER. With reference to the practice of laying papers before the House, it seems to me that we have been departing from the proper practice of late. Therefore, I thought it best to suggest the method now adopted—that this action should be by unanimous consent of the House, so that it might not be regarded as a precedent. It is laid down by Bourinot and May that no papers can be laid before Parliament except by command of His Royal Highness under the authority of the statutes, by means of an address, or by an order of the House. The course this House has heretoforefore adopted is for the hon. member who designs to lay papers before the House to move for a return of these papers, and then lay them on the table of the House. In this case, however, these papers have been laid on the table by common consent, so that it may not be cited as a precedent.

Sir WILFRID LAURIER: My hon. friend the Postmaster General mentioned a matter in regard to which I would like some explanation. He said, if I understood him aright, that there was a dispute between the Imperial Government and the Canadian Government as to the character of the services performed by the Canadian Pacific railway steamers, in regard to whether or not they were British or Canadian couriers. Does this mean they are subsidized also by the Imperial Government?

Mr. PELLETIER: The Canadian Pacific railway steamers are now performing what we call the Hong Kong service. Our contract for the carrying of the Canadian mails is with the Allan line, but the contract for the Hong Kong service is with the Canadian Pacific railway. The British Government claims, in view of the fact that the Canadian Pacific railway steamers are performing this Hong Kong service, for which we pay jointly with the British Government, that the contract is with them, and that the Canadian Pacific railway steamers are British couriers. As I have said, our contract is with the Allan line, but the British Government has consented to pay only what it should pay if its contention that the Canadian Pacific railway steamers in the Hong Kong service are British couriers were correct.

Mr. PELLETIER.

Sir WILFRID LAURIER: The Hong Kong service is from Liverpool to Quebec, Quebec to Vancouver, and Vancouver to Hong Kong, and for that reason the British Government claim they are British couriers.

Mr. PELLETIER: Yes.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

ST. JOHN-SOUTH AFRICAN EXPORTS.

Mr. SINCLAIR:

1. What is the estimated value of the goods shipped by the subsidized South African steamers from the port of St. John, N.B., for the year ending December 31, 1912?

2. What is the number and estimated value of the automobiles exported by the said boats during the said period?

Mr. PERLEY:

1. $1,070,792.

2. During the year 1912: from St. John, 104 automobiles, value $81,094; from Montreal, 606, value, $523,753; total, 710, value, $604,847.

CAMPBELLTON-GASPE STEAMSHIP SERVICE.

Mr. MARCIL:

1. Has the Department of Trade and Commerce entered into a contract with the proprietors of the SS. Canada for a service between Campbellton and Gaspé for the coming season of navigation?

2. If so, what is the amount of the subsidy to be paid, and have any special clauses been put in the contract for the control of rates for passengers and freight?

3. What is the term of duration of the contract, and have any former stopping places been cancelled? If so, which are they?

Mr. PERLEY:

1. Yes.

2. $20,000. Yes.

3. Until the close of navigation, 1915. No.

ONTARIO EQUIPMENT COMPANY.

Mr. CARVELL:

1. When was the Ontario Equipment Company of Ottawa incorporated by letters patent?

2. Was the company authorized by said letters patent to manufacture and sell locks and keys?

3. What are the names of the applicants for incorporation?

Mr. PELLETIER:

1. From the information obtainable, the Ontario Equipment Company is incorporated not by federal letters patent, but under the laws of the province of Ontario, and this information would have to come from Toronto.

MAIL BAG LOCKS.

Mr. CARVELL:

1. How many locks for mail bags were purchased by the Post Office Department during

the last ten years, omitting the last order given to the Ontario Equiment Company?

2. What has been the average price paid for said locks?

3. Who supplied the department with locks during that time?

Mr. PELLETIER:

1. 79,162 locks. This does not comprise any new locks under the last contract.

2. From 1903 to 1907, 14,000 at 70 cents per lock, and 10 cents for the key. Since 1907, 65,162 at 80 cents per lock, and 20 cents for the key.

3. E. G. Shepherd up to October, 1911, and The Ontario Equipment Company since October, 1911.

Mr. MACDONALD:

What experts were consulted in connection with the new locks for mail bags recently purchased by the Post Office Department?

Mr. PELLETIER: The question assumes that new locks have been purchased under the last contract. This is inaccurate. No new locks have as yet been supplied, but the Ontario Equipment Company have agreed to supply those which may be required. Mr. Sidney Smith, controller of postal stores, who, on account of his long years of experience and his practical knowledge, is the best possible expert, has been consulted about the Ontario Equipment Company's contract, and his advice has been followed.

*Mr. MARTIN (Montreal):

1. What became of the old locks formerly used for the mail bags in the Post office Department?

2. Have the new locks recently purchased by the Post office Department been distributed?

3. If so, how many have been alloted to each province?

Mr. PELLETIER:

1. As fully explained in the memorandum of the controller of postal stores, which is to be found in the 'Hansard' of April 1 instant, the contractor has not so far been able to supply any of the new locks.

2. Answered by No. 1.

3. Answered by No. 1.

*Mr. BUREAU:

1. Has the opinion of an expert been obtained before deciding to buy new locks for mail bags?

2. If so, what is the name of the expert?

3. If not, why was it not done?

Mr. PELLETIER: This question assumes that new locks have been purchased under the last contract. This is inaccurate. No new locks have as yet been purchased, but the Ontario Equipment Company have agreed to supply those which may be required. Mr. Sidney Smith, controller of postal stores, who, on account of his long years of experience and practical knowledge, is the best expert, has been consulted about the Ontario Equipment Company's contract, and his advice has been followed.

Mr. BELAND:

1. How many steel clamp mail locks have been purchased by the Post Office Department during the last ten years respectively?

2. How many have been purchased in the years 1908, 1909, 1910 and 1911, respectively?

3. How many were purchased by the present Government from the 6th of October, 1911, to the 1st of April, 1913?

4. How many new mail locks can the Post Office Department store without renting new rooms?

5. Is the new patent lock supplied by the Ontario Equipment Company larger or smaller than the one in use heretofore?

6. Has the Government an expert supervising the manufacture of the 350,000 locks contracted for with that company?

Mr. PELLETIER:

1. 79,162, i.e., 1903-04, nil; 1904-05, nil; 1905-06, 5,000; 1906-07, 6,000; 1907-08, 9,000; 1908-09, 9,000; 1909-10, 6,000; 1910-11, 15,000; 1911-12, 17,162; 1912-13, 16,500

2. Answered by No. 1.

3. 28,500, as requisitioned for by postmasters.

4. The Post Office Department does not intend to store locks. They are asked for from the manufacturer as they are needed.

5. They have supplied no new locks so far.

6. No. The contract provides that when locks come in they are examined and the department has the right to refuse them if they are not satisfactory. Moreover, the question assumes that the Post Office Department has contracted for 350,000 locks and that is an erroneous statement.

*Mr. CARVELL:

1. How many locks for mail bags have been purchased by the Post Office Department for each of the years 1906, 1907, 1908, 1909, 1910, 1911, and 1912?

2. What was the price paid for said locks in each of said years?

3. What is the name or designation of the locks so purchased?

Mr. PELLETIER:

1. 1905-6, 5,000; 1906-7, 6,000; 1907-8, 9,000; 1908-9, 9,000; 1909-10, 6,000; 1910-11, 10,500; 1911-12, 17,162; 1912-13, 16,500.

2. From January, 1905, to October, 1907, 70 cents each for the lock and 10 cents for the key.

From October, 1907, to 1912, 80 cents each for the lock and 20 cents for the key.

3. Patent steel clamp lock with swivel, chain and snap attached.

*Mr. EMMERSON:

1. How many new locks for mail bags will be required for the various post offices of the province of New Brunswick?

2. Have any been distributed already?
3. Were there any requisitions made for same? If so, from whom?

Mr. PELLETIER:

1. It would be impossible to accurately guess that in advance even if the question referred to a stated number of years, which it does not.
2. No.
3. Reports suggesting new locks have been made for several years. It would be necessary to look at all the files to say from whom. In 1906, Mr. Armstrong, the Controller of Railway Mail Service, reported as follows:

The complaint is general that locks which are supposed to be securely fastened drop off when thrown on the platform. There has for a number of years been dissatisfaction with the present lock used by the department.

It is with that report before the department that the price of these same locks was increased by a previous Postmaster General from 80 cents (for the lock and key) to $1.

*Mr. BUCHANAN:

How many new locks and keys for mail bags will be required for the postal service in the province of Alberta?

Mr. PELLETIER: Even if this question mentioned some time limit which would render it more intelligible, the possibility of an answer would at all events also depend on the expansion of the service which is likely to be very considerable in western Canada, but which cannot be accurately guessed.

Mr. SINCLAIR:

1. Has any estimate been made of the number of new locks and keys for mail bags required in the province of Nova Scotia?
2. If so, how many will be required for the present fiscal year?

Mr. PELLETIER:

1. Not especially for Nova Scotia. A general estimate was made for the whole of Canada by the assistant deputy minister, and this was later corrected and fully explained in the House, as appears in 'Hansard' of the 1st April instant.
2. Answered by No. 1.

*Mr. MARCIL:

Has the Postmaster General made any test of the new locks for mail bags in the matter of exposure to conditions which would cause rust? If so, where and when?

Mr. PELLETIER: No new locks have as yet been delivered. When some are delivered, the efficient controller of postal stores will examine them as they come, and if all or any of the new locks are found unsatisfactory, they will be returned to the manufacturer. The two years' guarantee specified in the contract safeguards the department against the acceptance of any defective lock, every one of which must prove efficient under practial service conditions for that period before being formally accepted.

*Mr. TURRIFF:

How many new locks and keys for mail bags will be required for the postal service in the province of Saskatchewan?

Mr. PELLETIER: Even if this question mentioned some limited time which would help in rendering it more intelligible the possibility of an answer would at all events also depend on the expansion of the service, which is very considerable in western Canada, but which cannot be accurately guessed beforehand.

NICTAUX FISH HATCHERY.

Mr. MACLEAN (Halifax):

1. From whom were lands purchased for the fish hatchery at Nictaux, Annapolis county, N.S., and what price was paid in each case?
2. What progress has been made in the way of building dam, &c.?
3. Has any spawn yet been purchased for said hatchery? If so, what quantity and from whom?
4. Are any men at present employed in connection with the operation of said fish hatchery? If so, what are their names, the amount of salary paid to each of them, and the nature of the services in each case performed?
5. If any persons are now employed at said hatchery, what are their special qualifications for the positions they occupy, and by whom were they recommended for the appointments to the Minister of Marine and Fisheries?
6. What has been the total cost to date of said fish hatchery?

Mr. HAZEN:

1. Purchased from H. V. Gates, of Middleton, for five hundred dollars.
2. Hatchery and dam completed.
3. Hatchery contains 1,750,000 Atlantic salmon eggs, which have been transferred from the Margaree hatchery, Nova Scotia, and 50,000 speckled trout eggs from the St. Alexis hatchery, Quebec.
4. Yes. L. J. Burton, five hundred and fifty dollars a year, officer in charge; Geo. Heatley, five hundred dollars a year, assistant; H. V. Gates, five hundred dollars a year, assistant. Care of eggs and fry, and general hatchery work.
5. Mr. Burton has been assistant in the Margaree hatchery since 1907. He is a capable officer and has gained an intimate knowledge of hatchery work. His transfer was recommended by the responsible departmental officers. The employment of Messrs. Heatley and Gates was recommended by Mr. A. L. Davidson. They are represented as being active, energetic,

healthy young men of strictly temperate habits and possessing a good education.

6. $9,236.46.

EMILE BOURASSA.

Mr. GAUTHIER (St. Hyacinthe):

1. Did the Department of Marine and Fisheries, at a date subsequent to the 14th of February last, send a letter bearing No. 10046 and addressed to Emile Bourassa, of Montreal, informing him that he would be appointed to a position in the Marine Agency of Montreal, as soon as he had passed the qualification examination?

2. Will the Minister of Marine and Fisheries produce a copy of said letter?

Mr. HAZEN:

1. As a result of the representations made by Mr. Coderre, M.P., and others, on behalf of the longshoremen of Montreal, to the effect that measures should be adopted to provide greater safeguards for those engaged in the handling of traffic to and from ships at the port of Montreal during the season of navigation, several conferences between representatives of the Montreal Harbour Commission, the Shipping Federation of Canada, and the Department of Marine and Fisheries, were held during the year 1911-12. Among the requests put forward by the longshoremen, was the appointment of an additional inspector of tackle at the port of Montreal. The department, after fully considering all the facts, resolved to appoint such an officer, whose services should be available for the season of navigation, 1913. On the 30th of May, 1912, Mr. Coderre recommended the appointment of Mr. A. E. Bourassa to the position. On the 20th February, 1913, the Deputy Minister of Marine and Fisheries forwarded a letter to Mr. A. E. Bourassa, advising him to present himself before the steamboat inspector at Montreal for the purpose of establishing his qualifications for the position of inspector of ships' tackle at that port. The letter further stated that, if in the judgment of the steamboat inspector, Mr. Bourassa's qualifications were sufficient for the position, steps would be taken to appoint him at a salary of $1,000 per annum. Mr. Bourassa did not present himself for examination; he has not been appointed to this or any other position in the employ of the Government of Canada; and if he presents himself to the steamboat inspector of Montreal, no examination will be granted him.

2. Copy of the letter is attached hereto.

20th February, 1913.

Re Appointment Inspector of Tackle.

My Dear Sir,—By direction of the hon. the Minister of Marine and Fisheries, I am to advise you to present yourself before Mr. William Laurie, steamboat inspector of Montreal, for the purpose of establishing your qualifications for the position of inspector of ships' tackle at the port of Montreal.

If in the judgment of Mr. Laurie, your qualifications are sufficient for this position, immediate steps will be taken to appoint you at a salary of $1,000 per annum.

You will act from time to time in conjunction with the present inspector, Mr. Martin, under instructions from Mr. Laurie.

Your truly,

(Sgd.) A. Johnson.

Emile Bourassa, Esq.,
826 Des Erables Street,
Montreal, P.Q.

RURAL MAIL DELIVERY BOXES.

Mr. RAINVILLE:

1. How many rural mail boxes were ordered for the use of rural mail service for Canada previous to October, 1911?
2. Where were these mail boxes purchased?
3. Were tenders called for?
4. What prices were paid for each box?
5. How many boxes are in store at present?
6. Where are these boxes stored?
7. If these boxes are not kept in Government public buildings, what is the price paid for storage?
8. With the rural mail policy, as followed by the previous Government, how many years would have been needed to use all these boxes?

Mr. PELLETIER:

1. 110,000 boxes were purchased by the previous Government.
2. The purchase was made from the International Equipment Company, New York.
3. No.
4. The price to be paid accepted by the then Postmaster General, and agreed upon by him without inviting tenders, was $3 a box for each box, making a total of $330,000.
5. About 45,000.
6. In postal stations at Toronto and in the premises of the different post office inspectors.
7. No storage is paid.
8. No accurate answer can be given to that question. The first boxes were installed in August, 1908. Up to December, 1911, over three years after, only 18,844 had been installed.

Mr. LEMIEUX:

1. How many rural mail delivery boxes have been installed since the establishment of rural mail delivery in Canada?
2. How many routes have been opened in 1908, 1909, 1910, 1911, 1912, respectively?

Mr. PELLETIER:

1. 43,000—16,015 by the previous Government and 26,985 by the present Government. 20,000 more boxes will however be erected by the present Government on routes which have already been authorized and which will be inaugurated at an early date.

2. 1908, 40; number of boxes erected, 1,000; 1909, 192; number of boxes erected, 3,282; 1910, 156; number of boxes erected,

5,324; 1911, 216; number of boxes erected, 9,240; 1912, 307; number of boxes erected, 7,638. Since the 1st of January, 1913, 16,500 boxes have been reported as erected in addition to the above which brings the total number of boxes erected to 43,000.

FENIAN RAID INDEMNITY.

Mr. LAPOINTE (Kamouraska):

1. Has the Government paid to Madame Hortense Lévesque, widow of the late Firmin Thibault, of St. Denis de Kamouraska, the indemnity claimed by the said Firmin Thibault, for having served at the time of the Fenian invasion in 1870?
2. If so, when was the payment made?
3. If not, why has the payment not been and does the Government intend to do it?

Mr. WHITE (Minister of Finance): Cheque for the amount was mailed 11th December, 1912 and cheque was cashed prior to 19th December, 1912.

EXPENDITURE IN MARIA PARISH.

Mr. MARCIL:

1. Has the Minister of Public Works authorized lately the expenditure of any sum of money in the parish of Maria, Bonaventure county, Quebec, and for what purpose?
2. What was the amount authorized, how much has been expended, and at whose request was such authority given?
3. Who was placed in charge of such work?

Mr. ROGERS:

1. Yes, to repair a retaining wall.
2. (a) $800; (b) $799.94; (c) Mr. J. A. Mousseau.
3. Under the supervision of district engineer J. C. Taché, and conductor of work, Jean Vigneau.

M. M. MOWAT, FISHERY OFFICER.

Mr. MARCIL:

1. Has the Minister of Marine and Fisheries received a petition from the Restigouche Fishermen's Association against the appointment of Mr. Maxwell M. Mowat as a fishery officer, with powers throughout the Dominion, without salary?
2. If so, is the Mowat referred to in the employ and pay of the Restigouche Riparian Association as head guardian?
3. Is the Government aware as to whether or not membership of this association is largely recruited among aliens?
4. Is the minister aware as to whether or not the members and clubs forming the said association have acquired extensive salmon and trout fishing properties and rights in the Restigouche river and its branches?
5. Is the minister aware as to whether or not the said association have for years shown a desire and disposition to crowd out the net fishermen from the said river?
6. If so, is the minister of the opinion that the said Mowat will be, in his official capacity, qualified to deal fairly and justly as between the net fishermen, the Department of Marine and Fisheries and the said association?
7. Does the minister intend to maintain the said Mowat in his said office of fishery officer, with power throughout the Dominion as long as he remains in the service of the association?
8. What answer was given to the said petition, if one was received?

Mr. HAZEN:

1. Yes.
2. The department understands that he is.
3. The department has no definite information.
4. The department has no definite information.
5. No.
6. Mr. Mowat has not been given magisterial powers; but merely necessary authority to enable him to examine nets, &c., to see that they comply with the laws, without being liable for trespass.
7. Matter is under consideration.
8. The petitioners are being advised that the prayer of their petition will receive careful consideration.

PANAMA CALIFORNIA EXPOSITION.

Mr. SINCLAIR:

Is it the intention of the Government to have Canada represented at the Panama-California Exposition, proposed to be held at San Diego, California, about the date of the opening of the Panama canal?

Mr. BURRELL: No. It is not the intention of the Government to have Canada represented at the Panama-California Exposition, to be held at San Diego, California.

DISMISSALS.

Mr. OLIVER:

In reference to the answer of the Minister of the Interior, given on Monday, February 24, to an inquiry as to the reason for the dismissal of Howard Douglas, in what particular instance or instances did Howard Douglas use his position as superintendent of parks to advance his personal interests, as stated by the minister?

Mr. CROTHERS: In further reference to this question, timber berth No. 528, British Columbia.

Mr. McCRANEY:

Was any investigation held by the Post Office Department respecting charges of political partisanship against F. Hazell, lately postmaster at Hanley, Saskatchewan?

Mr. PELLETIER: No. It was not considered necessary to go to the expense of an investigation. The facts were sufficiently known.

Mr. McCRANEY:

1. Was any investigation held by the Department of the Interior respecting charges

of political partisanship against F. Hazell, lately sub-agent Dominion Lands at Hanley, Saskatchewan?

2. If not, on what information did the department act, and on whose recommendation was his dismissal made?

Mr. CROTHERS:

1. No.

2. On indisputable evidence of active partisanship. Recommendation of Messrs. D. McLean, Laird, and Baldwin.

Mr. MARCIL:

1. Has Mr. Edmund Dea, overseer of the lobster hatchery at Port Daniel West, Quebec, been dismissed? If so, on what grounds, and who made the complaint?

2. Was an investigation held, or was the dismissed official given an opportunity of meeting the charges made against him?

3. Who has been appointed to replace Mr. Dea?

Mr. HAZEN:

1. Yes. Political partisanship. Mr. J. A. Mousseau, New Carlisle.

2. No investigation was held.

3. Jeremiah Jones, Port Daniel Centre, Quebec.

*Mr. LEMIEUX:

1. Has Albert Dunn, engineer employed in the eastern block, been dismissed?

2. If so, why and at whose request?

3. Has any investigation been held?

Mr. ROGERS:

1. Yes.

2. (a) Political partisanship; (b) at request of Mr. A. E. Fripp, M.P.

3. Yes.

Mr. ETHIER:

1. Who asked for the dismissal of Edmond Lacroix, postmaster of St. Joseph du Lac, county of Two Mountains?

2. Has an inquiry been held in order to justify the dismissal of the said Edmond Lacroix?

3. If so, who are the persons who gave evidence for the complainant against Mr. Lacroix, and what was the report of the inquiring commissioner?

4. Has the postmaster been appointed in the place of Mr. Edmond Lacroix?

5. If so, what is the name of the new occupant and on whose recommendation was he appointed?

Mr. PELLETIER:

1. He was removed by direction of the Postmaster General for political partisanship.

2. The charges were made the subject of judicial inquiry.

3. Messrs. Arthur Desjardins and Rodrigue Larocque. The commissioner found that the charges were proven.

4. Yes.

5. Rodrigue Larocque, appointed by direction of the Postmaster General.

*Mr. MURPHY:

1. On what date was M. T. Conway appointed to a position in the Government Printing Bureau?

2. Has the said M. T. Conway been given notice of his dismissal? If so, on what date will his employment cease?

3. Are the services of the said M. T. Conway to be dispensed with on the ground, as alleged, that he took 'an active and offensive part in the last general election for the House of Commons'?

4. Who has been appointed to succeed Mr. Conway, and what salary is to be paid to his successor?

Mr. CODERRE:

1. 7th October, 1911.

2. Yes. 14th April, 1913.

3. Yes.

4. Nobody.

UNOPPOSED AND UNDISCUSSED MOTIONS.

For the production of one sample of a patented lock and key sold by the Ontario Equipment Company of Ottawa to the Post Office Department.—Mr. Verville.

For a copy of all correspondence, telegrams, &., exchanged between the hon. the Postmaster General and Dr. Faucher, of Quebec, concerning the purchase of a certain patented lock for mail bags.—Mr. Lapointe (Kamouraska).

For a copy of all documents in the Department of the Interior prior to the issue of the crown patents relating to lot No. 217 of the Hudson Bay Company survey, in the parish of St. John, Winnipeg.—Mr. Proulx.

For a copy of all the charges investigated by Commissioner W. J. Code, and also of the evidence taken and the report made by the said commissioner.—Mr. Murphy.

For a copy of all correspondence, documents and contracts concerning the mail bags locks of the Post Office Department.Mr. Rainville.

For a copy of all documents, correspondence, &c., relating to the purchase by the Department of Public Works of a certain quantity of timber for the construction of a wharf at St. Germain de Kamouraska, the said purchase having been made, as alleged, from Murray Castonguay during the year 1912.—Mr. Lapointe (Kamouraska).

For a copy of all correspondence, telegrams, charges and other documents relating to the dismissal of Epiphane Nadeau, immigration agent at St. Leonard, Victoria county, N.B.—Mr. Michaud.

For a return showing the names residences and occupations of all the employees of the Intercolonial railway who have been dismissed in the county of Rimouski since the 21st September, 1911.—Mr. Lapointe (Kamouraska).

For a copy of all documents, recommendations and correspondence relating to the resignation of C. A. R. Desjardins, as postmaster at St. André de Kamouraska, and the appointment of his successor.--Mr. Lapointe (Kamouraska).

For a copy of all Orders in Council, reports of experts and contracts, in connection with the different purchases of rural mail devlivery

boxes made by the Post Office Department since 1908 until January 1, 1912.—Mr. Lemieux.

For a copy of all accounts, vouchers and charges incurred by and relating to the lobster hatchery and patrol boat Davis during the season of 1912 to the 31st December, 1912, with the names of the officers and crews, and the wages paid to each.—Mr. Kyte.

For a copy of all correspondence, telegrams, petitions, affidavits, complaints, certificates, recommendations, reports and other documents relating to the engagement and appointment for the year 1913, of the captains and first and second engineers for dredging machines Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the Department of Marine and Fisheries, under the control of the agency at Sorel, and employed in the deepening of the St. Lawrence below Montreal.—Mr. Cardin.

For a copy of all correspondence, telegrams, petitions, affidavits, complaints, certificates, recommendations, reports and other documents, relating to the engagement and appointment of the captains and engineers for the year 1913, for the tugs Carmelia, Chambly, Contrecœur, De Lévis, Emilia, Iberville, James Howden, Jesse Hume, Lac St. Pierre, Lanoraie, Lotbinière, Portneuf, Varennes and Verchères, of the Department of Marine and Fisheries under the control of the agency at Sorel.—Mr. Cardin.

For a copy of all reports received by the hon. the Postmaster General from his officers, recommending the purchase of a new lock and key for mail bags.—Mr. Délisle.

For a copy of all correspondence, telegrams, &c., exchanged between the hon. the Postmaster General and Mr. Aime Dion, advocate of Quebec, concerning the purchase of a certain patented lock for mail bags.—Mr. Verville.

NAVAL FORCES OF THE EMPIRE.

Consideration in Committee of Bill No. 21, to authorize measures for increasing the effective Naval Forces of the Empire—Mr. Borden resumed from March 10. (Mr. Deputy Speaker in the Chair.)

On section 2:

From and out of the Consolidated Revenue Fund of Canada there may be paid and applied a sum not exceeding thirty-five million dollars for the purpose of immediately increasing the effective naval forces of the Empire;

And the amendment thereto proposed by Mr. Guthrie:

That, after the word 'dollars,' in the third line of the section, the following words be inserted: 'to be expended in Canada in the construction and equipment of naval forces as hereinafter set out.

Right Hon. R. L. BORDEN (Prime Minister): Mr. Chairman, before we proceed with the actual discussion of the amendment of my hon. friend from South Wellington (Mr. Guthrie), I would like to suggest to my right hon. friend (Sir Wilfrid Laurier) that the Bill now under consideration has occupied a large part of the attention of this House for a very long period; in fact, it has occupied nearly all of the attention of the House since the 5th day of December last, it has already been no fewer than thirteen days in committee, and I will not stop to enlarge upon the length of time that otherwise has been devoted to it.

While it is not desired on this side of the House unduly to restrict debate upon an important measure such as this, yet its consideration has occupied a longer period than ever in my experience has been devoted to a measure introduced by a Government. It is usual under similar conditions that some date should be suggested and agreed to, at which the Bill should pass out of committee and the vote on its third reading be taken. I desire to suggest to my right hon. friend that some date should be named when the Bill may be reported from committee, after all the discussion that is deemed advisable or necessary, and that a date should be fixed for the vote on the third reading. This, under the circumstances, is only a reasonable request, and it is one which in the past practice of the House has been complied with. I therefore respectfully suggest to my hon. friends on the other side of the House, and particularly the right hon. gentleman who leads the Opposition, that some date should now be fixed for the remaining stages of the Bill, and that then we should go on and discuss it with a view to bringing the debate to a conclusion within the time thus indicated.

Right Hon. Sir WILFRID LAURIER: Mr. Chairman, the request which has just been made by my right hon. friend who has the responsibility of leading the House is one that is entitled to a fair and unequivocal answer at our hands. I do not agree with my right hon. friend when he says that the measure now before us has occupied more time in discussion than any measure which has been at any time introduced by any government. I rather believe that if my right hon. friend will consult his own memory, he will agree that not later than two years ago, when we introduced the reciprocity measure, this House devoted more time to its discussion than has yet been occupied by the discussion on the Naval Aid Bill. The resolutions on reciprocity were introduced, I believe on the 26th of January, and, with some intermission, on the 29th of July following were still pending before Parliament. I did not find any fault with the attitude then taken by the Opposition. In parliamentary government as it exists in England, it has frequently happened that the usual harmony between the majority and the minority has not been found adequate by the minority of the proper discharge of the duty which it owed to itself

and which it thought it owed to the country. Let us be frank about this: before I conclude I shall give to the House, I hope, proper reasons for the position we have taken on this measure. It has been charged that our attitude has been that of obstruction, and, though obstruction has been held to be unparliamentary, the thing itself, whether you call it obstruction or by any other name, is not at all unknown to parliamentary government. I cannot do better than quote the foot note which is found in Redlich, volume I, page 81, referring to remarks by Sir Erskine May, who undoubtedly is the standard authority on parliamentary procedure:

> Sir Erskine May also points to this cause in his pamphlet, 'Remarks with a view to facilitate the dispatch of public business in Parliament.' The development of freedom, he says, had enormously increased the desire to speak in the House. Delays and even obstructions must not always be regarded as illegitimate parliamentary weapons as they afforded the means of collecting the opinions of constituencies and the public.

In the course of my parliamentary experience, both in opposition and in the Government especially when I had the responsibility of leading the House, I never complained if obstruction was offered to measures proposed by us; and in the last instance which occurred and to which I have referred, I thought the best solution was to refer the matter to the people themselves, and that is the solution which in such cases must always give the best satisfaction.

Mr. SCHAFFNER: That is the whole thing.

Mr. TURRIFF: You are afraid of it.

Sir WILFRID LAURIER: To the proposal which has been made by my right hon. friend, I will answer for this day and for this day only. The reason we have taken the attitude we have taken against this Bill is, in the words of May, to call the attention of the constituencies and the public to the most important measure perhaps which has ever engaged the attention of the Parliament of Canada during the forty years or more of its existence. Important it undoubtedly is, because it opens the way to a new departure altogether in our national life. This present hour and this present day are not without solemnity. If we pass this Bill, we shall turn our backs on what has been the traditional history of this country since Confederation; we shall certainly interrupt and perhaps put an end to the spirit of self-confidence and self-reliance which has made Canada what she is to-day; we shall open a new page in the long and fateful struggle which has characterized colonial government from its inception to this date—the struggle between concentration on the one side and expansion on the other; a struggle which we thought had been forever settled in favour of colonial expansion.

The problem of defence is upon us. The Bill which we have before us at the present time settles nothing. It is simply an incident in that long struggle between expansion and concentration. The problem of defence has been facing us since the earliest days of Confederation. During the debates which have taken place, the opinions have been quoted of Sir John Macdonald, of Sir George Cartier—of the most eminent and thoughtful of those whom the Canadian people honour with the name of Fathers of Confederation. Sir John Macdonald's idea of Confederation was that it would make of Canada an auxiliary kingdom to Great Britain. Mark the words. Although that was his idea, it never entered his mind that Canada should pay contribution to either the army or the navy of Great Britain. Sir John Macdonald regarded as the basis of our system of defence that we should develop our forces both on land and on sea. The matter has come before us more than once. However we may differ as to the method to be adopted, we have always agreed in the view that the problem has to be considered in the light of what we owe to ourselves as Canadians and also of what we owe to the Mother Country as British subjects.

Our institutions are based upon the party system. Whatever views we hold, we are all agreed that nothing better has yet been devised for the government of the country than the present British system which we have. As it is based, however, upon party, no one will contend that the desire to win will not very often carry us further than the goal which we should seek. Once, and once only, we approached this problem free from party bias, party prejudice, and party passion; and the solution, which we adopted, unanimously, without a dissenting voice, was that the best method by which we could discharge our duties as Canadian subjects was by the organization of a Canadian navy. When a resolution has been adopted under such circumstances, can it be supposed that any departure from it will be an improvement? On the contrary, is it not manifest that the policy which was then adopted was the voice of duty both Imperial and Canadian? What is the case to-day? The resolution, which was adopted solemnly and unanimously by this House, is set aside. I am told that it is not set aside. I am told that the present policy is an emergency contribution. Emergency! Who can talk about emergency? The very idea of emergency has been by the discussion dissipated, just as the mist of the morning is dissipated by the rays of the rising sun. The light has been thrown upon it, and who can talk of emergency when we have the word of the Prime Minister of

England and the word of the Secretary of State for Foreign Affairs, that the relations of England with all the world have never been more cordial than they are at the present time? Who can talk of emergency when we have been told by the First Lord of the Admiralty, not once, but dozens of times, that England desires no support from anyone, that she can meet any force, that she is prepared and ready to meet her enemies wherever they may be? If I were not to be charged with tedious repitition I would repeat the words of the First Lord of the Admiralty. Those words are received to-day by the other side of the House with derisive laughter. Am I to suppose that there is one man on the other side who to-day believes that England is not the equal on the sea of any nation in the world? Since the commencement of this debate, there have come from Germany, which has been considered the chief source of danger, from no less an authority than the German Secretary of the Navy, words which lead us to believe that at no distant date a stop may be put to this mad folly of armaments which has been going on for some years past. This is our present condition.

We are told, however, that this policy of a Canadian navy has been rejected. If there is one thing which, in my opinion, is more certain than another, it is that all that we have heard during this debate from its first day to this, and all that we have heard from the Admiralty, goes to show that the policy of a Canadian navy is at the present time more the true solution of the problem than it has been at any other time. Let me take the words of the memorandum itself, which is the basis of the policy introduced by my right hon. friend himself (Mr. Borden). The memorandum of the Admiralty shows distinctly that the new scheme adopted by the British navy is that of concentration in European waters, and for that purpose the navy has been withdrawn from distant seas. If that be the case, as I said on a former occasion, is not the solution of our problem to be found in the organization of a Canadian navy in Canada, as the organization of an Australian navy is the solution in Australia? Let me quote in that respect the words of the preamble of the German Naval Law, which has been quoted very often in this debate, though not apropos of the matter which we now have in hand. The preamble is in these words:

In order to protect German trade and commerce under existing conditions, only one thing will suffice, namely, Germany must possess a battle fleet of such strength that even for the most powerful naval adversary a war would involve such risks as to make that power's own supremacy doubtful. For this purpose it is not absolutely necessary that the German fleet should be as strong as that of the greatest naval power, for, as a rule, a great naval power will not be in a position to concentrate all its forces against us.

Germany has no distant sections of Empire to protect as Great Britain has. Let the conditions be made equal between them. Let Great Britain be freed from the necessity of protecting the distant sections of the Empire, and then Germany and Great Britain will be alone in the waters of Europe, and there will be no doubt as to the issue. This preamble of the German Naval Law gives us the very reason why we should have autonomous naval organization in this country. At the last Imperial conference in 1911, we agreed with the Admiralty that the Canadian navy which was to be built, and which would have been built if we had remained in office, should be given a certain portion to protect. (Reading):

The Canadian Atlantic station will include the waters north of 30 degrees north latitude and west of the meridian of 40 degrees west longitude.

The Canadian Pacific station will include the waters north of 30 degrees north latitude, and east of the meridian of 180 degrees longitude.

This is a state paper, a memorandum which was agreed to between the Admiralty, Canada, and Australia. In regard to Australia, the memorandum reads as follows:

The Australian naval station will include—

On the north—from 95 degrees east longitude by the parallel of 13 degrees south latitude to 120 degrees east longitude, thence north to 11 degrees south latitude, thence to the Boundary with Dutch New Guinea on the south coast in about longitude 141 degrees east, thence along the coast of British New Guinea to the boundary with German New Guinea in latitude 8 degrees south, thence to 155 degrees east longitude.

That is the programme which was laid down. But, instead of that, under the new policy which has been introduced, our ships will not be in the waters of the North Atlantic or the North Pacific, but they will have Gibraltar as their base, and will move to all parts of the world. Does anyone believe that this is a better arrangement than the one we had made? Again I repeat, the policy of building a Canadian navy has been set aside. The avowal has not been made; the House has not been treated with absolute sincerity in this matter; but I challenge contradiction when I say that the policy of autonomous naval organization has been absolutely abandoned by this Government. They have not avowed it, for if they did avow it, they would undoubtedly arouse the spirit of the Canadian people, even among the Conservative party. The matter has been discussed from many points of view, and the many organs of public opinion which gener-

ally support the Government have declared against the abandonment of the policy of a Canadian navy. A newspaper in this city which supports the action of the Government upon emergency grounds—which in my opinion does not exist— has this to say:

The Journal is not a believer in a permanent policy of Canadian contribution of ships or money to the Imperial fleet. We think that eventually some plan must be developed whereby the ' dominions beyond the seas,' including Canada, must evolve naval establishments of their own—that nothing else will long be safe for Imperial unity.

But it is not sufficient to look at this as a matter for the future. If we are to have a naval establishment, it is not a matter for to-morrow or for the day after to-morrow. What is to prevent us from dealing with it now? I am afraid the Journal will have to get up early if it is to prevent the Canadian Government from carrying out what it has in mind: the abandonment of the Canadian navy. In support of my contention, I would refer to the pertinent words of the Prime Minister of the 5th of December, when he introduced the resolution upon which this Bill is based. I quote from page 710 of ' Hansard ':

There have been proposals, to which I shall no more than allude, that we should build up a great naval organization in Canada. In my humble opinion, nothing of an efficient character could be built up in this country within a quarter or perhaps half a century. Even then it would be but a poor and weak substitute for that splendid organization which the Empire already possesses, which has been evolved and built up through centuries of the most searching experience and of the highest endeavour. Is there really any need that we should undertake the costly and hazardous experiment of building up a naval organization especially restricted to this Dominion, when upon just and self-respecting terms we can take such part as we desire in naval defence through the existing naval organization of the Empire, and in that way fully and effectively avail ourselves of the men and the resources at the command of Canada. Look at the very gentle euphemisms in regard to the proposals made by Canada to build up a great naval organization—' proposals to which I shall no more than allude.'

This would indicate something transient. But these proposals were those of a solemn motion introduced into this House by the right hon. gentleman's first lieutenant, the hon. member for North Toronto (Mr. Foster), on the 29th of March, 1909, in these words:

That in the opinion of this House, in view of her great and varied resources, of her geographical position, and national environments, and of that spirit of self-help and self-respect which alone befits a strong and growing people, Canada should no longer delay in assuming her proper share of the responsibility and financial burden incident to the suitable protection of her exposed coast line and great seaports.

This was the first step of the proposals to which my right hon. friend would no more than allude. On the same day, the resolution was unanimously carried in this House which has been often referred to, but which, in view of what my right hon. friend has said, I feel bound to repeat:

This House fully recognizes the duty of the people of Canada, as they increase in numbers and wealth, to assume in larger measure the responsibilities of national defence.

The House is of opinion that under the present constitutional relations between the Mother Country and the self-governing dominions, the payment of regular and periodical contributions to the Imperial treasury for naval and military purposes would not, so far as Canada is concerned, be the most satisfactory solution of the question of defence.

The House will cordially approve of any necessary expenditure designed to promote the speedy organization of a Canadian naval service in co-operation with and in close relation to the Imperial navy, along the lines suggested by the Admiralty at the last Imperial conference, and in full sympathy with the view that the naval supremacy of Britain is essential to the security of commerce, the safety of the Empire and the peace of the world.

The House expresses its firm conviction that whenever the need arises the Canadian people will be found ready and willing to make any sacrifice that is required to give to the Imperial authorities the most loyal and hearty co-operation in every movement for the maintenance of the integrity and honour of the Empire.

At that time, in 1909, if my right hon. friend was of opinion that a Canadian navy could not be built up in less than twenty-five years or half a century, he was also of opinion that, if it would take so long, the sooner we commenced the better; for his resolution was that we should at once start the construction of a Canadian navy. If what he said on the 5th of December last means anything, it means that we should not have an organization of our own, but that we should take advantage of the long established British navy, and, if we do that, it means, of course, periodical contributions to the Imperial navy, and it means nothing else. When the way had been opened by my right hon. friend for the abandonment of the idea of a Canadian navy, there was evidenced among his followers a great desire to see who should be the first to cast upon the Canadian navy the most opprobrious insinuations. One after another brought his fagot, large or small, to place on the funeral pyre on which was burning the resolution which affirmed the once solemn and patriotic convictions of the Conservative party; and from that day they one and all pronounced against a Canadian

navy, and in favour of Imperial contribution. I again affirm that the idea of a Canadian navy has been abandoned by the present Government. Hon. gentlemen opposite have not been fair with us; they have not told us their reasons for this attitude; but the course which they are adopting is not escaping the observation of the people. I desire to refer the House to the last number of that missionary of imperialism, the Round Table in which the attitude of my right hon. friend is commented upon. The reviewer quotes the words of my right hon. friend as follows:

There have been proposals, to which I shall no more than allude, that we should build up a great naval organization in Canada. In my opinion, nothing of an effective character could be built up in this country within a quarter, or, perhaps, half a century. Even then it would be but a poor and weak substitute for that splendid organization which the Empire already possesses.

And so on. The commentator goes on to say:

Only Mr. Borden himself has the right to interpret the deeper meaning of these sentences.

I would add that it is not only the right but the duty of Mr. Borden to interpret the deeper meaning of these sentences. He goes on to say:

But it would be rash to conclude that the Government has determined against the ultimate organization of a Canadian navy. Generally Conservative speakers in the debate have emphasized the declaration of Mr. Borden that the emergency proposals are not to be understood as the beginning of a system of regular and periodical contributions. It is manifest, however, that Mr. Borden is impressed by the advantages of concentration for sea defence and the necessity for common direction of the fleets of the Empire. Probably he contemplates a reorganization of the Empire, a closer co-operation between the Mother Country and the Dominion in foreign policy, and a greater fusion of the national feeling of the overseas portions of the Empire in the common Imperial sentiment. This, however, is to look into the future and to anticipate conditions which may or may not develop.

But, Sir, these conditions must and will develop; no force is strong enough to keep them back. It is impossible to suppose that this country will in that respect remain in its present condition: we must have a naval development of some kind, in the way either of autonomous organization or of Imperial contribution. There is no middle course; there must be either the one or the other. Is not the situation just as I have stated it? Will any hon. gentleman on the other side of the House contend that there is any middle course? What shall it be—autonomous organization, or Imperial contribution? This is the position which faces us to-day. The action taken in the future will be determined by our course at this time, and that is why we have offered such strenuous opposition to the present measure.

I stated, when I thought it my duty first to speak on this subject, that if there was an emergency, if it was true that the Empire was in real danger, there would be no hesitation on the part of hon. gentlemen on this side of the House to vote the money if it were twice the amount asked for. But there is no question of an emergency; the alleged emergency is simply a pretense and a make-believe. The question to-day is, what permanent policy is to be adopted? And that is the reason why we ask that the Canadian people should be given an opportunity to pronounce upon this important question before we launch ourselves further out upon the waves of this new departure which is now contemplated. We on this side of the House have nothing to conceal; we want to present our views to the people, and we want hon. gentlemen opposite to do the same, so that there may be brought clearly before the mind of every elector in this country the question: what shall it be—antonomous organization or Imperial contribution? I think our policy is the best; but if the people think otherwise it will be our duty to abide by their verdict. At all events, before we commit ourselves to such a course as that now proposed, the most ample discussion should be given to the question; and, after all, the people themselves should decide the issue.

I now come to a consideration of the fact, made manifest by one of the last speeches of Mr. Churchill, that the Admiralty favours contribution and not autonomous organization. This is not a new thing: the British Admiralty has always preferred a system of Imperial contribution to the idea of autonomous organization. At the Imperial Conference in 1902, Lord Selborne, the predecessor of Mr. Churchill, made a proposal that we should have Imperial contributions, and in 1907 Lord Tweedmouth, who was the First Lord of the Admiralty at that time, made another proposal in these terms:

I understand that, in Australia particularly, and in South Africa, it is desired to start some naval service of your own. Perhaps I might suggest that if the provision of the smaller craft which are necessarily incident to the work of a great fleet of modern battleships could be made locally, it would be a very great help to the general work of the navy. You cannot take the small craft such as torpedo boats and submarines across the ocean, and for warships to arrive in South Africa or in Australia or in New Zealand or in Canada, and find ready to their hand well-trained men in good vessels of this kind, would be an enormous advantage to them. It would be an enormous advantage to find men ready to their hand, men well-trained, ready to take a part in the work of the fleet.

There is, I think, a further advantage in these small flotillas, that they will be an admirable means of coast defence; that you will be able by the use of them to avoid practically all danger from any sudden raid which may be made by a cruising squadon. What I should like to point out is, that above all things in this work, the submarine is probably the most important and the most effective weapon. It is the weapon with which you can meet a fleet attacking during the day, or individual ships attacking by day. I am assured by my advisors at the Admiralty that it is a most important weapon, that it has already reached very considerable development, and it is one on which we may rely with great confidence.

He also said:

I would like to say a word on the further point of the provision of docks and coaling facilities in the colonies. The enormous development of the modern warship entails important consequences. These great modern warships require large docks to contain them. I think we are getting on well with the provision of docks. At this moment in our own country and abroad we have, I think, thirteen government docks which will take in the largest ship, the dreadnought. I think in the course of the next two years we shall have four more, which will make about seventeen altogether. But it is very desirable that we should have in all parts of the world docks which could take such ships, great ships, supposing they were to meet with an accident or were to receive damage in war.

This language was used in 1902. The Canadian ministers present at the conference took this attitude:

At present Canadian expenditure for defence services are confined to the military side. The Canadian Government are prepared to consider the naval side of defence as well. On the sea coast of Canada there is a large number of men admirably qualified to form a naval reserve, and it is hoped that at an early day a system may be devised which will lead to the training of these men and to the making of their services available for defence in time of need.

In conclusion, the ministers repeat that, while the Canadian Government are obliged to dissent from the measures proposed they fully appreciate the obligation of the Dominion to make expenditures for the purpose of defence in proportion to the increasing population and wealth of the country. They are willing that these expenditures shall be so directed as to relieve the taxpayer of the Mother Country from some of the burdens which he now bears; and they have the strongest desire to carry out their defence schemes in co-operation with the Imperial authorities, and under the advice of experienced Imperial officers, so far as this is consistent with the principle of local self-government, which has proved so great a factor in the promotion of Imperial unity.

This attitude of the Canadian Government was taken before 1909, when we discussed the matter in this House and decided in favour of an autonomous organization. We did that with our eyes open. Everybody recognizes that, if you looked only to professional naval strategy, it might be preferable to have only one navy, which the self-governing dominions would help to maintain by contributions. But beyond this professional strategy there is a larger strategy: the development of national sentiment, of pride of country, in Australia, in Canada, in all the autonomous dominions. The basis of the British Empire is autonomous organization, not only of the navy but of all other phases of national life. Unless you nurse the national pride of all these young communities, you do not promote the welfare of the Empire, but, in my humble judgment, you tend rather to destroy it.

The fostering of national pride has been the great object in Australia. They have organized a fleet there, and in so doing they have aimed to serve the Empire. Nay, more: while the Admiralty has given us their views, they have been careful to say that they would not presume to give any advice on the political side, but would leave that altogether to the judgment of each independent, autonomous government, and that they are satisfied that, whether we proceed by way of contribution or by way of autonomous organization, as we on this side of the House want to do, we all have at heart the welfare of the Empire and an equal desire to serve it. Australia has commenced to build a fleet of its own. The other day a banquet was given on the first vessel of the Australian navy built in Great Britain on its arrival in Australia. The report of the proceedings is most significant. I read this report from the London Daily Chronicle of March 26:

Australia comes of Age—Hearty Greeting to New Cruiser.

(From our Correspondent.)

Melbourne, March 26.—The cruiser Melbourne received an enthusiastic welcome from the citizens here to-day as typifying the consummation of national aspirations.

The speeches at the ministerial banquet to the officers to-night were significant as bearing on the struggle on the subject of naval policy in Canada. Without alluding, directly or indirectly, to the Canadian or New Zealand offers of ships or money, all the speakers, except Captain Silver, emphasized the contention that the Australian policy of separate navies co-operating instantaneously in an empire emergency with the Imperial fleet, was the sound policy for the overseas dominions.

Lord Denman, Mr. Fisher, and Defence Minister Pearce were most emphatic in this connection. Mr. Fisher's allusion to the value of associating a local subordinate patriotism with Empire defence was loudly applauded, as was also Lord Denman's declaration that in view of Australia's sacrifice of men and money, and her isolated position in the Southern Pacific, no one could question her right to control her own fleet unit.

Mr. Pearce predicted that the other dominions will eventually follow Australia's lead, remarking, 'To-day's event typifies Australia coming of age, Australia becoming a nation, Australia taking up her share of that burden that the Motherland so long has borne on her behalf.'

The English officers of the Melbourne were deeply impressed by the evidence of deep national feelings combined with intense Imperial loyalty.

In connection with this it is also important and quite appropriate that I should recall the words of Sir George Reid, Australia's High Commissioner, addressed some few days ago to the Royal Colonial Institute:

He thought that in the evolution of an Imperial system of defence there was to-day the most pressing need of it. Forty years ago Japan had no fleet and the horse-power of the German fleet was one-ninth of that of the battleship Queen Mary. With the interval had come a tremendous strain upon the defensive system of the British Empire, and it must be met. Canada had not made up her mind whether she would have a Canadian fleet or reinforce the British fleet. Australia was developing a fleet of her own. He could not help thinking, speaking only for himself, that the Australian example must eventually be followed. Canada must undertake the defence of the North Pacific and North Atlantic, South Africa must occupy the middle distance, and India must undertake a large share of naval defence in the East. At any rate, the task had gone altogether beyond the power of the British people except at sacrifices which it was impossible to suggest. What a tremendous relief it would be if the dominions beyond the seas undertook defence in those seas, leaving Great Britain free to concentrate her power upon the North sea and a large proportion of the trade routes.

This will be the effect of the policy of Australia, and this would have been the effect of the Canadian policy if our policy had been adopted. But in addition to all this we have now the opinion of Colonel Allen, Minister of Defence in New Zealand, showing that New Zealand also is taking a different course from that which she has hitherto followed. Colonel Allen, in a speech recently delivered in London, said:

It did not matter so much for the moment where dreadnoughts were built; that could be arranged as conditions developed in the future. What did matter was that it should be realized that the dominions would not be content with merely putting their hands in their pockets.

The Imperial navy must be a living reality to them to which they contributed, not merely money, but men. There was more value in the lives of their men than in the life of a ship. The dominions must have the opportunity of doing their duty towards the personnel of the fleet and manning the Empire's ships at sea. They must be prepared to help, not only the Imperial fleet with material, but they must have an interest in the operations of the fleet itself.

Sir WILFRID LAURIER.

This is the line of cleavage between my right hon. friend's policy and our policy. His is Imperial contribution, ours is national, autonomous development on the lines followed by Australia and now adopted by New Zealand.

My right hon. friend has seen the force of our objections. In presenting this policy of contribution, he says that he wants Canada to have a voice in all questions of war and peace. Well, Sir, this alone raises a question which requires the most adequate and ample dscussion. There is a great deal involved in it. How is that voice to be had and to what extent shall we have it? Does my right hon. friend want to have a voice in all the questions which agitate the continent of Europe? Does he want to have a voice in the question which is now agitating the diplomatic service of Europe? Does he want to have a voice as to whether the little kingdom of Montenegro, oppressed for centuries by the Turks, and now making an effort to shake off the Turkish yoke, shall be allowed to do so? We are given to understand that all the great powers are going to prevent Montenegro from reaping in the fruits of the victory which she has gained, a thing for which I would be very sorry. But that shows the extent to which we are driven by the proposal which my right hon. friend makes.

Now, the proposal that has been made is that there should be a council sitting in London in conference with the British Foreign Office. One of our ministers is to go there and to have access to the Prime Minister and the Seretary of State for Foreign Affairs. But we have been told at the same time by the Prime Minister and by the Secretary of State for the Colonies that a Canadian minister can dance attendance in London, but that the British Government will not share its responsibility with the young dominions. The proposal which has been made is to have a council sitting in London upon which all the young dominions and the British Government shall be represented according to their numbers. If that is done, what is the consequence? The consequence is that we must share in the enormous naval expenditure which has been maintained by Great Britain. If my memory does not fail me, the last Imperial budget for naval expenditure was $220,000,000. That is the amount of money contributed by 45,000,000 British subjects. Now, let us make a calculation. If Canada goes into that, our share must be not less than $25,000,000 or $30,000,000 a year. I do not say that some day or other there may not be a system of Imperial federation, but at the present time it is altogether premature. There is too great a discrepancy as yet between the population of Great Britain and our population; and what would be the value of a council which could only give advice, which

could pass resolutions but could not enforce them? If there is to be Imperial federation, and far be it from me to speak disrespectfully of the idea—on the contrary, it is a very great idea—it can only come about when the Canadian people are prepared to surrender their fiscal independence and place in a body superior to their Parliament the framing of a tariff for them. No one of us would agree to this; and yet that is the only solution of the problem. In the place of this, what is better than the solution which the people of Australia have adopted? What is better than the position which was taken by Canada at one time and supported by my right hon. friend himself? My right hon. friend has gone back upon his own opinion, but I stick to the opinion expressed by my right hon. friend three years ago. I think he was right then, I think he is wrong now, and if I deplore anything it is that my right hon. friend has gone back upon a record which was so sound as the record which he made on that occasion.

This is the line of cleavage between us, and shall we be told that the discussion that we have had upon this question has not been for a good and proper object? It was not my privilege, for reasons to which I need not now allude, to be in the House during the time of the grand fight which was made by my hon. friends about me; but I have read the debate which took place on that occasion, and during those two weeks the standard of debate which was maintained has never been excelled in any British Parliament.

Some hon. MEMBERS: Oh, oh.

Sir WILFRID LAURIER: Yes, I say it with pride. Let any man read the speeches that were made upon that occasion and he will say that the standard of debate was kept up to a very high level. Nobody can gainsay that. In fact, the debate that took place was the wonder and surprise of those very hon. gentlemen opposite who have greeted that statement with derisive laughter.

My right hon. friend suggests that we should suspend this discussion. I have only this to say: He has always found me in the past to be a man of peace; he has always found me to be fair to all parties; but at the present time his suggestion is premature. Let us go on with this discussion until we know more of the subject than we do at the present time.

Right Hon. R. L. BORDEN (Prime Minister): Mr. Chairman, I have no fault to find with the argument of my right hon. friend (Sir Wilfrid Laurier) from his own standpoint, but I would like to remind him that, if the prolonged discussion to which he has alluded deserves all the compliments which he and the hon. member for St. John (Mr. Pugsley) have passed upon it, one would be inclined to think that about all the light that hon. gentlemen opposite are able to shed upon the subject has already illuminated it. Certainly, a debate in committee for some thirteen days, if characterized by the qualities which have been ascribed to it by the right hon. gentleman, ought to be fairly satisfactory in giving to the people of this country the views and opinions which hon. gentlemen opposite entertain. My right hon. friend has not seen fit to give me any direct answer and I can only assume that his answer really means, although couched in diplomatic language, that we are to be subjected to the same indefinite delays in attempting to proceed with this Bill which have met us whenever we have attempted to make progress in the past.

I did not come here this afternoon for the purpose of discussing the matters which the right hon. gentleman has brought forward, but as he has alluded to them, it is no more than right that I should say one or two words in regard to certain points which he has made in the course of his speech. The right hon. gentleman has reiterated over and over again in the course of his remarks that this is a policy of permanent contribution. I desire, speaking upon my responsibility as a member of this Government, to take the strongest possible exception to the statement which the right hon. gentleman thus made. I say, in the first place, that it is not a policy of contribution at all, and I say in the second place, that it is not a permanent policy. That was stated on the 5th day of December last, I have stated it on more than one occasion since, and I state it again to-day in the strongest form of expression that parliamentary usage will permit. What is the proposal before the House to-day? The proposal is that $35,000,000 shall be expended for the purpose of building battleships, or armoured cruisers of the most modern and powerful type, that these ships shall be owned by the people of Canada but that they shall be placed at the disposal of His Majesty the King for the common defence of this Empire. That is the proposal and that is all the proposal we have made to the Parliament of Canada up to the present time. The right hon. gentleman declared that he is unalterably opposed to any policy of that nature. Why is he opposed to it? He already knows from my statement and from the correspondence that has been brought down, that if it should hereafter be the will of the Canadian people to establish upon a permanent basis a great naval organization, the ships can be recalled upon reasonable notice whenever the people of Canada shall so desire and so determine. Is there any question about that? There is absolutely none, and my right hon. friend

knows there is no question about it. Then in what respect is our autonomy—a word that is always in the mouth of my right hon. friend for certain purposes— in what respect is our autonomy—which I am prepared to maintain as thoroughy as any man in this House—in the slightest degree interfered with? Are not the people and the Parliament of Canada masters of their own destinies in that and every other respect, even if this Bill is enacted by Parliament and receives the assent of the Crown? There is no question about that, and my right hon. friend knows in his own mind that there is absolutely no question about it.

The right hon. gentleman has proceeded somewhat further; he has told us that this proposal to build three great battleships and to place them as I have outlined at the disposal of His Majesty the King for the common defence of the Empire is a departure from the resolution passed by this House in 1909. I take issue with the right hon. gentleman on that.

Some hon. MEMBERS: Oh.

Mr. BORDEN: And, Mr. Chairman, I shall be able to prove, notwithstanding any derisive laughter on the other side, that the statement I have just made is absolutely correct in every respect. What is the proposal set forth in the resolution of 1909? It is only necessary to refer to the resolution as introduced by my right hon. friend, and to the resolution as it was amended at my own suggestion, to show what its purpose was. The resolution as introduced by the right hon. gentleman contained this clause:

The House reaffirms the opinion repeatedly expressed by representatives of Canada that under the present constitutional relations between the Mother Country and the self-governing dominions payment of any stated contribution to the Imperial treasury for naval and military purposes would not, so far as Canada is concerned, be a satisfactory solution of the question of defence.

I pointed out to the right hon. gentleman then, and my argument apparently prevailed with him, that conditions of urgency might so develop at any time that the very best course, and the wisest course, and the safest course for Canada to pursue would be to make a temporary contribution—although we are not even going that far today, because we are only proposing to expend $35,000,000 in the construction of ships which, although placed at the disposal of His Majesty for the common defence of the Empire, nevertheless will be the property and in the ownership of the Canadian people. Well, my right hon. friend modified that clause in the resolution, and he modified it so that it reads in this way:

The House is of opinion that under the present constitutional relations between the Mother Country and the self-governing dominions, the payment of regular and periodical contributions to the Imperial treasury for naval and military purposes would not, so far as Canada is concerned, be the most satisfactory solution of the question of defence.

That modification in the resolution proposed by the right hon. gentleman was designed precisely to meet the situation which, in the opinion of hon. gentlemen on this side of the House at least, has developed to-day, and therefore in making this proposal to Parliament we are carrying out absolutely the terms of the resolution of 1909, as modified by the right hon. gentleman at my instance. If time were at my disposal, or if it were worth while to do so, I could read from my speech on that resolution the language to which I have alluded, and the reading of which would bear out absolutely the statement I have made as to its import.

Mr. MACDONALD: Would the right hon. gentleman tell us about clause 2 of that resolution?

Mr. BORDEN: Yes. I will speak of clause 2 if my hon. friend desires to hear about it, and I will tell him about it in this way. Clause 2 of that resolution approved of:

Any necessary expenditure destined to promote the speedy organization of a Canadian naval service, in co-operation with and in close relation to the Imperial navy, along the lines suggested by the Admiralty at the last Imperial conference and in full sympathy with the view that the naval supremacy of Britain is essential to the security of commerce, the safety of the Empire, and the peace of the world.

And clause 3 might as well be read also:

The House expresses its firm conviction that whenever the need arises the Canadian people will be found ready and willing to make any sacrifice that is required to give to the Imperial authorities the most loyal and hearty co-operation in every movement for the maintenance of the integrity and the honour of the Empire.

And, we have it stated in the Admiralty memorandum; we have had it stated since out of the mouth of the leading statesmen of Great Britain, that the greatest value of all to the Empire from the proposal for which we desire to secure the assent of Parliament is, that this proposal if carried into effect will make it apparent to all the world that upon this question of defence the Empire is united and will maintain a united front against all who may intend to menace it with any peril. And, now, in pursuance of the request of the member for Pictou (Mr. Macdonald) I will state what were

the lines suggested by the Admiralty in 1907. The lines were these:

> The only reservation that the Admiralty desire to make is that they claim to have the charge of the strategical questions which are necessarily involved in naval defence; to hold the command of the naval forces of the Empire, and to arrange the distribution of ships in the best possible manner to resist attack and to defend the Empire at large, whether it be our own islands or the dominions beyond the seas.

And that brings me to another consideration: the right hon. gentleman is concerned about the representation of Canada on the Imperial Defence Committee. As I understand it, the right hon. gentleman himself agreed that Canada ought to be represented on the Imperial Defence Committee, and further than that—although I did not know it until last summer, as the matter was kept entirely confidential at the time, for what reason I do not know—the right hon. gentleman agreed to establish a defence committee in Canada in close co-relation with the Imperial Defence Committee. No announcement of that kind was made to Parliament by the right hon. gentleman at the time when we might have expected the announcement to be made, and it remained for the Colonial Secretary a few weeks ago to make that belated announcement, as the right hon. gentleman had not seen fit to do so. What is the attitude of the right hon. gentleman? Apparently he says now that we should not be represented on the Imperial Defence Committee; that we should not have any voice or part in the councils of the Empire—for what reason? In order that Canada may remain neutral in time of war. If that is not the meaning of the right hon. gentleman's statement to-day, as it was the direct expression of his opinion in 1910, I do not know what meaning should be attributed to the language which he has seen fit to address to the House and to the country. He told us distinctly in 1910 that in certain wars, the character of which he described, Canada should stand neutral; that her ships should be neutral, and that her harbours and her coasts should be neutral. It does not seem to me that it is possible for this country to remain a part of the British Empire upon these terms, and yet to retain its self-respect. We must do either one thing or the other. If we are to remain part of this Empire, then we must take part in the defence of the Empire against all comers when any peril assails it. If we desire to be neutral in time of war, then it is not becoming to us to take advantage of the prestige and protection of the flag of this Empire in time of peace. That is my view, and it seems to me that it ought to be the view of all self-respecting Canadians.

My right hon. friend made two remarkable statements, the consistency of which I am not able to appreciate. In the first place, he said that our policy involves very serious considerations, that this is a very solemn moment for the Parliament and the people of this country. In the next breath, he said that our policy settles nothing. If our policy settles nothing, what about the solemnity which a moment before he was willing to attribute to it? I do not know what my right hon. friend has in mind when he makes these two inconsistent statements. He comes down eventually to the statement that this policy ought to be submitted to the people of Canada before it is carried into effect. As I understand him, that is his view. My right hon. friend has singular changes of opinion; his line of thought modifies itself very quickly, but never perhaps has there been so striking an example of that as in this particular case. As I understand it, he did not model his naval policy of 1910, in one respect at least, that to which I have alluded, upon the lines which had been laid down by the Admiralty in 1907, because the resolution of 1909 referred to the lines laid down by the Admiralty at the Conference of 1907. He did, however, undoubtedly bring down a permanent policy, or what he understood to be a permanent policy, in 1910. I have stated that our policy is not a policy of contribution at all; that this Bill does not embody a policy of a permanent character, that it is a measure based upon conditions of urgency which we adopt in view of the distinct and definite statement and advice of the Admiralty that the best aid that Canada can give at the moment is the provision of armoured battleships or cruisers of the strongest type possible. Whatever the Admiralty said in 1907, they said four years later in 1911, that this is the course which the people and Parliament of this country ought to carry out if they desire to give the Empire effective aid. But, Sir, the right hon. gentleman had a permanent policy, as I have stated, in 1910. What was his course then? It was put up to him, at least four times in the debate of 1910 and again at the opening of Parliament in November 1910, that as this was a permanent policy it ought to be submitted to the people of Canada before it was carried into effect. On four different occasions the right hon. gentleman adduced what were to him convincing reasons that, although it was a permanent policy and although in one respect at least it was not along the lines laid down by the Admiralty in 1907, it ought not to be submitted to the people of Canada. Although then maintaining his right to formulate and carry out a perman-

ent naval policy without consulting the electorate, he has the courage now to stand before this Parliament and say that this temporary measure of aid, proposed in response to the direct—I will not say request—opinion of the Admiralty, is one that ought not to be carried into effect until there has been a general election and until the voice of the people has been taken upon it. I am not able to appreciate the cogency of the argument of the right hon. gentleman in that regard. Further, I would like to point out to him that in this very session he has already twice voted for this portion of the Bill:

> From and out of the Consolidated Revenue Fund of Canada there may be paid and applied a sum not exceeding thirty-five million dollars for the purpose of immediately increasing the effective naval forces of the Empire.

After all, that is the chief part of the Bill. That is the part of the Bill upon which everything is based, and that clause which I have just read forms a portion of the resolution of the right hon. gentleman, as it also forms a portion of the proposals which we have submitted to Parliament.

My right hon. friend has alluded to statements which have been made in the British House of Commons with regard to the cordial relations of this Empire with all other countries; I have no doubt that the relations of this Empire with all other countries are cordial; and I hope and pray that they will remain cordial at all times in the future; but every gentleman in this House, every gentleman in this country knows that it is not by war alone that the destinies of Empires may be controlled in respect of its influence or its power. The very fact that the British navy has been all powerful during the past hundred years is the reason why the British Empire has been enabled to develop along the lines and in the wonderful manner which we have witnessed looking over the history of the past. It is not a question of the result of war; it is a question of the power of the British Empire to control the seas. This Empire of ours, as we all know, stands in that respect in an absolutely unique position, scattered over every continent on earth. It is absolutely necessary to its continued integrity and existence that the path across the seas should always be kept secure. The path over the seas has always been kept secure in the past, and this proposal which we are submitting to Parliament to-day is designed to make it absolutely certain, for some years in the future at least, that the same path over the seas shall be equally secure for all portions of the Empire.

Mr. BORDEN.

Looking at every point, and I think I have touched on every point that the right hon. gentleman has mentioned, I venture to think that there is no reason, after the very important, able and illuminating discussion that we have already had, why some limit should not be fixed at which the discussion should come to a conclusion. No hon. gentleman on this side of the House has any desire unduly to restrict debate on this question, because it is undoubtedly a very important subject. But fair and reasonable debate for the purpose of enabling the people to understand the respective attitudes of the two parties is one thing, and indefinite delay for the purpose of either defeating the Bill altogether or bringing about a dissolution of Parliament is another thing. The right hon. gentleman has referred to a dissolution of Parliament. I would like to say to him that so far as I understand constitutional law, the time of dissolution of Parliament is set by the Crown, upon the advice of its responsible ministers. If it is constitutionally possible for an Opposition to take such an attitude that upon any particular Bill they may say that there shall be a dissolution, there would be a rather important departure from what has been constitutional practice in the past. If it were possible to do this in respect to one measure at one session, it would be equally possible to do the same thing with regard to other measures at other sessions. The result would be that we should have a dissolution of Parliament and an election every year; and the question of dissolution would not be settled as in the past, but would be settled by a minority of Parliament exercising an undue privilege under rules not framed with the idea that anything of the kind should be done. So, I submit the proposal, which I have made to him in absolute good faith, as a reasonable proposition, and I regret indeed that it has not found more favour in his eyes than that which seems to have attended my efforts in this regard. Further, so far as the question of Canadian naval organization is concerned, the proposals which we have submitted to Parliament are altogether separate and apart from that, inasmuch as the measure is for a temporary purpose, made in response to a specific statement in the Admiralty's memorandum. It must be apparent to any hon. gentleman in this House who knows the delays that attend naval construction, even with all the facilities which are afforded by the United Kingdom, that before these ships could be built and put in commission, a general election in this country must take place; and, if the aspirations and expectations of hon. gentlemen on the other side of the House, as frequently voiced not only during this session but during the last session, should

be realized, then the ships could be made available, as the right hon. gentleman desires they shall be made available, for building up the organization of a Canadian navy along the lines proposed. So that, even upon that statement of the case, which is a moderate and reasonable one, I think, there is no possible reason whatever why indefinite delay of the proposals of the Government should be suggested or pressed by hon. gentlemen on the other side.

In conclusion, I would suggest to the right hon. gentleman that upon a fair view of all the considerations which have been urged, and particularly in view of the grave statements contained in the Admiralty memorandum, a reasonable limit should be placed upon the further continuance of this debate and we should come to a time as speedily as possible, as speedily as reasonable, at which the debate should be concluded and hon. members be allowed to voice their opinion by vote upon this measure.

Hon. WM. PUGSLEY: My right hon. friend (Mr. Borden) has, greatly to my gratification, spoken upon the question in a somewhat general way, and has afforded us, I think, some material to which we may properly reply. During the two weeks of day and night sittings to which my right hon. friend the leader of the Opposition has referred, we were not favoured either by the members of the Government or by their supporters, to any considerable extent with argument on this subject. I desire to repeat the statement that I have made on a previous occasion, that the members of this side of the House, under very strenuous and disadvantageous circumstances endeavoured as best they could to present their views before this House and before the people of this country. At times when, owing to the long sessions, you, Mr. Chairman, were obliged to leave the House and take that rest which every man requires, the most of us on this side were compelled to sit here and fight through these long hours, as we believed we were fighting, in the best interests of the people of this country. To-day, my right hon. friend the leader of the Government says that, owing to the long discussion that took place, the time has arrived when the leader of the Opposition ought to state a day when this debate will be brought to a close. In my judgment it ill becomes the leader of the Government to make that request of us at the present time. What are the facts? On the very first night when we had entered upon the discussion of this most important clause—this clause which makes clear the issue as between the Liberal party and the Conservative party, which makes clear and well-defined the position as to whether we shall have a Canadian navy or shall send $35,000,000 to the Mother Country as a contribution for an Imperial navy—after we had had two or three hours for its discussion, we were told by the Government that unless we passed the clause to a vote, in effect, we should be kept here day and night, without sleep, without rest, until we did pass the measure. I have said for one, that that was not a proper demand to make upon the representatives of a free people. We declined to accede to it. And what was the result? Contrary to all precedent, we were kept in continual session for two long weeks, except for Sundays intervening, discussing the question, as I have said, under most disadvantegeous circumstances. After that discussion had been continued for a week there was brought down for the first time information which long before that should have been furnished to the House—the correspondence which had taken place between the Prime Minister and the Right Hon. Winston Churchill. This correspondence was of a most important character, and of such a nature as to demand the attention of every member of this House. Do you think that was fair? Do you think that was giving to the members of this House an opportunity for the full discussion of all the important subjects with which they have a right to be made acquainted? I say no. Therefore, the discussion during the last few weeks having been carrried on under the circumstances and in the manner to which I have referred, I think the members of this committee have a right to exercise their own good judgment as to what time they shall occupy in the discussion of this important question. Am I to understand, in view of what the Prime Minister has stated in an interview or official statement which has gone broadcast throughout the country, that, if we do not agree to this proposal, he intends to bring down a measure of closure in order to cut off discussion? This statement was not over the signature of the Prime Minister, but was given out as an official communication. Let me say to hon. gentlemen opposite that the members of this side of the House are not to be driven either one way or the other by any threats of that character. We intend as best we can to discuss this important matter with all the intelligence that we can bring to bear upon it; we intend to discharge the duty which we feel we owe to the people of this country, and, undeterred by threats, we shall continue to discharge that duty according to the best of our ability.

Let us now consider for a moment the position this matter has assumed as distinguished from that in which it was first presented by the Prime Minister. It was understood at first that these three

ships were to be stationed at the very heart of the Empire, in the North sea. Their guns were to be pointed almost toward the enemy's shores; they were to be in the direct firing line. These great battleships, which were to bear historic Canadian names, were to be among the first to fire their guns upon the enemy. And what do we understand to-day? These ships are to form an Imperial squadron. It is true that the ships of the great overseas dominion of Australia are not to form a part of that squadron. It is true that one ship of New Zealand, temporarily at all events, is expected to form a part of that squadron—although, if one can draw any conclusions from the sentiments in New Zealand as cabled across the water, the time is not far distant when that country will follow the example of her great sister dominion, Australia, and engage upon the development of a naval service of her own. The Prime Minister is in the happy position that if he should go to Gibraltar and view these great ships bearing historic Canadian names, he would find, floating side by side with the battleships of Canada, a great warship of the Malay States—and I suppose this ship of the Malay States will also bear an historic Malay name. That changes the situation very materially. We are to be associated in this Imperial squadron with the British subjects of the Malay peninsula, and it is well that we should become acquainted with those with whom we are to be associated in this great Imperial service, and whose great battleship—I presume the greatest that science can build or money supply—is to float side by side with the battleships of Canada. One dislikes saying anything disparaging of the proposition which has been seriously put forward by the Right Hon. Winston Churchill as to Canada and the Malay States joining together in this Imperial squadron, but I am inclined to think that the people of the Malay States know very little about the proposed battleship that is to line up beside Canada's ships in the Imperial squadron. I have come to that conclusion by reason of a little study which I have made of these Malay States, and of the people within their bounds. I have thought it well to consider their resources, their capabilities of furnishing a great battleship, and, more than that, their ability to renew every three or four years their aid to the Imperial squadron by giving additional battleships, as Canada surely will, if we adopt the present policy, be called upon from time to time to do. An authority on the matter says:

> The four federated states in the Malay peninsula, known as the Federated Malay States, are; Perak, Selangor, Negri Sembilan, and Pahang.

I am told that each one of the states has a sultan, and I presume when these ships shall first take their station at Gibraltar my hon. friend the Minister of Public Works would very much like to be there, and to make himself acquainted with the sultans, as no doubt he will, of Perak, Selangor, Negri Sembilan, and Pahang. The information which I have at hand in respect of these Malay States says further:

> Perak is situated on the west coast, and has an area of 7,700 square miles. Selangor, south of Perak, has an area of 3,200 square miles, with a coast line of about 125 miles. Negri Sembilan comprises nine states with a total area of 2,600 square miles. Pahang occupies a large portion of the peninsula on the eastern side of the central mountain range. It is the largest of the states, having an area of 14,300 square miles.

The total area of these four federated Malay States, which will contribute this war vessel to float side by side with ours, is 27,800 square miles—about the size of the province of New Brunswick. The people are of the Mongolian type, very much like the Chinese; they have no literature; education is not at all advanced; they have no manufacturing industries, so far as I can learn, and their trade consists largely of agricultural products—chiefly of cocoanuts and rice. They have a very extensive mining industry, the chief minerals being gold and tin, and in Selangor the mining industry is carried on by some 62,000 Chinese, forming about one-fourteenth of the whole population of all these federated states. The great majority of the people, however, are of Mongolian origin, which, as hon. gentlemen know, is a race very closely associated with the Chinese.

As to the revenues, the evidence of ability of this country to furnish a great battleship, I find that the total revenue of all the Malay confederated states in 1910 was $14,000,000 and the expenditure $15,000,000. In other words they had a deficiency of $1,000,000 in carrying on the financial operations of the year. Would you not be surprised to learn that this country with which Canada is to line up in this great Imperial service, in order to raise that revenue, is obliged to levy not merely important duties but export duties even on agricultural products so that even the agriculturists, who produce coffee, and cocoanuts, pepper, sago, tapioca, gambier and rice have to pay an export duty upon all the products which they export. The federated states have no cities of any consequence and the chief industries are agriculture and tin mining.

In my judgment there has been a great deal of fireworks about this proposition of the Malay states to contribute a warship to the British navy and I believe that the Right hon. Winston Churchill would have

done a better service to the Empire if he had said to the British residents who carry on the government of that country that he would not consent to the use of the small revenues of those states for the building of a battleship. He would have done better service to the Empire if he had said; We appreciate the loyalty of the British residents and, perhaps, of the sultans of those four little states, but we think it would be unduly burdening the people of that country, and England is far better able to supply a battleship than these poor people in the four small states of twenty-seven thousand square miles. The proposition was made public in England in a somewhat dramatic way, just as the proposal of the Canadian Government was announced to the Mother Country. Apparently as much attention was paid by the newspapers to the alleged proposition of the Malay states as was paid to the proposal of the Canadian Government.

If these proposals go through, we shall not have the good fortune to work along in harmony with Australia and to carry out in good faith the agreement reached in 1911 by the representatives of Australia, Canada, and the British Admiralty, but we will be able to link up with the Malay federated states. What is their position with relation to Great Britain? They are administered as a crown colony is administered, they are administered as, seventy years ago, the provinces of Canada were administered, from Downing Street; their rulers are appointed from Downing Street and the whole government of the country has to be conducted on the advice of the British Government.

At six o'clock House resumed, and then took recess.

After Recess.

House resumed at eight o'clock, and again went into Committee.

Mr. PUGSLEY: Mr. Chairman, I sincerely trust that we shall have the pleasure of hearing from the members of the Government who are favouring us with their presence to-night. I am glad to see the hon. Minister of Public Works (Mr. Rogers), the hon. Postmaster General (Mr. Pelletier), the hon. Minister of Marine and Fisheries (Mr. Hazen) and the hon. Secretary of State (Mr. Coderre) present. I trust they will all do us the honour of enlightening us upon the very important question before the committee and in regard to which, speaking for myself, I desire to get information if possible. I am sorry to see such a thin attendance of ordinary members, that is to say, those not holding office on the other side of the House. It rather looks as if they are not seeking for information.

Mr. ROGERS: Look behind.

Mr. PUGSLEY: The gentlemen behind and around me seem to be well informed on the question and I regret to say that such does not seem to be the case with hon. gentlemen opposite. There is one matter in regard to which I desire information, and that is in reference to the communication from the First Lord of the Admiralty, Mr. Churchill, which is given upon pages 5340 and 5341 of 'Hansard.' That is the communication which was submitted to the House with such excellent stage setting upon a certain Monday night during the prolonged sitting. It was a communication that was expected to act as a bomb shell as against hon. gentlemen on this side of the House, but I am rather inclined to think that hon. gentlemen supporting the Government have found that it has been a boomerang of the most effective character. What I particularly desire information upon is this: The right hon. Prime Minister (Mr. Borden) stated that the letter and the memorandum of Mr. Churchill were in reply to a letter from him under date the 18th December, which letter is also given on page 5339 of 'Hansard.' I think that, when I refer to that letter from the Prime Minister and refer to the memorandum, the members of the committee will agree with me that the letter and memorandum are not an answer and do not purport upon their face to be an answer, to the letter of the 18th December. I venture to say without fear of contradiction that there has been from somebody, whether from the hon. Minister of Marine or the Postmaster General, who were also in England with the Prime Minister, I do not know, a communication which has not been brought down and to which that letter of the 23rd of January from Mr. Churchill and the memorandum would appear to be an answer. Let me read to make that statement good, and, if I am wrong in that, I will ask the hon. Postmaster General to tell me so. This is the letter of the 18th December which the Prime Minister says he wrote to the First Lord of the Admiralty:

My Dear Mr. Churchill:

It has been suggested to me that the construction of large warships of the most modern type has been attended with great difficulties in its earlier stages and that the cost has been excessive. If I am not trespassing too much upon your good nature, I would be glad to receive any information along that line so that it would be available, if necessary.

Yours faithfully,
(Sgd.) R. L. Borden,

The Right Honourable
Winston S. Churchill, M.P.,
First Lord of the Admiralty,
London, England.

Mark well, Mr. Chairman, what the Prime Minister asked from Mr. Churchill in that letter. He tells him that it has been suggested that the construction of large warships has been attended with great difficulties in its earlier stages and that the cost has been excessive. It is upon that, and that alone, that the Prime Minister asks for information. What is the alleged reply? There is a letter from Mr. Churchill, dated London, January 23, 1913, as follows:

London, January 29, 1913

My Dear Mr. Borden:

I am very sorry for the delay in sending you the inclosed memorandum. It has been unavoidable, and I hope it has caused you no inconvience.

Your sincerely,
(Sgd.) Winston S. Churchill.

Mark you, no reference to the letter of the 18th December, but simply apologizing for the delay in sending the enclosed memorandum. How does the memorandum open?

The suggestion that the proposed battleships could be expeditiously built in Canada cannot be based on full knowledge of the question.

There is no reference to that in the letter of 18th December. It would seem that it must have been suggested to Mr. Churchill that there were people in Canada who thought that these battleships could be built as speedily in Canada as in Great Britain. Whoever thought that? Whoever made a suggestion that we had shipyards in Canada to-day where these superdreadnoughts could be built? Did the Minister of Marine and Fisheries tell the First Lord of the Admiralty that somebody in Canada was foolish enough to suggest such a thing? Who has conveyed the information to the First Lord of the Admiralty—information which was not only wrong but which was improperly given to him by somebody, because later on in his memorandum, he follows it up by the suggestion that the shipyards in Canada are probably not suitable for building battleships. Somebody must have suggested to Mr. Churchill that the Liberal party, or a portion of the Liberal party, were of the opinion that these big battleships could be built in the existing shipyards because Mr. Churchill combats that idea in the memorandum, and, as I have said, later on he speaks of the probability that the existing Canadian shipyards are not suitable for the purpose. It is in that same memorandum that he suggests that they would have to be very careful about the kind of soil which they would select because it required very firm soil to support one of these big battleships. If you look at the memorandum you will see that it was not an answer to the letter of the 18th December from the Prime Minister, but refers to the information which has been given to Mr. Churchill by some other party. If neither the Government nor any member of the Government had sought to convey the impression to the First Lord of the Admiralty that it was expected that these battleships should be built in existing shipyards, was it not the duty of the Prime Minister, when he received that absurd memorandum from Mr. Churchill, that memorandum which was based evidently upon erroneous information which was conveyed to him as to what presumably the Liberal party had stated, to return it to Mr. Churchill and call his attention to the wrong basis upon which he was proceeding and also to the erroneous statements which were contained in the memorandum?

Let us examine this memorandum a little farther and see what it says: Mr. Churchill shows in this statement that he has but little conception of the skill, the enterprise and intelligence of the Canadian people. The memorandum shows that the Hon. Winston Churchill could not do a better service to the Empire than to come out to Canada and pay a visit to the different sections of this great Dominion from the Atlantic to the Pacific. If he were writing a letter to the British residents of the four federated Malay States he could not write a more foolish or insulting letter as far as the people of Canada are concerned. What does he say?

The battleship of to-day has gradually been evolved from years of experiments and experience. She is a mass of intricate machines, and the armour, guns, gun mountings, and machinery, all require separate and extensive plant of a very costly nature, to cope with the constant changes in designs and composition. In addition to this the actual construction of a battleship, where high tensile and mild steel are largely used, requires the employment of special riveters and steel workers.

Does not the Minister of Public Works think it was the duty of the Prime Minister to write to Mr. Churchill and inform him that nobody in this country ever dreamed of having these battleships built by Canadian ship-builders; ought he not to have called the attention of Mr. Churchill to the fact that the policy of the Liberal party was to induce the most reliable and wealthy ship-builders in Britain to transfer their plant and workmen to Canada and build up here a great ship-building industry? And yet in this memorandum you find Mr. Churchill dealing with the question as if we were to start building dreadnoughts in Canada in yards where we have been building yachts, tugs, and scows. Mr. Churchill further says:

For the manufacture of armour plate, large steel furnaces, heavy rolling mills, planing machines, carburising plant, &c., capable of

dealing with weights of 150 tons at a time, have to be provided—besides which the special treatment to obtain the correct quality of plate requires special experts who have been brought up to nothing else. Such men could not be obtained in Canada.

Just think of the Government allowing Mr. Churchill to get away with a statement of that kind, displaying such ignorance of Canadian conditions. Why, if the Government had sent one of its clerks down to the ship-building yards in the United States he would have told them that there were cranes there capable not only of carrying one hundred and fifty tons just as you would a paper weight, but capable of carrying one hundred and seventy tons. The Minister of Public Works could have told Mr. Churchill that in the Transcona shops at Winnipeg, they have movable cranes that will lift locomotives ninety tons in weight, and at the shops in Moncton I believe there are cranes that can easily carry ninety to one hundred tons from one part of the shops to another. And yet, this is put forward by Mr. Churchill as an insuperable obstacle to the building of ships in Canada. At the works of the General Electric Company and the Canada Foundry Company, in Toronto, they can, I have no doubt, turn out cranes that will lift one hundred and fifty tons or one hundred and seventy tons and turn them out quickly if you want to order them there. Later on Mr. Churchill says:

> For the building yard itself, the installation of heavy cranes and appliances for building a vessel of say 27,000 tons is a very heavy item; and the fitting of the blocks and slips to take this weight would require considerable care in selection of site, in regard to nature of soil for the blocks and launching facilities, so that the existing shipyards might not be adapted for this purpose.

Could not the Minister of Marine have written back to Mr. Churchill that down in the harbour of St. John on the shores of Courtenay bay, there is one of the most magnificent sites for a shipyard to be found anywhere in the world, and that there you can find a rocky foundation, capable of carrying not only ships of 27,000 tons, but of 270,000 tons, if need be.

Mr. A. K. MACLEAN: What would it be like in Halifax if it is that way in St. John?

Mr. PUGSLEY: I know the soil is pretty hard in Halifax, and I will do the people of Halifax the compliment of saying that I cannot say the same of them. In Halifax can be found just as good sites for a shipyard as can be found anywhere in the world. Certain great shipbuilding firms in England tendered in 1911 for the building of these war vessels in Canada, and were prepared to establish their shipyards here, and give to the Canadian people the benefit of their long experience; one firm tendered to build at Halifax, another at St. John, another at Sydney, and another at Montreal. Here is a letter—not an answer to the letter of the Prime Minister of the 18th December, as the Prime Minister intentionally or otherwise would have us understand—here is a letter containing gratuitous statements, insulting to the intelligence, enterprise, and skill of Canadians, and especially Canadian workmen, and the Government has allowed these statements to go unanswered without correcting Mr. Churchill.

Then, on the question of cost; if you go to Quincy, Massachussets, you will find a shipyard the equal of any in the world, thoroughly equipped, with movable cranes capable of carrying twenty tons more than Mr. Churchill speaks of, yards in which two battleships can be laid side by side, and the whole expenditure on their equipment including land and all, was only about $3,800,000. And yet Mr. Churchill speaks of the folly of Canada embarking in an enterprise that would cost that amount to start with. I am one of those who is opposed to sending this money out of our country; $35,000,000 is a vast sum of money. It practically equals the total revenues of this country when the Liberal party came into power under Sir Wilfrid Laurier in 1896. It would build fifteen hundred miles of railway; it would build two of the greatest dry-docks in the world, one upon the Atlantic and one on the Pacific coast; it would go a long way towards the establishment of a Canadian naval service. It is an enormous sum of money.

Mr. BURNHAM: It is only our surplus this year.

Mr. PUGSLEY: What an erroneous idea that is. It will be taken out of the taxes paid by the people of this country. Hon. gentlemen opposite talk about the surplus as if in some magical way it was rolled up by the Minister of Finance. Every dollar of this amount represents taxes paid by the hard working people of this country.

Mr. KNOWLES: Ontario and the West will pay it.

Mr. PUGSLEY: While there is very great prosperity in Canada, our people are the hardest working people to be found on the face of the globe. Every dollar which the great mass of the people of Canada earn, they earn by hard labour, by the sweat of their brow. We ought not to talk lightly of these taxes, particularly of such a vast sum of money as this. I maintain that, if it is reasonably possible to expend this money in Canada in giving employment to our own working people, in seeking to build up great shipbuilding industries upon the Atlantic and the Pacific coasts,

it is the duty of this Parliament to apply itself very diligently to that end, and to see whether that cannot be done and whether in that way Canada will not be able to discharge her duty not only to this country but to the Empire at large.

In this connection, let me say that my right hon. friend the Prime Minister has to-night done what he has done on two or three previous occasions; he has said that the Liberal party has voted practically for section 2 of the Bill. If that had not been said by the Prime Minister of Canada I would characterize it as a childish remark. Surely my right hon. friend ought to tell the House and the people of this country that, when we voted for the part of the resolution containing those words, we voted for it with the amendment, moved by my right hon. friend the leader of the Opposition, which declared that the money, although it should be devoted towards increasing the naval forces of the Empire, should be used for the building up of a Canadian naval service, for the providing of two fleet units, one to be placed on the Atlantic and the other on the Pacific. Thus we would be adding to the effective naval strength of the Empire. We hold that Canada is just as much a part of the British Empire as Great Britain and Ireland are; that, if we strengthen our own defences, if we relieve the Mother Country of the burden of protecting our coasts and of guarding our trade routes and if we have ships of war, which in time of stress so far as the whole Empire is concerned we could place at the disposal of the British Admiralty, we would be doing our part and doing it in the best possible way, not only for the defence of Canada but for the purpose of increasing the naval forces of the Empire. We have the authority not only of our own judgment and common sense, but of the British Admiralty for that view, because you will find in the Imperial Conference report of 1909, a memorandum from the First Lord of the Admiralty in which, approving as he does of the proposition for the overseas dominions to create local navies, he says that in that way they will be effectively adding to the naval strength of the Empire. Because we believed that in this way the naval strength of the Empire could be best aided, was the reason why we cheerfully voted for the $35,000,000; but we coupled with it the amendment moved by my right hon. friend the leader of the Opposition. It was the whole amendment for which we voted, and not the one clause proposed by the leader of the Government. In view of that, is it not the height of absurdity for my right hon. friend, the leader of the Government, to seek to make the people of this country believe that the Opposition has voted for that clause and therefore has voted for the second section of his Bill? Under the amendment, which we proposed to the resolution and under the amendments which we proposed to the second clause of the Bill, two of which have been struck out and the third of which is now under consideration by the committee, the amendment moved by my hon. friend from South Wellington (Mr. Guthrie) we raised, as clearly as it is possible to do, the issue between a Canadian navy to be built, manned and maintained by the people of Canada, available for the defence of our coasts and the protection of our trade routes and always available for the common defence of the Empire as well, and a policy of contribution such as is proposed by the Government. Let there be no mistake about that. My right hon. friend says that we ought not to discuss this Bill at any greater length but that we ought to pass it because it has been proposed at the request of the First Lord of the Admiralty. That is the first time that I have heard my right hon. friend go that far. In his first speech on the resolution he left it to my hon. friend the Postmaster General (Mr. Pelletier) to intimate that there had been some private communication with the Admiralty and that the Prime Minister knew things which he could not tell. To-night he says that the First Lord of the Admiralty has requested that this proposal should be made and that these dreadnoughts should be lent to the British Admiralty. My hon. friend from North Essex (Mr. Wilcox) shakes his head. I do not wonder, because he has always been priding himself upon the fact that this is to be the free gift of the Canadian people without any dictation or request from Downing Street. The speech of my right hon. friend rather knocks that idea into a cocked hat.

Mr. WILCOX: My hon. friend misconstrues my action.

Mr. PUGSLEY: I deny that in any of the documents presented to the House it appears that the Admiralty has requested a gift of the super-dreadnoughts. In the first place, I would like to know where hon. members opposite get the number, namely three dreadnoughts. As late as the 3rd of October, when the Prime Minister wrote to Mr. Churchill, he was not sure whether two or three, because in his letter he asks, if Parliament should vote the money to provide two or three dreadnoughts what would the British Admiralty do with regard to giving orders for smaller vessels in Canada. In the last paragraph of the first memorandum which was submitted by the Admiralty, you will find that all that they suggested was that, whatever temporary aid Canada gave should include some of the biggest and best vessels which science could devise or money procure. Two fleet units, if they were headed by super-dreadnoughts. would come en-

tirely within the terms of that memorandum. There is no suggestion there, I repeat, that the Admiralty intended to depart from the policy which had been decided upon in 1909 and again in 1911, and under which Australia has gone ahead in good faith doing its part and carrying out the arrangement which our great overseas sister dominion had a right to expect would be loyally carried out by the people and the Government of Canada. But that memorandum said that they make this statement 'after the most prolonged consideration of the circumstances.' I wonder what these circumstances were that required such 'prolonged consideration.' I can well understand that the Admiralty, having agreed in 1909 and 1911 that these great overseas dominions of Australia and Canada should provide their own local navies, and Australia having gone ahead upon the faith of that arrangement being carried out both by the British Government and the Government of Canada—I can well understand that even Mr. Winston Churchill would hesitate before he would recognize the possibility of departing from that arrangement. I can imagine no other reason why it required this 'prolonged consideration.' Or was it, Sir, that my right hon. friend the Postmaster General and the Minister of Marine and Fisheries, in those quiet days and evenings, and at the elegant dinner tables where they would be seated together, would tell Mr. Churchill about the difficulties they were under about the pledges they had made to the former Minister of Public Works (Mr. Monk) and those who represented the Nationalist faction of the House. I can well understand that in the interconfidences which would be exchanged they would tell him of these difficulties. Perhaps that was one of the things which Mr. Churchill took into consideration, and that at least he left it open to this Government to adhere to the arrangement of 1909 and 1911 or to depart from it. But my hon. friend may rely upon the statement made by the First Lord of the Admiralty in the recent speech he delivered in Parliament, in which, referring to the question of aid by the establishment by the overseas dominions of their local navies or by contributions in money or ships, he says that contribution by money or ships would be the most effectual. But you will bear in mind that he is not then speaking of temporary aid or of a temporary offer, but is laying down a policy which looks, not to this year or next year or the next five years, but to the long future. But, as has been stated by my right hon. friend the leader of the Opposition, that is nothing new. The British Admiralty had taken that view as long ago as 1907. They wanted Canada to agree upon a policy of contribution. They thought then, just as Mr. Churchill thinks now, that that would be the most effectual way of adding to the strength of the British navy. But Canada refused it through her Government at that time. The Government led by the present leader of the Opposition, thought that giving contributions would not meet the views of the Canadian people, and that it would be a step backward instead of a step forward, now that Australia was taking the right course in starting to build a local navy of her own and that that was the proper course for Canada to take as well. That was known to the present leader of the Government in 1909, when he was a party to the resolution passed by this House, because it had appeared in the public documents that the British Admiralty had stated that the most effectual way of aiding the navy was by giving contribution either in money or in ships. But, with that knowledge, he joined, and joined apparently heartily, in the resolution which was unanimously passed by this House in 1909. And there is no change to-day. The reasons against contribution are, I consider, just as they were in 1909. The same argument which induced my right hon. friend (Mr. Borden) to agree to the resolution in 1909, ought to appeal to him to-day and ought to induce him to devote his energies towards the building up of a good Canadian navy. But he said that those who take the ground that this proposal now before us is but the beginning of contributions either in money or in ships to the Imperial navy are not taking proper ground, and that they have no warrant for the statement they make. That can easily be settled. Let my right hon. friend, or let any member of the Government, rise in his place and say that the policy of this Government is to have a Canadian navy, and that whatever vessels are built in England will form part of the Canadian navy. Then they and their followers will be able to stand up and look the Canadian people squarely in the face. But what are they doing? In a manner which will not, I am sure, appeal to the people of this country, in a manner, I venture to say, no self-respecting Government ought to adopt, they are pretending to one class of the people of this country that when this contribution of $35,000,000 is paid that will be an end of it. The organs of the Postmaster General are saying to a certain class of the people of Quebec that when this $35,000,000 is given we shall hear no more about it, that this money will not come from Quebec, but from Ontario and the West, and there will be no Canadian navy, and the young men of Quebec will not be asked to go aboard the ships to be sacrificed in wars in foreign seas. They are allowing, deliberately allowing, the Postmaster General and his organs to

tell this to the people of the province of Quebec in order to gain support there, and in order that they may in some counties gain the same success that they gained in the county of Drummond and Arthabaska. And they are enabling their friends in other sections of Canada to say that this is only a temporary contribution to meet an emergency, but that when the time comes, before the next general election, they will announce the policy of a Canadian navy, the ships to be built in Canada and these ships to be brought back as a part of the Canadian navy. This is hardly a bold course for a Government to take. I appeal to you, Mr. Chairman, if that commends itself to your judgment. I ask the members of this committee if it appeals to their judgment, or if they think it will appeal to the judgment of the people of this country. No, Sir, if this House passes this appropriation of $35,000,000 and the Government has these ships built in England and turns them over to the British Admiralty to form part of an Imperial squadron to take their place side by side with the great battleship the Malays will furnish, those ships will not be recalled; they cannot be recalled, because we will do nothing in the meantime. There is no recruiting going on, no training of our young men, no effort to build up a naval service, and at the end of four years, when these ships shall be built, we will be in no better position to start the building of a Canadian navy than we are to-day. After the lapse of four years we will be in the same position, and the time will come when, if Mr. Winston Churchill is at the head of the Admiralty, we will be asked for another contribution, and the government of the day will be open to the charge of not acting fairly by the Empire if they do not follow the example which the Government of this day has set, and make a further contribution of either money or ships to form a part of the Imperial navy. As my right hon. friend the leader of the Opposition has said, now is the time to begin the building of a Canadian navy; indeed, the time was two years ago when the late Government called for tenders. These tenders should have been acted upon; if the contracts had been let we would have had these war vessels well under way at the present time, and, as the resources of the country increased and we became better able to build the larger vessels, they also could have been put under contract, and before a great length of time we would have been standing side by side with the great overseas dominion of Australia in the building up of a Canadian navy whose ships would fly the white ensign as the emblem of the authority of the Crown, and at the same time fly the distinctive flag of our own Dominion. We would thus establish the nucleus of a navy of which in the years to come the people of Canada would have reason to be justly proud.

My right hon. friend says it looks as if the Opposition were going to drive this Government to the country, if they can do so, and he says we are availing ourselves of the rules of the House for that purpose. He thinks this is wrong, but he does not tell us what he is going to do about it. He did tell us through the newspapers that he is going to ask the House to apply the closure, but I can say that if the Government is going to do this, let them go ahead —the sooner the better. If they think it is in the interests of the people of this country and in the interests of true parliamentary government that the right of freedom of speech shall be curtailed, then let them try to carry through a measure having that object in view. But if, by means of the exercise of those rights which the rules of Parliament give to us, of having a full and thorough discussion on this great question, the result is to make the Government so impatient that they will take the remedy of which they can so readily avail themselves—an appeal to the judgment of the country—what harm will be done? My hon. friend the Minister of Finance said in Toronto the other night that the Liberal party did not want an election, and my hon. friend from York (Mr. Crocket), said that if there was an election the Liberal party would be wiped out of existence. At all events, Sir, this great result would be attained: the people would have an opportunity of passing their judgment upon this new departure which the Government proposes to take. Everyone of us should bear in mind that this vast sum of money which it is proposed to send out of our country to hand over to the workingmen of Great Britain does not belong to the members of this Government or their supporters, or indeed, to the members of this House generally. This money belongs to the people of the whole Dominion; it belongs to the taxpayers of Canada, and they have a right to be consulted upon this important question.

Mr. EDWARDS: How much did you spend on the sawdust wharf?

Mr. PUGSLEY: My hon. friend seems to have an obsession of the brain, and, when my hon. friend departs this life, I have no doubt that if anyone would take the trouble to make an examination they would find printed across his heart the words 'sawdust wharf.' There is another reason, it seems to me, why the people of this country should be consulted on this question. I know hon. gentlemen opposite usually turn a deaf ear to what we say on

this side of the House, but I would like to make a final appeal to them. The Act of Confederation is a solemn pact which was entered into between the provinces which now form this Dominion. When Confederation took place there were four separate provinces—Quebec, Ontario, New Brunswick and Nova Scotia. Each province had its revenues and its means of taxation, and the rights of each province to collect customs and excise dues were handed over to the federal authorities, but all the courts dealing with the constitution of Canada treat the Act of Confederation as a pact which was entered into between the different provinces. So far as the expenditure of money for naval and military defence is concerned, what is the provision for this under the British North America Act? This provision, which was referred to by the hon. member for Jacques Cartier (Mr. Monk) in the letter in which he resigned his position in the Cabinet, is that the federal Government shall have the power to devote the moneys of Canada to provide for the military and naval defence of this country. That principle has been acted upon ever since Confederation, but to-day, without any amendment to the British North America Act; without the consent of the different provinces as expressed by their Governments or legislatures, this Government is asking Parliament to take a new departure and to send money out of the country for the purpose of building warships to be placed under the control of the British Admiralty, entirely outside of Canadian waters, to be used in the defence of the Empire. How does this matter stand so far as the representatives of the different provinces are concerned? The Canadian Confederation consists of a family of nine provinces, and the majority of the representatives of four of these provinces out of nine are against this proposition. The representatives of the two provinces of Nova Scotia and Prince Edward Island are equally divided and if this proposition carries it will carry by the vote of a majority of the representatives of three provinces out of the nine provinces of Confederation. I hold that before this great departure is taken there should be an amendment to the British North America Act. If we are to build vessels, send them to England and place them under the control of the Admiralty, primarily for the defence of the whole Empire, there should be an amendment to the British North America Act giving to the Canadian Government and Parliament the power to make such a departure. Before this great departure is made, before this new and important step which will be fraught with enormous consequences in the future, is taken, there should at least be a reference of the question to the people of Canada. They should have an opportunity of expressing their opinion in regard to it. This is not unreasonable, it is a fair and reasonable proposition and it is something that ought to appeal to hon. gentlemen opposite and which surely will appeal to the people of this country. The hon. member for Jacques Cartier (Mr. Monk) took the view that there should be an appeal to the people. He occupied a most important place in the Government of this country. He has been the leader of the Conservative party in the province of Quebec, he is a great constitutional lawyer, he is a professor of constitutional law in Laval University; than he, there is no one in this country better qualified to speak as to our constitutional rights and powers and upon that question he left the Government, first because he said that to remain in office, in view of the proposal to vote this sum of money for the purpose for which it was intended to be voted, would be contrary to the pledges he, as leader of the Conservative party, had made in the province of Quebec, and further, because in his judgment such a course was not warranted by the terms of the British North America Act. Surely the opinion of an intellectual giant like the hon. member for Jacques Cartier, the late Minister of Public Works, ought to have some weight with the Conservative party in this House. But apparently the Government and their supporters ignore all these facts, they, in effect, say we are determined to put this through, we will not tell the House and the people of this country what our policy is to be, we will allow our friends to have one policy in one part of Canada and another policy in another part of Canada, and we hope that, by some means or other, we will succeed, when the time comes, in coming back here with a majority of the representatives to support us. In my judgment the position of those who hold that there should be an appeal to the people is a reasonable position. We are not afraid to test the views of the people. We challenge our friends opposite to submit this question to the people. If it were outside of this House we would say that we dared our hon. friends opposite to appeal to the people. We have been endeavouring, as best we could to present the facts to the people of Canada. The arguments which we made during those strenuous days and nights when the Bill was up for discussion were not made with any strong hope of influencing hon. gentlemen opposite, but our appeals have been made to the people of this country, and it is necessary to have a lengthy discussion in order that the arguments and facts may get before the people of Canada. Canada is a country of vast size, thousands of miles in extent, and the people are entitled to be thoroughly informed on all questions discussed in this Parliament. It

seems to me that the Prime Minister is not recognizing to the full extent the importance of the question or the right of the members of this Parliament to enjoy the utmost freedom of discussion when he asks us to curtail this debate and to tell him at what time we are going to finish the discussion.

Hon. ROBERT ROGERS (Minister of Public Works) : Mr. Chairman, when my hon. friend the member for St. John (Mr. Pugsley) arose at eight o'clock, his first words were words of complaint because we had not a larger attendance within the Chamber, and he said that he hoped to be able to present some new light to the House and to this country in the discussion of this important measure. I must confess, much as I would like to be able to say otherwise, that the hon. member for St. John has utterly failed in this respect. I am free to acknowledge that, if it is possible that any new light could be shed upon this question by hon. gentlemen opposite, my hon. friend from St. John ranks as the noblest Roman of them all; he would be equal to the task if any would. But he too, like the right hon. leader of the Opposition, utterly failed to present to us to-day one single, solitary, new argument that would justify this committee in refusing to pass the measure which has been presented to it by the First Minister of Canada for the effective naval defence of our common Empire. In my humble judgment, the difference between the two parties in discussing this important measure is simply this: We on this side of the House believe in the Bill which the First Minister has presented because of the fact that we find in that Bill provisions that will be of assistance in carrying out the effective naval defence of the Empire to which we belong. The position of hon. gentlemen opposite indicates to me that the only respect in which they differ from us in respect to this Bill is that they want to continue as they have in the past, the ineffective naval defence of the Empire to which we belong. That, to my mind, is the true difference and the only difference between the two sides of the House; the one simple little word of two letters represents the whole difference between the two sides of the House; the one simple little word of two letters represents the whole difference between the two parties. We stand for effective naval defence and apparently hon. gentlemen opposite stand, as they have stood according to their public record in the past, for ineffective naval defence of our common country. Reference has been made to-day to the fact that hon. gentlemen opposite have not had ample time for the discussion of this important measure. I think the hon. member for St. John made that complaint before we rose at six o'clock. I would like to say here, with respect to the question to which he referred regarding the night sittings which we had some few weeks ago, that a misrepresentation of the Government's position has been made both in the press and in this House. The position which we assumed upon that evening was that, in view of the fact that hon. gentlemen opposite had already voted twice for clause 2 of this Bill, if we were going to make any progress, it was nothing more than reasonable that they should at least show some evidence of their desire to make progress.

Let me then repeat, and I do so in all sincerity and with no desire to be misunderstood or to misrepresent or attempt to misrepresent the position occupied by hon. gentlemen opposite, that the public record of the party opposite for the past fifteen years shows that upon every occasion and under all circumstances their policy has been that of refusal to do anything for the common defence of our Empire. My right hon. friend the leader of the Opposition (Sir Wilfrid Laurier) this afternoon referred to the conference held in London in 1902. A conference was called at that time by reason of the fact that the Prime Minister of England felt that it was an opportune occasion in view of the fact that representatives from all the overseas dominions were then in England attending the coronation and advantage was taken of their presence to hold the conference to which my right hon. friend referred. Lord Selborne presented the views that the right hon. leader of the Opposition referred to this afternoon and my right hon. friend read a portion of the answer which was given by himself and his colleagues on that occasion but he did not read the whole of the statements as made by himself and his ministers. Let me justify the statement I have made by reading ing an additional line or two that my right hon. friend overlooked from the memorandum of the Canadian ministers concerning defence:

> The Canadian ministers regret that they have been unable to assent to the suggestions made by Lord Selborne respecting the navy and by Mr. St. John Broderick respecting the army.

My right hon. friend is on record on that occasion as opposing anything in any form in connection with the navy. The hon. member for St. John, just before he sat down, spoke of the conference of 1907 and said that the Government at that time, of which, I believe, he was a member, refused to do anything at that conference because they were particularly and especially asked for a contribution. The hon. gentleman is not very correct in that statement and I would like to refresh his memory in order that he may see that, if the right hon. gentleman

who was his leader had been anxious upon that occasion to do anything for the common defence of the Empire, he was not held, or bound, or asked, to do anything in the way of a contribution any more than in any other form. Dr. Smartt on that occasion moved a resolution which has been read in this House but which, I think, will bear repeating. In moving the resolution Dr. Smartt said:

Would I be in order in moving this naval resolution after the discussion yesterday? I do not think it will take any time because it is a resolution which requires no remarks to make it acceptable to the conference:

That this conference, recognizing the vast importance of the services rendered by the navy to the defence of the Empire and the protection of its trade and the paramount importance of continuing to maintain the navy in the highest possible state of efficiency, considers it to be duty of the dominions beyond the seas to make such contribution towards the upkeep of the navy as may be determined by their local legislatures—the contribution to take the form of a grant of money, the establishment of local naval defence, or such other services, in such manner as may be decided upon after consultation with the Admiralty and as would best accord with their varying circumstances.

There was the widest possible latitude left to hon. gentlemen opposite, who were then in charge of the Government of this country, if they had desired to show by any official act that they were willing or disposed to do their share as loyal Canadians in the common defence of our Empire. Upon that occasion the Chairman remarked as follows:

I may say that I communicated with the First Lord of the Admiralty what occurred, and he desires me to say he leaves himself entirely in the hands of the conference with regard to any modification or omission of the words referring to the Admiralty. Otherwise he has no objection to it.

Then Dr. Smartt goes on and makes a statement in support of his resolution and my right hon. friend gives his answer just like the answer which he gave in 1902. He starts out with the very same answer:

Sir Wilfrid Laurier: I am sorry to say, so far as Canada is concerned, we cannot agree to the resolution. We took the ground many years ago that we had enough to do in our respect in that country before committing ourselves to a general claim. The Government of Canada has done a great deal in that respect. Our action was not understood, but I was glad to see that the First Lord of the Admiralty admitted we had done much more than he was aware of. It is impossible, in my humble opinion, to have a uniform policy on this matter; the disproportion is too great between the Mother Country and the colonies. We have too much to do otherwise; in the Mother Country, you must remember, they have no expenses to incur with regard to public works; whereas, in most of the colonies, certainly in Canada, we have to tax ourselves to the utmost of our resources in the development of our country, and we could not contribute, or undertake to do more than we are doing in that way. For my part, if the motion were pressed to a conclusion, I should have to vote against it.

Dr. Smartt: But the public works to which you refer are of a reproductive character which are vital to the interests of your Dominion.

Sir Wilfrid Laurier: Some of our railways have never paid a cent of interest or expenses.

Dr. Smartt: Still, it is developing and opening up the country to an enormous extent. All the colonies are building developing railways of a character which may not be revenue producing for years. I thought the wording of this resolution would have specially met your views because you will find to make such a contribution towards the upkeep of the navy it may take the form either of a grant of money, or the establishment of a local defence force or other service. I understand Canada suggested strongly the other day that some of their other services were in the nature of local defence.

Sir Wilfrid Laurier: I have said all I have to say on the subject.

The Chairman: I think it is a pity to pass the resolution if it is not unanimous.

Dr. Smartt: I should like very much to hear the opinions of the representatives of the other portions of the Empire.

Mr. Deakin: I have no hesitation in entering into the discussion if desired; but if we are not going to pass the resolution is it worth while?

Dr. Smartt: I think it is a great pity we do not pass something. We have done so much in the way of pious affirmation that I am anxious we should do something of a practical character.

Does not that remind us of our position this evening in discussing this Bill? (Reading):

Sir Wilfrid Laurier: It can be passed if there is a majority. For my part, I must vote against it.

Sir Joseph Ward: To do any good we would require to be unanimous about it.

Dr. Smartt: Yes, I suppose so.

Mr. Winston Churchill: It is not much good to have a resolution at all if we cannot be unanimous.

Chairman: I think we had better not proceed any further just now.

Sir Wilfrid Laurier: We, of the different dominions beyond the seas, have tried to be unanimous up to the present time. I am sorry to say this is a question upon which we could not be unanimous. Therefore, Dr. Smartt can move it if he chooses or withdraw it. But if he presses it I should have to vote against it.

Dr. Smartt: I am absolutely in the hands of the Conference. I do not want to pass a resolution that is not likely to meet with the general approval of practically everybody on the Conference, especially a resolution of this particular character. We might, perhaps, let it stand over until the next sitting. Between this and Tuesday I may be able to

modify it in some way to meet Sir Wilfrid's view.

And, if you read to the end of the debate at that conference, you will find that it was not possible for Dr. Smartt to make any modification that would meet the views of Sir Wilfrid Laurier, and just so do we find ourselves in the same position to-day; we find it impossible, with honour to the Canadian people, to make any modification or to do anything that would meet the views of the right hon. the leader of the Opposition and those who sit with him in this House. True, hon. gentlemen opposite tell us that they did something in 1909; that they had another conference then; and that we had a unanimous resolution passed in this Parliament. That resolution was dealt with by the Prime Minister this afternoon, and it is not necessary to read it again; but I emphasize the point made by the Prime Minister that in the measure now before this committee we are not departing from the resolution which unanimously passed this House in 1909; but, on the contrary, we are carrying out the spirit of that resolution. After that resolution had been unanimously passed by the House, I think it was the Minister of Trade and Commerce (Mr. Foster) who placed upon the Order Paper a question, asking the Government of the day if they correctly understood the meaning of the resolution; and Sir Wilfrid Laurier answered that they understood the resolution to mean that at the close of that session two Ministers of the Government were to go to England and consult the Admiralty as to what was the best to be done in the matter. That was the course taken then, and hon. gentlemen opposite claim that in accordance with that, definite action was taken by Sir Wilfrid Laurier and the Liberal Government. True, they purchased the Niobe and the Rainbow, and these two vessels represented Canada's contribution to the naval defence of the Empire according to the light of the right hon. gentleman who leads the Opposition; but by that action he made himself in all parts of this Dominion the object of sidesplitting laughter on the part of his fellow countrymen. The people of Canada were serious and desirous of rendering a service and a duty to the Motherland; they felt that something definite should be done towards assisting in the common defence of the Empire, and Sir Wilfrid Laurier to meet that demand of the Canadian people gave them the Niobe and the Rainbow. My hon. friend from St. John (Mr. Pugsley) referred to the statement of the Prime Minister in relation to these ships as being childish, and I too might refer to the policy followed out by Sir Wilfrid Laurier and the Liberal Government for the defence of the Empire, as evidenced by the purchase of the Niobe and the Rainbow, as being absolutely childish. While I do not often venture, in this House or outside of it, to quote scripture, yet for the benefit of the right hon. the leader of the Opposition I will venture to cite a passage; and, although I must confess to my friends opposite that for the moment I cannot cite the chapter and verse, still my hon. friend from St. John (Mr. Pugsley) has such a very extensive knowledge of biblical lore, that he will no doubt be able to supply the deficiency. The citation is applicable not only to the position of the right hon. gentleman who leads the Opposition, but to Canada's position to-day. I refer to the words of St. Paul in his Epistle to the Corinthians, when he said of himself: 'When I was a child I spoke as a child, I understood as a child, I thought as a child, but now that I have become a man, I put away the things of a child.' The leader of the Opposition, who in 1909 gave evidence of childishness in purchasing the Niobe and the Rainbow as a contribution to the defence of the Empire, in view of the light we have had since, in view of the memorandum from the Admiralty, will surely acknowledge that when he made that unfortunate mistake in 1909 he understood only as a child and thought as a child; and that now in the light of his present knowledge, he should put away the things of his childhood and think as a man and act as a man, and assist in the common defence of our Empire. Let me read, Mr. Chairman, that portion of the meoran lum as presented by the Admiralty to the right hon. the Prime Minister, in which the following is stated:

Whatever may be the decision of Canada at the present juncture, Great Britain will not in the circumstances fail in her duty to the overseas dominions of the Crown.

She has before now successfully made head alone and unaided against the most formidable combinations and she has not lost her capacity by a wise policy and strenuous exertion to watch over and preserve the vital interests of the Empire.

The Admiralty are assured that His Majesty's Government will not hesitate to ask the House of Commons for whatever provision the circumstances of each year may require. But the aid which Canada could give at the present time is not to be measured only in ships or money. Any action on the part of Canada to increase the power and mobility of the Imperial navy, and thus widen the margin of our common safety, would be recognized everywhere as a most significant witness to the united strength of the Empire, and to the renewed resolve of the overseas dominions to take their part in maintaining its integrity.

In addition to that we have clause 10, which reads as follows:

The Prime Minister of the Dominion having inquired in what form any immediate aid that Canada might give would be most effec-

tive, we have no hesitation in answering after a prolonged consideration of all the circumstances that it is desirable that such aid should include the provision of a certain number of the largest and strongest ships of war which science can build or money supply.

In view of that statement from the Admiralty, will the hon. member for St. John (Mr. Pugsley) or the right hon. gentleman who sits beside him, claim that they know more about the common defence of the Empire than do the British Admiralty? With that condition of affairs before us, when we come forward and ask that a Bill of this nature be ratified and carried into effect, we are delayed in the business of this country by hon. gentlemen opposite. We owe a duty to the Motherland; we owe a duty to ourselves; we are endeavouring as good citizens of Canada to fulfil that duty. A responsibility rests upon us which must be shared by hon. gentlemen opposite. As a Canadian people, we have that responsibility and we must accept it notwithstanding the fact that it may to some extent fail to flatter the vanity of the right hon. gentleman who leads the Opposition. I do not use the term in any way desiring it to be offensive. Throughout this debate and throughout his public record, my right hon. friend has shown that he is opposed to any measure of this kind. He gave evidence to-day that his feelings apparently resemble those of Napoleon when he fled from Elba and plunged France into the agony of the hundred days. Napoleon, with his fourteen years of power and sway, was imbued with the idea that he was made of different clay from other mortals. So it is with my right hon. friend with his fourteen years of uninterrupted power. He shakes and scowls now in the cold shades of Opposition. Napoleon made the gambler's last appeal to France and her armies which ended at Waterloo! It was ever thus with gamblers and with fallen stars. They never know when their sun has become eclipsed or when their glory has set. So with the right hon. gentleman and those who sit around him. They think they are always entitled to one more chance, one more opportunity. That was the pleading of the right hon. gentleman and of the member for St. John in their speeches to-day. So far as I am concerned, there is nothing that I would like better than to give them one more chance.

Mr. PUGSLEY: Come on.

Mr. GAUVREAU: It will be the last one.

Mr. ROGERS: My right hon. friend and those who are associated with him will at least do me the tardy justice of acknowledging that, if I do not know much of anything else, perhaps I know a little about winning elections.

Mr. MACLEAN (Halifax): How do you do it?

Mr. ROGERS: I would be satisfied and delighted to take the opportunity if there was any excuse or any reason under Heaven why an election should be brought about. I would be the foremost man to take in hand the task of forcing that condition of affairs in this country to-day. With my knowledge of elections, I am satisfied that the result would be that, after going forth to a loyal and faithful people and placing this Bill before them and making the issue which is the issue between us on the floor of the House, we would come back to this House with such an overwhelming majority that the right hon. gentleman would not have sufficient votes to call for a division. It is impossible to have an election for this reason. In tones louder than thunder comes the demand to this Government from all parts of Canada, irrespective of party, race or creed, that we must not allow the needs of Canada and of this Empire to be delayed or to be sacrificed to gratify the ambitions of hon. gentlemen opposite. To that appeal, the Government answers that the business of this country must, shall and will be continued and that the needs of Canada must, shall and will be met, protected and maintained by the Government of to-day.

Mr. MACDONALD: Mr. Chairman, I desire to congratulate the committee upon having had the opportunity of listening to the very able defence of the Government's position which at last the Minister of Public Works (Mr. Rogers) has vouchsafed. In doing so, he has shown a much better disposition than that which has characterized some of his colleagues who still sit dumb, without any pretense of affording any reason or justification for the strange somersault which the Conservative party has performed since 1909 and more particularly the acrobatic performance of the Prime Minister, if justification can be given for it. The address of my hon. friend the Minister of Public Works was refreshing in a great many ways. His reference to scripture, to say the least, was somewhat novel. There was a striking character in Dickens' works of the name of Silas Wegg who sometimes dropped into poetry. My hon. friend the Minister of Public Works has never shown before a disposition to drop into biblical quotations. I am bound to say that he did fairly well except that he rather broke at the last part; which shows that his knowledge of St. Paul's epistle to the Corinthians is somewhat crude and has been gathered from a rather hasty inspection of the Holy Writ. I am sure he is not as learned in that line as he is in the lore which enables him to win elections. But to say that he has added anything new to this debate, or has given additional reasons why anyone on this side or anyone in this country, should change

his opinion as to the iniquity of this measure, would be paying him too high a compliment. Like his leader, he ran away from the resolution of 1909. And I should be glad if, sometime before we reach the end of the debate, be it sooner or later, some hon. gentleman on the other side would have the courage to state to the country how it is, and why it is, that though they unanimously declared in 1909, in clause two of the resolution adopted by this House, that the proper way to assist the Mother Country in regard to naval matters was by the speedy organization of a Canadian naval service, they now abandon that altogether and will not even explain why they abandon it. If they were right in abandoning it, they ought to be glad of the opportunity to point out where they made a mistake and to show how, now that they are in power, they are repairing their error. But, as I have said, they run away from it. One of the conspicuous features of the speech of the Prime Minister this afternoon was that, while he wobbled on almost everything else that had been uttered in defence of the measure by the men who were behind it, when I asked him point blank to tell the committee where they stood in regard to the declaration of 1909, while he professed that he was going to deal with that question, he sat down without saying a word about it. And every gentleman on this side, and every hon. gentleman who sits behind the Prime Minister, knows that the right hon. gentleman did not endeavour to explain his change of attitude. This is the crux of the question. The leader of the Opposition in giving reasons why we on this side of the House regard this proposition as one of the most serious that have ever been before the people of this country, pointed out the absolute unanimity of the men of all political shades on that resolution in 1909. He pointed out that the Admiralty's request of 1902 and 1907 was known, and being known the present leader of the Government joined in framing the resolution and himself asked for the insertion of the word 'speedy' with particular application to the Canadian naval service, and spoke manfully here and in the country, and in England, in justification of the theory that contributions were not the proper method of settling this naval question. Why should we not discuss this point in view of that situation? The Minister of Public Works tells us that the difference between the two parties is that their policy is one of effective naval aid and that the policy of the Opposition is a policy of ineffective naval aid. But our policy is the policy upon which everybody agreed in 1909; it is the policy for which the Prime Minister then stood, which he insisted upon putting upon our records, for which he spoke in Parliament, in Canada generally, and in England as well. If that is ineffective, will hon. gentlemen opposite have the courage to stand up and say wherein it is ineffective? They do not attempt to do anything of the kind, these gentlemen. On the contrary, the Prime Minister to-day declares that the policy of the present Government is not a policy of contribution. Hon. gentlemen sitting behind him know that the argument of the Prime Minister to-day was that the present policy was not one which he was justifying upon the ground that it was a contribution, and argued not that there was a matter of emergency—because he never used the word—but suggested that there was an urgency of some kind which enabled him to get it out of the category of contribution which he deliberately condemned in 1909. So that, as the result of the continued discussion, we have a new declaration from the Prime Minister in regard to this policy. And when the Minister of Public Works talks about our policy being ineffective, let me tell him what the Minister of Trade and Commerce thinks about it. He has journeyed out to the sister Dominion of Australia. He has journeyed out to a country where the atmosphere is impregnated with the sturdy Australian idea, a belief in themselves, a confidence in their own position as a great overseas dominion within the Empire. He sees out there what it is to have a condition under which men of both political parties, though they have their political differences, vie with each other, even in the midst of a general election, in applauding the idea that the Australian naval policy is the correct one for that country. And removed from the discord here and from the atmosphere created by the policy of hon. gentlemen opposite what do we find him saying in Australia in regard to this policy of the Liberal party which my hon. friend the Minister of Public Works says is so ineffective?

With regard to naval matters, the people of Australia must not come to the conclusion that because a difference of opinion existed in the House of Commons as to the present Canadian Government Bill, any party in Canada is opposed to aiding in the defence of the Empire by the sea.

This is in direct contradiction of the Minister of Public Works.

It is more a matter of method than of principle.

So, the Minister of Trade and Commerce is half converted back to the idea he had in 1909. To borrow the simile of the hon member for Calgary (Mr. Bennett), he is on his way to Damascus. And by the time

he returns to this Dominion, we shall find him a sound believer in the policy of a Canadian navy as the means of dealing with the naval forces of the Empire.

I was surprised that my hon. friend the Minister of Public Works who is too astute a politician not to know the absolute worthlessness of such an argument, should state that hon. gentlemen on this side of the House voted twice for clause 2 of this Bill—voted for it in the amendment of the right hon. leader of the Opposition to the second reading. If we voted for that clause—to use, in a sense, that argument, as did my hon. friend—if we voted for clause 2 when we voted for the amendment of the right hon. leader of the Opposition containing that language, what were hon. gentemen opposite doing when they are voting against it? It is not worth while going into the minutiae of the matter, because all hon. gentlemen know that, with regard to the expenditure of $35,000,000, we propose to spend it one way while the Government proposes to spend it another. My hon. friend touches lightly upon our record in regard to this matter of naval defence. He did not have the advantage of being in the last Parliament, and I am free to confess that if those gentlemen who sit in the treasury benches and who were not in the last Parliament had been here and had followed the course of events in regard to naval discussion and the development of this problem from its earliest stages in 1909 until the present time, those hon. gentlemen, I say, who now affect surprise at our attitude upon this question, would not in the slightest degree be animated by any such idea. The only feeling any one of these hon. gentlemen would possess, would be one of wonderment if hon. gentlemen on this side of the House would not fight continuously for the principle which is the only true policy worthy of adoption by every decent Canadian. What is the record of our friends on the other side in regard to this matter? Every hon. gentlemen who was here during the last session of Parliament will remember the occasion upon which we unanimously decided in favour of a Canadian naval service. All hon. gentlemen are familiar with the incident that occurred in connection with the Drummond and Arthabaska election, when the Nationalist wing, which is represented in this combination Government of Nationalists and Conservatives, started to appeal to the people of the province of Quebec and inflame their passions against our leader because, as it was alleged, he proposed to embark them in the sea of militarism, and intended to drag the young French-Canadians from their homes and send them to fight the battles of the Empire. We well remember that these were the arguments of hon. members now sitting in this Government and of their associates in this House, throughout the length and breath of the province of Quebec during the years 1910 and 1911; it is a dark page in the history of the province of Quebec, and of the Conservative party and their associates in this country. If any hon. gentleman desires to obtain any information in regard to the record of the Conservative party in respect of naval defence, let him ask this pseudo-Conservative, the Postmaster, (Mr. Pelletier) or the Minister of Inland Revenue, (Mr. Nantel) who told us during the last Parliament that if Sir John A. Macdonald had been alive he would never have allowed the Canadian boys to go to South Africa and fight the battles of the Empire! Let him ask the Secretaty of State (Mr. Coderre) or the ex-Minister of Public Works (Mr. Monk) who was the first lieutenant of the leader of the Government and who led the political black cavalry in the province of Quebec in that violent onslaught against British institutions, against participation by this country with the Empire in naval or military matters, and against our great leader, who was the first and foremost in leading the people of this province along the proper lines in regard to this question. The Toronto News, which does not usually, upon public questions express views favourable to hon. gentlemen on this side of the House, did our leader the justice of saying that he had laid the foundation upon which there would be worked out in days to come, by one or both political parties in this country, the true solution of the problem of Canada's participation in the naval defence of the Empire, and that to him must at all times be given the credit of initiating and carrying through the early and difficult stages of that project. The Minister of Public Works referred to our great leader as a Napoleon. My hon. friend does not know the man who leads the Liberal party of this country. He is not a Napoleon, and never had the ambition or the instincts of that powerful man. Rather is he a man of the highest type of English public man, who along all peaceful lines, has, during the forty years of his public life, laid on deep and sound principles our Canadian nationhood and our connection with the Mother Country. Let me say, Sir, there is not a man on this side of the House who does not know that, long after hon. gentlemen on the other side and their leaders are forgotten, history will tell what Sir Wilfrid Laurier did for Canada and the Canadians.

It is well that the discussion of this matter should have been prolonged; we have heard some new things. My hon. friend the leader of the Government has run away from the contribution idea. Where is my

hon. friend from Calgary (Mr. Bennett)? He it was who asked himself where the great battle is to be fought in which the future of the Empire is to be settled. He pictured in the North sea, the Armageddon that was to come, but he and his Armageddon and his North sea have all been transferred to Gibraltar or some other place a thousand miles away. If the hon. Minister of Public Works had not succeeded in coercing this committee some three weeks ago, we never would have known of Winston Churchill's change of plan; we never would have known that the Empire was not going to be saved in the North sea, but somewhere around the Cape of Good Hope, or wherever he sends his flying squadron. Has it not been a good thing for the people of Canada, in order that they may properly arrive at a logical conclusion on this question, that three weeks have elapsed since last we discussed this important matter? The Minister of Public Works, laughing up his sleeve when he said it, in his most dramatic tone talked about the business of the country being retarded. Mr. Chairman, we all know how the members of the Opposition have given the fullest co-operation to every reasonable proposition of the Government in regard to the ordinary legislation of this House. Without any question we gave hon. gentlemen opposite the necessary supply in order to carry on the affairs of the country; we have not in any way retarded the public measures which they have submitted for our consideration. If the budget has not been brought down, that is not our fault. If the West India agreement has not been discussed in the House it is not our fault. We are ready to discuss and consider them at any time or to discuss any other of the numerous Bills on the Order Paper. Why did not the Postmaster General go on with his parcel post measure? The country are anxious to hear what he has to propose in that matter. Or the minister might have gone on with his measure for providing assistance to farmers. All these questions might have been proceeded with at any moment. and the Minister of Public Works, I am sure. was laughing in his sleeve when he made that dramatic appeal, because he knew that the House was prepared to consider and deal with any legitimate proposition which the Government might submit for its consideration.

What else have we gained by discussion of this question? We have had the positive declaration that this Bill is not part of a contribution policy. If this Bill is not part of a contribution policy, of what policy is it a part? The Prime Minister at all times has had the faculty, in dealing with many public questions, of getting on both sides of the fence. There are only two possible ways of dealing wih the Mother Country in regard to naval defence, there is no third way, there is no fourth way and no fifth way. This Government may contemplate from now until Imperial federation or doomsday or the millenium, but they have to come back to the proposition whether they propose to have a policy of contribution or an integral Canadian naval policy. The Prime Minister said to-day that this was not part of a contribution policy. The hon. gentlemen who sat behind him and his press in the country, who, for the last four months, have been writing day in and day out that the proper method of solving this problem of our relations to the Mother Country in regard to naval defence was by a contribution policy, have got to take back everything they said or wrote as the result of to-day's discussion, a discussion and a result which have been attained in consequence of our giving this matter the full consideration which we have. If this is not part of a contribution policy well what is it?

An hon. MEMBER: A corpse.

Mr. MACDONALD: Oh, he says, we are going to get these ships built ourselves. That is a new theory, that is not the original theory when we had the stage set and the memorandum and the waving of the flag and all the excitement in which Canada was rushing to the defence of the Mother country, placing three ships in the fighting line in the North sea. The Prime Minister said to-day that was not the policy at all, no ships. no fighting line, we are going to build them ourselves in England and they are only going to be over there until we are ready to take them back. In answer to a question as to when he was going to take them back he said: If you gentlemen get into power of course they will be brought back—and I am quite sure they will. But he did not tell us what he proposed to do with them, whether he intended to bring them back and make them part of a Canadian naval service in which our rights as an integral part of the nation were to be recognized. He would not tell us——

An hon. MEMBER: Does he know?

Mr. MACDONALD: Does he know? If he does know he is afraid to say just yet. We cannot forget that the Postmaster General and the Prime Minister gave to the Nationalist wing of the Government a pledge, when they came into office in 1911, that they would repeal the Canadian Naval Service Act and, of course, if that Act should be repealed they would have no legislation on the statute book under which Canada could own and control these vessels over here. Consequently he is not prepared to make a statement. My own opinion is that he intends eventually to drop that particular view which obtained in Quebec, and he would like to get back, if he could, to the solid ground he was on in 1909 and he would like to have

our policy, which he knows in his heart is the best policy. Why will he not tell us before this measure is passed? This House and this country have a right to know from this Government whether or not they intend ever to bring back those battleships which they tell us now are not being given to Great Britain but which they are providing are to be brought back. Is this Government going to bring them back and utilize them as part of a Canadian navy or not? Why should not the country know? Before we dispose of this question ultimately we ought to know what the policy of the Government on this question is. How are we to settle the problem of giving away $35,000,000? Is it by the childish method, to open your mouth and shut your eyes and the Government is going to give you something that will make you wise? That is the kind of policy we are asked to adopt. There are only two methods in the world, contribution and Canadian naval service. This is not Canadian naval service, this is not contribution, the Prime Minister said this afternoon. What is it? Has not the country the right to know from the Government before the measure finally passes? Are we on this side of the House bound, in justice to our constituents and in the interest of this country, to ascertain from these gentlemen, if we can, where they stand? The Prime Minister evaded that question this afternoon, he ran away from it and refused to face it. All he told the House was that if hon. gentlemen on this side of the House came into power as the result of the next election they could utilize these ships as part of the Canadian navy.

What else have we gained as a result of this discussion? We have the positive certainty, backed up by authorities in England, official and non-official, and by all the public press of the Mother Country, that there is no emergency. That is something that was pretty well settled long ago. Everybody in this House knew that hon. gentlemen who attempted to argue it did so very half heartedly. Hon. gentlemen who followed the matter dispassionately knew that there was nothing in it. The Prime Minister this afternoon would not use the word emergency, he talked about urgency. But we know that in the Mother Country it is very well settled, beyond the shadow of a doubt, that there is no urgency. They are talking about preparations for a naval holiday. The First Lord of the Admiralty has talked in that way, dispensing with any necessity of our ships going to the North sea, utilizing them as part of a flying squadron, a kind of holiday performance. A little over a year and a half ago the First Lord of the Admiralty in the House of Commons and the representative of the Government in the House of Lords assured the country and both of those great bodies that there was no necessity whatever for maintaining a fleet at Gibraltar or on the Mediterranean. They justified the Mother Country in taking away her fleet from the Mediterranean and declared that there was no necessity or reason for it being there. Our ships now are to be used, as I say, for junketting purposes, a flying squadron, they are not to be in the fighting line at all, not to be within a thousand miles of it, but are to have a base at Gibraltar and take an occasional run down to the Cape of Good Hope or over the Atlantic ocean wherever they may want to go for junketting purposes. That is what we have learned as a result of a two weeks' discussion on naval defence so far. Every argument that has been made by hon. gentlemen opposite in support of this measure has been swept away by the clearest possible evidence as to the condition of the forces in England.

An hon. MEMBER: Why do you need two fleet units?

Mr. MACDONALD: In order that the North Pacific may be policed and that the North Atlantic squadron may be replaced by our squadron. Let me give my hon. friend a statement which was made in Winnipeg by Premier Scaddon of Western Australia, who had been paying a visit to the Old Country and was on his way home. Premier Scaddan said:

> He said that when in the Old Country recently he had the pleasure of telling the people there that Australia was preparing to protect herself and to relieve the Mother Country of a part of her burden. He also declared that Australia was inaugurating a system of defence designed to play a part in what he hoped was a far-off day when trouble might be expected from Asiatic peoples to the north. But while Australia was perfecting this system of defence he believed that Australians were being made better citizens of the Empire. Premier Scaddan also said that he had told the people in the Old Land that Australia did not want to dictate to the Mother Country as to what she should do and on the other hand Australians did not want to be dictated to in regard to what were purely domestic concerns.

That is to say that the Premier of one of the great provinces of Australia, speaking in our country the other day, took absolutely the same position that the Liberal party take here. A separatist, is he? Hon. gentlemen opposite used to sneer at hon. gentlemen here because we declared that we stood for a virile Canadian policy. I suppose that Mr. Scaddan must be classed with the gentlemen whom hon. gentlemen opposite dignify with that name. Here is what he said on another occasion.

> Naval defence of Canada was a matter that Canada must decide for herself, with a pro-

per regard to her peculiar necessities, but he stated that Australia had thought it best to build her own navy to police the Pacific. 'We have a very real Japanese and Chinese menace,' he said, Australians have now decided in favour of 'a white Australia.'

The policy of hon. gentlemen opposite, before they got into power, was a white British Columbia, but now that they have tied their hands and cut every possible chance of carrying out their theories, I suppose they will abandon that policy, just the same as their leader abandoned his policy on the naval question.

Before that decision was reached, the yellow men descended upon us in their thousands. The Premier added that there had not been, and it was not expected that there would be, any difficulty in recruiting for the Australian navy. Naval colleges were to be established, and by a system of scholarships, it would be possible for boys of superior intelligence, born of poor parents, to attain to the highest rank in the service.

He goes on to argue in support of the policy which Australia has adopted unanimously, and let me say that, out in that great Commonwealth where they are to-day on the verge of a general election, both parties are vieing with each other in vehemently claiming that they are standing for the support of the very policy which the Liberal party in Canada has adopted in regard to this question.

We had introduced into this discussion some weeks ago a perfectly unjustifiable letter from the First Lord of the Admiralty, a letter which did not convey the information which the Prime Minister had asked for but which was a gratuitous interference with our affairs and our opinions upon this question. Hon. gentlemen opposite, and some of the Conservative press in this country, affect to be shocked at the idea that anybody who was born out here in the colonies should by any possibility venture to question the omniscience of the gentleman who happens to be First Lord of the Admiralty. There is ample justification for the position which the Liberal party are taking in what the English press are saying as to Mr. Churchill's interference with Canadian affairs. The great Liberal dailies in London are the Daily Chronicle and the Daily News and Leader. The Daily Chronicle of March 16 says in regard to this question:

His memorandum starts by alluding, not to Mr. Borden's point but to 'the suggestion that the proposed battleships could be expeditiously built in Canada; and its whole purport is a frank and forcible argument against any idea of Canada's building them. Mr. Borden has never asked for this; the question of what Canada should or could do was one for Canadians to decide, not for the Admiralty, as the original Admiralty memorandum of October 25 has properly recognized.

It was, in fact, being hotly debated in the Canadian Parliament; and it must be difficult for any Canadian to escape the conclusion, that what Mr. Churchill had in mind and was really answering, was not Mr. Borden's letter but the parliamentary arguments of the Canadian Liberal party. His second letter shows this almost more clearly. Mr. Borden had sent him the figures of some estimated costs, asking to have them checked by technical advisers; Mr. Churchill replies by sending him some other figures calculated on the assumption that 'the idea of building the capital ships in Canada is impracticable,' and accompanied by a memorandum gratuitously rubbing in at half-a-dozen points the Admiralty's objections to that preference for a separate Canadian navy with which Sir Wilfrid Laurier's part is identified.

Now, assuming that from the naval point of view the superiority of the Borden policy to the Laurier were never so indubitable, it would still be inadvisable for a British minister to enter the lists between them. The true Bill that we find against Mr. Churchill is that he did so, although he was not even invited or inveigled into doing so. No doubt there were temptations. The Admiralty's preference for Dominion contributions over Dominion fleets could be surmised from the October memorandum, and is pretty well known. It may even be true that the real antithesis all along has not been between the Laurier policy and the Borden policy but between the Laurier policy and an Admiralty policy which Mr. Borden has been induced to espouse. Mr. Churchill's letters read like the kind of brief that is supplied to an advocate by his client. But if that were in any sense the actual relation between them, it only made it the more imperative that indiscretions like these should be avoided.

The alleged 'Impracticability' of building dreadnoughts in Canada, we may observe, almost entirely a matter of money. There is no reason to question the Admiralty's figure of cost. But Canada is a young country with a spirit of exceptional enterprise; her population exceeds that of any European state excepting the great powers and Spain, and is exceedingly rich per head; She has already accomplished engineering feats which are among the wonders of the world. Such a nation is much less likely to acquiesce in the idea that she cannot do something which all the great nations do, than an overtaxed European state or a South American republic with no engineering traditions; doubtless, whether she runs her own navy or not, she would gain financially by having the ships built in Great Britain. But she has other things to consider besides finance; there is the national pride of her people, and there is also the question of laying the foundation for a self-reliant and self-sufficient future. There is nothing un-Imperial or anti-Imperial in such ideas. If we recognize that within the Empire the dominions can and should be free nations——

It has been the idea of some hon. gentlemen opposite that when we, on this side of the House, say anything about Canada being a free nation in the Empire, we are saying something which indicates disloyalty. There is not a journal in England

that studies Imperial problems which has not long ago recognized the soundness of the idea that, unless there are developed strong, self-governing nations with autonomous powers interested in the maintenance of the Empire as a whole, the Empire cannot be maintained. This is the expression that is used here:

If we recognize that within the Empire the dominions can and should be free nations, we must also recognize that their ambition to stand on their feet without crutches is in the Imperial interest a laudable ambition. . .

Mr. SCHAFFNER: Is there anything wrong about that ?

Mr. MACDONALD: What do you say about it ?

Mr. SCHAFFNER: I say there is nothing wrong in that, and that our policy does not interfere with it.

Mr. MACDONALD: What is your policy?

Mr. SCHAFFNER: You ought to know.

Mr. MACDONALD: That is the trouble; my hon. friend ought to take an afternoon off and tell us what his policy is.

Mr. SCHAFFNER: It is very clear.

Mr. MACDONALD: Hon. gentlemen on the other side of the House have been arguing that we are contributing to England in order that we might have three ships in the battle line of the Empire on the North sea. They have been arguing that this is a free gift from the Canadian people and it has been discussed in the English newspapers on the basis of being a free gift. But to-night the Prime Minister destroyed all these theories when he declared that this proposal was not part of a contribution policy, and was not a free gift. My hon. friend from Souris (Mr. Schaffner), has been taking a little too much for granted in regard to what his leader's policy is, but had he followed the debate as closely as we have, he would see that after four months of consideration of this question, the country is in the ridiculous position that the Government has stated three or four different things as to what their policy really is.

Mr. SCHAFFNER: That is your opinion.

Mr. MACDONALD: I can point to the records to prove it.

Mr. SCHAFFNER: No.

Mr. MACDONALD: My hon. friend from Souris belongs to that class who though convinced against their will are of the same opinion still. Will any of the ministers present to-night tell us whether or not the principle involved in this measure is a free gift from Canada to the Motherland? I pause for a reply. They will not answer.

Mr. WILCOX: The Bill is very clear on that point.

Mr. MACDONALD: We on this side are clear; we know what it is; but I venture to say the Minister of Inland Revenue at this very minute does not know whether or not this is a gift to the Mother Country. The Postmaster General may know, but he won't tell us, and neither will the Minister of Public Works.

Mr. ROGERS: Do you want me to send you over the Bill?

Mr. MACDONALD: Even so great an Imperialist as Richard Jebb, who has written books on the importance of preserving the Empire along true lines, speaks of it as being a free gift from the Canadian people, but no member of the Government present to-night will take the responsibility of saying whether or not this is a free gift from the Canadian people to the Mother land. The Chronicle says further:

The money spent by the dominions on ships is not something wrung from them by orders from above, or paid over by them mechanically without their caring what becomes of it. It represents on their part a considerable but voluntary sacrifice.

Here is an English newspaper discussing the matter as if we were paying the money over to England, and the Prime Minister told us to-day that we were doing nothing of the sort:

Their democracies pay it because they feel interested and they can scarcely be expected to take permanently a popular and powerful interest in fleets which operate in the North sea, or indeed in any fleets which do not belong to them and fly their flags.

Imagine such heresy; here is a great organ of public opinion in England, supporting the Government in power, declaring:

For this reason we think that the Admiralty will be very short sighted, if to gain a point or two in the momentary race of armaments, it turns the rising instinct of dominion nationalism against it instead of enlisting it on its side. We do not suggest that Mr. Churchill in the present instance, come out into the open as a supporter of the Laurier policy. He should have avoided any appearance of influencing Canada's decision between them. But since he has failed to do that, we regret that his line has been one which must array much Canadian national sentiment against him.

That is the sentiment of the Morning Chronicle, one of the great London dailies supporting Mr. Asquith. Take this utterance in the London Star:

It would have been enough for Mr. Churchill to state the facts and leave the Canadians to

draw their own conclusions. If they choose to spend £15,000,000 on plant, they can do so. If they please to face the trouble and endure the delay and bear the cost, it is their affair and not ours.

There is no urgency in the matter, because even our jingoes refuse to count the Canadian ships as a relief for the British taxpayer. Therefore the Laurier policy is quite compatible with our naval security, and if Canadian pride demands a navy built, manned and maintained by Canada, we need not weep.

The plain truth is that the conflict between the Government and the Opposition in Canada over this question is so acute that it robs the gift of the three battleships of all grace and dignity.

Here again is a reference to it being a gift. How much eloquence has been expended by jingoes in Canada and in England as to the glorious nature of this gift they are giving to the Mother Country, but that argument has been thrown to the winds by the declaration of the Prime Minister to-day that it is no gift; that we are going to spend the money ourselves; that we are only going to lend the ships to the Mother Country, and that we will take them back when we want to:

In our opinion, it would be wise for the British Government to intimate that such a contribution would not be acceptable unless made by the Canadian Parliament with practical unanimity. The Canadian Liberals are too strong to be ignored in a crucial matter of this kind. When they come back to power, as they are bound to come back, they may reverse the Borden policy, and there will be more rancour, more strife, more making of bad blood.

To sum up, we hope the Government will have the courage to put an end to a dangerous and painful situation by saying that there is no immediate need for the three Canadian battleships, and that a united Canada is more valuable to the Empire than all the battleships in the world

That is what our right hon. leader said to-day.

Mr. FOSTER (Kings): Was the hon. member reading from an editorial in the paper or was he reading from someone else's article?

Mr. MACDONALD: I was reading an editorial from the London Star, an English paper. I have several more of them along the same line that show conclusively that, as a result of the discussion which has taken place in the Canadian Parliament, there has been a wonderful education of public opinion not only in this country, but all over the Empire. Messages from Australia indicate that our great sister commonwealth stands solidly for the principles for which we stand. South Africa is in the same position. Here and there an attempt has been made to make capital out of the stand taken by the Malay States, which is a Crown colony and have not the same rights of responsible government as we have. All over the Empire, wherever there has been a free expression of ouinion, those opinions have been along the lines that the strength and virility of the Empire, in the time that is to be, depend upon the development of the individual states and of the special interests within those states. I shall read from the Daily News and Leader, an English paper, which occupies the same position in regard to public matters on the other side, as does the Daily Chronicle. On March 18, 1913, on page 6 of this paper, it says in regard to this question:

In his reply to the second point Mr. Churchill seems less conclusive. He does not confine himself to an examination of the Canadian estimate of the cost of building and maintaining a Canadian fleet. He addresses himself rather to showing that in the circumstances of to-day it would not be possible for the British Admiralty to assist Canada in manning a fleet of its own. The new German Navy Law, he points out, has necessitated a large increase in the number of ships in commission here, and has strained our manning resources to their utmost limits. We confess that this argument does not seem quite water-tight. Whether Canada builds for herself or builds for us ,the ships will have to be manned.

Manifestly the argument of the Daily News and Leader is so natural and so conclusive that anyone who read the memorandum and the letter written by Mr. Churchill at once saw the answer; and the natural feeling, which must have arisen in the mind and heart of every decent Canadian when he read the letter, was this, that this gentleman, who happens to be First Lord of the Admiralty had an idea that the people who lived in the overseas dominions had so little intelligence that they could not argue from the most simple premises to the most ordinary conclusion. (Reading):

The only difference seems to be that, if the ships are included in the British navy, they will have to be manned by us while, if they are built for a Canadian navy, they will have a more direct claim on the Canadian Naval Service, and our help will be subsidiary and a diminishing quantity. If it is a question, therefore, of relieving the strain on our resources, the advantage would seem clearly to be with the Laurier rather than with the Borden policy. It is true, of course, that the establishment of a Canadian navy would mean its presence in Canadian rather than British waters; but even allowing for this fact we do not think the Admiralty have made out their objection on the score of manning.

Here is one important advantage of having had this discussion. Supposing that this debate had closed immediately after this memorandum came from Mr. Churchill, and that the harsh methods which hon. members opposite were adopting in regard to this discussion had been successful, the

people of this country would never have had the opportunity of knowing, before this question was settled, what English opinion was on the action of the First Lord of the Admiralty in regard to these important questions. Papers, representing every shade of political view in the Motherland, but seeing the wisdom of building up strong self-governing communities within the Empire, condemn the statement made by Mr. Churchill and favour the views held by our great leader. (Reading):

In other respects, the advantage of the Laurier policy seems indisputable from our own as well as from the Canadian point of view. It avoids the grave constitutional problems which the Borden scheme involves. It relieves us of the heavy cost of maintenance. It will remove serious possibilities of friction over policy and control. It does not threaten us with such delicate problems as the question of the renewal in due course of the contributory ships. It simplifies our relations with the continental powers. So far as Canada is concerned, it is not conceivable that the contributory system could be permanently tolerable.

Mark that statement, when hon. gentlemen opposite lecture us on this side, because we take the position that Canada ought to provide for the defence of her transportation on sea just as she is doing on land, when hon. gentlemen opposite laugh at the Rainbow and Niobe, as if everything did not have to have a beginning.

Mr. CARVELL: What were they bought for—training ships?

Mr. MACDONALD: Of course. The Daily News and Leader is surely as good an authority on problems of Empire as the Minister of Public Works (Mr. Rogers), the Minister of Marine and Fisheries (Mr. Hazen), or the Minister of Inland Revenue (Mr. Nantel). Its views upon these important problems are of the strongest character and it says that so far as Canada is concerned it is not conceivable that the contribution system could be permanently tolerable. (Reading):

It would be a constant source of irritation between the Dominion and the Admiralty, and a permanent subject of conflict in the Canadian Parliament. It would have no finalty. Ultimately Canada would insist on controlling the navy which it had built. Whatever its decision now, no one can doubt that in the end national pride as well as practical considerations will carry the day.

I think that the man who wrote this article must have read one of these stirring statements made by the leader of the Government in 1909, when he denounced contribution of any kind, when in language of the most unmistakable character he said that it would be a constant source of irritation and wound up his declaration by stating that it would eventually make for separation of Canada from the Empire. That statement of his in 1909 is just as true to-day as it was then. Here from another source altogether, a great organ of public opinion in England, we have the same opinion:

It is because he realizes the strength of his position in this matter that Sir Wilfrid Laurier is offering such a stout resistance to the Borden scheme. He knows that Canadian opinion is with him and he knows, too, that in this matter the enduring interests of the British connection are implicit in his policy.

Mr. FOSTER (Kings). Is that an editorial which the hon. gentleman is reading?

Mr. MACDONALD: That is an editorial on an article from the Daily News and Leader of Tuesday, March 18, 1913.

In England there are people who are not afraid to say what they think about Winston Churchill just as hon. members on this side said over a week ago.

Mr. LEMIEUX: What does Mr. Jebb say?

Mr. MACDONALD: Let ue see what Mr. Jebb does say. I have here the article to which I have referred. I am not going to read it all. But here is what he says in speaking of the aspirations of the Canadian people:

Is it not a fact that a limited proportion of the limited supply of skilled labour in the United Kingdom is engaged all the time in building battleships for foreign countries? Might not the security of the Empire be promoted rather impeded by the transfer of that proportion to Canada where it would be engaged in building ships for the Empire instead of for foreigners? Is it sound principle to veto the development of skilled industries in Canada so as to keep down the rate of wages in those industries at home?

He hints here at the influence that has been exercised in regard to these questions. He goes on:

How does that policy fit in with Mr. Bonar Law's dictum that a rise in the rate of wages would be the best measure of social reform?

Is such a veto calculated to inspire Imperial patriotism either in Canada or in the British democracy? The proposed present of three battleships to the British navy arose from the feeling of many Canadians that Canada should do something effective and do it quickly, but the inexorable truth is that naval aid is not a matter in which a Dominion, suddenly making up its mind, can do something effective and do it quickly. A simple grant of money is ineffective unless morally until the ships are built, which may be three years or more.

If money is required, Britain has more than any dominion and there is always the possibility, some of us think, of a tolerable certainty that in the end the Dominion's cheque would merely relieve the taxpayers

of Britain instead of ultimately increasing the naval strength of the Empire.

And he goes on presenting the views that he has long maintained and urged by pen and by voice, that the British Empire can only be maintained by the preservation of the autonomous rights of great self-governing nations within the Empire, and holding that the proposition made by hon. gentlemen opposite is a violation of that principle and is one that cannot result in good to Canada or to the Empire. So, the result is that as hon. gentlemen opposite have not taken part in this discussion, they have a tremendous lot to explain at this stage of the question. One question I have referred to which the Prime Minister has not explained, and that is as to where he stands in regard to the disposition of these ships. We at an earlier stage heard about the 'state of obsolescence.' The Minister of Marine and Fisheries told us that the ships we should build in Canada would be obsolescent before they were finished. I want some minister of the Crown to tell me this: Are these ships which the Government is going to have built in Britain to be obsolescent before they are brought back to Canada to form part of the Canadian navy? The Minister of Public Works has told us what would happen if we came into power. But suppose that the aspirations of the Minister of Public Works were attained, suppose that Canada were afflicted again with this Administration, either through the machinations of the Minister of Public Works or otherwise, and these ships are built, will these hon. gentlemen bring them back and make them part of the Canadian navy? That is what we want to know; that is what the country has a right to know. The Prime Minister dodged that, as I have said, by telling us what would happen if we were in power. But will not somebody on that side have the courage to tell us what will happen if they should be returned to power. Another thing on which information is desired is this: We have heard a good deal in the naval discussions about this memorandum; we are told that this Government is proposing this policy because of the memorandum from the Admiralty. Will anyone tell us why the hon. member for Jacques Cartier (Mr. Monk), then Minister of Public Works resigned his seat, as member of this Government before this memorandum came from England? If this Government had no policy on this question which could be embodied in a measure before this memorandum came, why did the ex-Minister of Public Works leave the Government? What can it mean but that the Government must have decided upon this policy of contribution before the memorandum came? And if they decided upon this policy before the memorandum came, what was the information before them, when they so decided? The Government's conclusion was arrived at before they received the measure which they have submitted to this House from the Imperial Government in regard to this matter. According to the traditions of this Parliament and of every English speaking parliament, when a decision is arrived at upon any great public question, much more upon a question of this kind, involving as it does, the settlement of the relations with the Mother Country for a long period of time, along lines which will be most disastrous to the Empire and to Canada, Parliament should be given the information upon which the Government has acted. Upon such a question for the Government not to afford us ample information is an injustice not only to the country but to themselves. If any hon. gentleman on the treasury benches deigns to discuss this question—and they must discuss it in view of the change of policy that has been announced by the Prime Minister—will he tell us, on what material they formed their policy previous to the receipt of this memorandum? Why have their press throughout the country attempted to mislead the people with the idea that they entered upon this policy because this memorandum came? The evidence before the House is that these gentlemen decided upon that policy without having regard to the memorandum. We have also some statements by the First Lord of the Admiralty indicating that he did not know what the policy of the Premier was to be when he left England. He has made in his speeches, notably in his speech of March 26, statements which it is the bounden duty of the Minister of Marine and Fisheries, if not of the Premier, to discuss and let us know where we stand in this Parliament in regard to the latest utterances of Mr. Churchill. The speech of my hon. friend the Minister of Marine and Fisheries was based entirely upon the assumption that the aid that was to be given to the Empire would result in concentrating the forces in the North sea. Some definite and positive statement is due to this committee and to the House and the country by some representative minister of the Government as to what the view of the Canadian Government is in regard to the changed policy of the Mother Country in this regard. If our ships are not to be placed in the North sea, is this idea of having a flying squadron, with Gibraltar as its base, a good one? If so, why is it a good one? What are the reasons which should influence the Canadian people in causing them to make this enormous contribution of $35,000,000 to the Mother Country when the journals expressive of public opinion in Great Britain assert that the Mother Country do not need the money? What justification is there for proposing this gift of $35,000,000 to be used in forming part of a squadron to be centered at Gibraltar? If there was an emergency; if there was any justification whatever for the proposition

that the fate of the Empire was to hang on some decisive conflict to take place in the North sea, we on this side of the House would be as ready to give the money as any hon. member in this House, but hon. gentlemen who have attempted an argument along those lines are in such a position as to justify the conclusion that all the views we have urged in answer to them must be absolutely correct. As a result of the discussion which has been carried on in this Parliament by hon. gentlemen on this side of the House, when we said to the ministers on the other side: 'You are wrong in respect of this idea that the fate of the Empire is to be decided by conditions in the North sea'; when we said that the expenditure of that large amount in the manner proposed was unnecessary, unwarranted and unjustified, the people of the country will be bound to say that the views of the Opposition upon this question were correct, and the views of the Government were absolutely wrong. The Admiralty has said so—not in the memorandum, not in any letter or any expression of opinion for which they were asked—but they have asserted their view upon it by a decisive declaration—by action. They have declared that no further additions to the fleet are required in the North sea, and that these Canadian vessels, when we get them, are to be put in this flying squadron. What is the interest of Canadians in this flying squadron? That is the point, I submit, upon which this committee is entitled to the fullest information. We on this side of the House think that Australia takes the right view when she says: 'We are going to police the Southern Pacific,' and we think that Canada's duty is to police the Northern Pacific. Although the danger from Oriental countries is not at present immediate, yet in time of peace you must prepare for war, and unless we now prepare for the situation which Australia anticipates and fears, and which will be just as acute even on the North Pacific as it will be for Australia on the South Pacific; unless we begin to do now what Australia is doing in the way of preparation, we will be unprepared when the time of trial comes. Is it not, therefore, of more importance to Canada as a whole that we should have the North Pacific guarded by the vessels which are to be built by Canada's money than that these vessels should form part of a flying squadron whose basis shall be at Gibraltar? The giving of these ships to form part of this squadron is a contribution which is entirely superfluous, and which does not meet any immediate need. It does seem to me that my hon. friend the Minister of Marine and Fisheries should frankly tell us what information hon. gentlemen opposite have in regard to this matter. We cannot assume that on this great question the Government obtained this memorandum from the Admiralty and stopped there. We cannot assume that these communications which came from Mr. Winston Churchill, and these gratuitous letters which it is now considered should never have been written, constitute all the information which hon. gentlemen opposite have. I assume that the Minister of Marine and Fisheries, as the Minister of Naval Affairs in this country, has in his possession, from the Imperial Government and from the First Lord of the Admiralty, some official letter telling him why they have changed their plans in regard to the disposition of these letters, and why they are to form a flying squadron. If there is such information, the Minister of Marine and Fisheries should give it to the country; if there is not, he should make a statement to the committee and tell us whether or not the English Government have given this naval proposal sufficient thought to warrant their saying anything to Canada on the subject. As a matter of fact, if the First Lord of the Admiralty undertook to provide for the disposition of these three vessels without consulting the Minister of Naval Affairs for the Dominion of Canada, he is guilty of another act for which he should be condemned by the English press quite as emphatically as he is being condemned on account of his expressions in the letter of January 24. Is it possible that the Admiralty, through its friends in this country and through its correspondence with the Canadian Government, led the Canadian people to believe that these vessels were to be placed in the firing line on the North sea, would change their policy and plans and never deign to communicate with this Government on the subject? I cannot believe it, Sir; it seems to me to be incredible. I submit that before this discussion proceeds, we should have a statement from the Minister of Naval Affairs in regard to the matter and if there is any correspondence it should be brought down.

We have had a lot of beautifully indefinite talk with regard to Imperial federation. Hon. gentlemen in this House and out of it quoted from Tennyson his lines about 'one flag, one fleet, one throne,' but what will the people of the country think of the statement of the Prime Minister this afternoon that these ships were not intended to form part of the British fleet? 'We have a string attached to these ships,' he says; 'they are not to remain over there; we can bring them back some day.' He carefully guarded himself against any admission that we were going to contribute permanently. Will the Prime Minister of this country stand up and make a statement to this committee or to the people of this country that he is in favour of a permanent policy of con-

tribution as a settlement of this matter of naval defence? If he is not prepared to do so, where are all these poetic statements to which hon. gentlemen opposite have referred. They have gone as a summer dream! Imperial federation is a beautiful conception—

Mr. SHARPE (North Ontario): Hear, hear.

Mr. MACDONALD: My hon. friend says hear, hear. I would like my hon. friend to go to the manufacturers of his constituency and say to them: I am in favour of bringing about immediately a condition under which there shall be formed an Imperial council to whom shall be given the power of declaring what the tariff of the Dominion of Canada shall be. My hon. friend, with other hon. gentlemen of this House, delight to talk of these beautiful nothings, but when they come down to practical politics, in which there is involved the proposition of Imperial federation and the idea of some central authority which will have power to direct the fiscal policy of these nations making up the Empire, they will not dare to stand to that position, either in this House or out of it. I venture to say that no hon. gentleman in the course of this debate will talk about Imperial federation except in that delightful, fantastic, high-flown way in which they can keep it up in the clouds, because they do not want to face the stern reality; it would mean that nine-tenths of the men behind the Government would not dare to go into their constituencies and declare that they were in favour of a proposition that meant that the control of the fiscal policy of this country would be transferred to an Imperial council.

We have learned a lot in this discussion since the 5th of December. Many ethereal things have been swept away and we are getting down to stern realities. Hon. gentlemen are beginning to appreciate the path lain by the right hon, the leader of the Opposition who long ago laid down the doctrine, to which thinkers and publicists all over the Empire have given adherence, that the British Empire cannot be preserved on the theory that a man living in Canada, Australia or South Africa, be politically subservient to the man who happens to be born in the part of the Empire known as the British Isles. It is long since the people of the Empire grasped the idea of the collection of nations, each one preserving its autonomous rights, each one developing its internal protection on land and its protection on the sea, each one going on, having regard to the varying positions, providing for its own prosperity, its own development of resources and its own march along the way of prosperity.

In that way alone can we have a collection of free peoples within this Empire which will always keep the tie strong, which will always keep the heart warm, whether in the northern clime or in the tropics, which will mean that every man, no matter in what dominion, will always ring true to the Empire and its need. That is the path which our great leader blazed, which today every man who studies empire problems, free from prejudice, realizes is the only one through which the Empire will stand. Hon. gentlemen may fool and quibble on this policy, their leader may declare that this not part of a contribution policy which he is propounding because he is not willing to declare that he is in favour of permanent contributions. There is only one way, as the Daily News of London says, by which the question can ultimately be settled and that is the way proposed by the right hon. the leader of the Opposition, and for that policy every Liberal in this House and in Canada stands with loyalty and enthusiasm.

Mr. ROGERS: As we do not appear to have any chance of making any progress, I beg to move that the committee rise, report progress and ask leave to sit again.

Motion agreed to, and progress reported.

On motion of Mr. Rogers, the House adjourned at 11 p.m.

HOUSE OF COMMONS.

TUESDAY, April 8, 1913.

The SPEAKER took the Chair at three o'clock.

PRIVATE BILLS.

FIRST READINGS.

Bill No. 165, for the relief of Otto Clarence Peterson.—Mr. Nesbitt.

Bill No. 166, for the relief of Archie Blaustein.—Mr. Fripp.

Bill No. 167, for the relief of Harold Moss Hampson.—Mr. Kay.

Bill No. 168, for the relief of Pierre Zénon St. Aubin.—Mr. Schaffner.

Bill No. 169, for the relief of Alexander Zépherin Gonier.—Mr. Guthrie.

VANCOUVER HARBOUR COMMISSIONERS.

On motion of Mr. Hazen it was ordered that the House go into Committee of the Whole to-morrow to consider the following proposed resolution:

Resolved, that it is expedient to pass an Act to regulate the harbour of Vancouver and incorporate the Vancouver Harbour Commis-

sioners, and to provide for vesting in the corporation so constituted all land and interest in lands within the limits of the harbour, heretofore vested in His Majesty, to be held for the purposes of such Act; and that the revenue derived from such water lots in the harbour as have been leased or otherwise disposed of to any persons by the Governor in Council, and all rates, fees and dues other than pilotage dues, sick mariners' dues and steamboat inspection fees, which are now payable to the Government of Canada in connection with the harbour, be paid to and retained by the corporation and form part of its general revenue under and for the purposes of said Act.

QUEBEC HARBOUR COMMISSIONERS.

On motion of Mr. Hazen it was ordered that the House go into Committee of the Whole to-morrow to consider the following proposed resolution:

1. Resolved, that it is expedient to provide that the Governor in Council may, from time to time, advance and pay to the corporation of the Quebec Harbour Commissioners, hereinafter called the Corporation, such sums of money, not exceeding in the whole the sum of three million five hundred thousand dollars, as are required to enable the corporation to construct such terminal facilities as are necessary to properly equip the port of Quebec.

2. Resolved, that during the period of construction of the terminal facilities mentioned in these resolutions the interest payable on the debentures receivable by the Minister of Finance in exchange for such advances shall be deemed to be money required to construct and to be part of the cost of construction of the said terminal facilities, and such interest may be paid out of the said sum of three milion five hundred thousand dollars.

3. Resolved, that the corporation shall upon any advances being made, deposit with the Minister of Finance debentures of the corporation equal in par value to the advance so made, repayable within twenty-five years from the date of issue, and bearing interest payable half yearly at the rate of three and one-half per centum per annum.

4. Resolved, that the principal and interest of any sums advanced under any Act founded on these resolutions, shall be payable by the corporation out of all its property, assets, tolls, rates, dues, penalties and other sources of revenue and income whatsoever, and shall be a charge thereon next after, and have precedence in regard to payment next after all debentures or bonds issued by the corporation amounting to the sum of one million one hundred and fifty thousand dollars, under chapter 48 of the statutes of 1898, chapter 34 of the statutes of 1899, and chapter 36 of the statutes of 1907.

NAVAL FORCES OF THE EMPIRE.

Consideration in Committee of Bill No. 21, to authorize measures for increasing the effective Naval Forces of the Empire—Mr. Borden—resumed from April 7. (Mr. Deputy Speaker in the Chair.)

On section 2:

From and out of the Consolidated Revenue Fund of Canada there may be paid and applied a sum not exceeding thirty-five million dollars for the purpose of immediately increasing the effective naval force of the Empire;

And the amendment thereto proposed by Mr. Guthrie:

That, after the word 'dollars' in the third line of the section, the following words be inserted: 'to be expended in Canada in the construction and equipment of naval forces as hereinafter set out.'

Hon. W. T. WHITE (Minister of Finance): Mr. Chairman, it is with some hesitation and reluctance that I rise to express my views upon this issue. Although this Naval Bill has been under consideration since December last, hon. gentlemen opposite have so frequently put forward the view that liberty of discussion is being curtailed, that, on this side of the House, out of a delicate consideration for that view, some of us have refrained from giving utterance to our sentiments upon the question. Hon. gentlemen opposite will admit that we have been very patient not only by day but by night.

Mr. BELAND: It was a regular treat for you.

Mr. WHITE: We have been sitting up with hon. gentlemen opposite listening to their entrancing eloquence upon this question; yet they complain that we have limited their freedom of discussion.

I may say frankly that it was not my intention to speak, because I do not believe in speech merely for its own sake. I think that everything that can be said upon this question has been said long ago either as to the proposals of the Government or as to the amendments proposed by my right hon. friend the leader of the Opposition, which in December last were supposed to represent the naval policy of hon. gentlemen opposite, Shakespeare, however, says 'It is a wise child that knows its own father.' My right hon. friend will be a wise father if he knows the child, the naval policy of the Liberal party as propounded by some of his followers.

I desire to approach this question as far as possible from a non-controversial standpoint, and certainly not from a narrow or acrimonious standpoint. I could have wished, although I did not hope, that my right hon. friend would concur in the proposals brought down by this Government, representing the views of the Admiralty upon the question of giving aid to increase the effective naval forces of the Empire. He has chosen, however, to take the opposite course. I believe that we have reached a momentous period in the affairs of the Empire, and that the action of Parliament upon this occasion will be one of those great

events which are dignified by the name of landmarks of history.

Since the Christmas recess, certain statements have been made by the First Lord of the Admiralty, the Right Hon. Winston Churchill, which have been called in question by hon. gentlemen opposite. For that reason and by reason of the speeches of my right hon. friend the leader of the Opposition and of my hon. friend the member for St. John (Mr. Pugsley) yesterday, I desire to occupy for a brief period the attention of the House in discussing those utterances, and also, if I may be permitted, in expressing my views upon the general issue which divides the parties upon this important question.

At the outset—because I think there has been a certain amount of misrepresentation as to the views of the Admiralty and the true position of affairs so far as this addition of Canadian ships to the British navy is concerned—I propose to read two statements made by the First Lord of the Admiralty, which I think have escaped observation, or at all events have not yet been referred to. They are of supreme importance as meeting the argument brought forward by hon. gentlemen opposite that there is no longer any need for any so-called contribution by Canada. In the speech delivered by the Right Hon. Winston Churchill on the last day of March, with respect to the proposal of the Government to give three dreadnoughts for the purpose of immediately increasing the effective naval forces of the Empire, he said:

> The three ships were absolutely required for the whole world defences of the British Empire apart from England. They would play a real part in Imperial defence; and, if they were not forthcoming, steps would have to be taken to fill the gap and the strain of the burden would have to be placed upon others.

What becomes of the argument that Canada's contribution is no longer necessary to increase the effective naval forces of the Empire? The British programme has been carried out. The proposals of Canada are known to the public of Great Britain and to the Admiralty. On the authority of the Right Hon. Winston Churchill, we are told that these three dreadnoughts are absolutely required, and that, if they are not forthcoming in accordance with the proposals of the Government, steps will have to be taken to fill the gap and the burden will have to be placed upon others. Does Canada desire to be placed in that position? Does this Parliament desire to place Canada in the position of refusing these three dreadnoughts after all that has transpired in connection with this proposal? He went further, and I think this is even more important, than his reference to the gift of the three ships, or the placing of these ships at the disposal of the Admiralty. As I pointed out, these ships are to remain vested in the Dominion of Canada, subject to recall by Canada at such times as she may require them, and in the meantime, are placed at the disposal of His Majesty for the common defence of the Empire, including, of course, the defence of Canada, Mr. Churchill referred not only to the gift of the ships, but to what is more important than these ships:

> The effect, however, would exceed that of three ships. We could build three ships of necessary, but the fact that Canada, a new nation, has come forward to justify the enduring life of the British Empire, would produce an impression throughout the world more valuable than many dreadnoughts.

My hon. friend from St. John, referred with some derision to the gift of the Malay States. I thought it was rather unworthy of my hon. friend—I do not mean that in any offensive sense. If the Malay States give a dreadnought, one of the best fighting ships in the world, to take its place in the British battle line, manned by British seamen and commanded by British officers, that ship will count equally with any other ship in the fighting line whether it be contributed by the United Kingdom, by Canada or by any of the other colonies. I am sorry that my hon. friend from St. John is not in his place, but if he were here I would say to him, that if the Malay States give a dreadnought for the common protection of the British Empire, they prove themselves, in so far as what they do is a proof, more patriotic than did my hon. friend when he was a member of the Government, for he contributed nothing and did nothing towards the common defence of the Empire. I think it comes with ill grace from my hon. friend from St. John or any other hon. member to speak in derision of the gift made by the Malay States at this time of pressing need of the Empire. The hon. gentlemen referred to the slender resources of the Malay States. So much the more credit to the malay States, if, with slender resources, they contribute a dreadnought to the common defence of the Empire. I repeat that it comes with ill grace from any hon. member of this House, or any other British subject, to cast derision upon the gift of the Malay States, contributed from the most patriotic motives to assist the Empire in the time of its pressing need. It was further stated by the hon. member for St. John, that instead of the ships of Canada being in the North sea as at first intended, they are to constitute part of the fleet at Gibraltar. The hon. gentleman knows little of naval strategy if he does not know that Gibraltar is the pivotal point where these ships can be used either in the Mediterranean or

in the North sea. Gibraltar is almost the point of honour of the whole world so far as naval strategy is concerned. Yet the hon. gentleman found reason to criticise the Admiralty, and by inference this Government, in the fact that these ships, instead of being placed in the North sea were to form part of a squadron with its station at Gibraltar. My right hon. friend the leader of the Opposition stated, from his standpoint, the issue between the two parties. I do not think he stated it correctly. I propose to state what I understood him to say and then try to define the issue which really exists between the parties on this great question. I understood the right hon. gentleman to say that the policy of this Government was one of periodical contributions or regular contributions to the naval strength of the Empire.

Mr. MACDONELL: That is what they all say.

Mr. WHITE: Yes, but that has been repudiated on many occasions by the Prime Minister himself. Why hon. gentlemen, in view of what has been said by the Prime Minister and by other members of the Government and their supporters on this side of the House, should persist in saying that this is a permanent policy and not a temporary policy passes my comprehension. It seems to me that it is most unfair to say it. The word of a member of this House, the word of the Prime Minister of this Government is entitled to credence. The Prime Minister has stated, not only once but on many occasions, that this is a temporary policy, that it has nothing to do with a question of a permanent policy; it is a policy undertaken in pursuance of the advice of the British Admiralty to meet the pressing need of the time. And what has the right hon. gentleman said as to the policy of the Opposition? In December last he laid it down that the policy of the Opposition was to create the two fleet units, one on the Atlantic and one on the Pacific, to be built, and operated by Canadians. Now I propose to show that the policy has undergone profound modification at the hands of his followers; and if you ask any member of this House to-day what is the Liberal policy with regard to the navy, he cannot tell you. Hon. gentlemen opposite can tell us what their policy is individually, but no man can tell us what their policy is as a party. What does that mean? In my judgment—and I mean no offence by it—it means that theirs is a policy in the first instance of political expediency.

Some hon. MEMBERS: Oh, oh.

Mr. WHITE: I repeat, it is a policy of political expediency.

Mr. BUREAU: Oh, oh.

Mr. WHITE: Let me ask my hon. friend (Mr. Bureau), in passing, if he ever knew of anything so sudden in his life as the change from the Liberal policy of 1909, 1910 and 1911 to the policy of constructing two fleet units, one on the Atlantic and one on the Pacific. I know of nothing to compare with their policy in sacred or profane history, except possibly it be the image Belshazzar saw in his dream. I do not call my hon. friend Belshazzar—that would not be parliamentary; he is a much better man. But the image in Belshazzar's dream—does the hon. gentleman recall it? Its brightness, he will remember, was excellent, and the form thereof was terrible. And it was made of various metals—there were gold, silver, a great deal of brass—but its feet were of clay. I am no Daniel come to judgment, but I am trying to interpret the hon. gentleman's policy, and the only thing that I can compare it with is the image in Belshazzar's dream, with a great deal of brass in it and feet of clay.

My right hon. friend is a great historian, and he was inclined yesterday to go into historical matters. He was rehearsing the facts that led up to this naval policy, and was, of course, putting upon them his own construction. I propose also to be historical, and to test what my hon. friend claims to be his naval policy by referring to what he did—because I believe in actions rather than words. I propose to take the words of my right hon. friend, and to contrast his statement that the principle of the establishing of two fleet units, one on the Atlantic and one on the Pacific, is the Liberal policy of to-day, with what he actually did, in order to see if this policy is the real policy of the Liberal party, or whether it is but a make-believe for purposes of political expediency. The starting point was the unanimous resolution of 1909, of which we have heard so much, and the second paragraph of which embodied the following words:

> The House is of opinion that under the present constitutional relations between the Mother Country and the self-governing dominions the payment of regular and periodical contributions to the Imperial treasury for naval and military purposes would not, so far as Canada is concerned, be the most satisfactory solution of the question of defence.

Who ever said it would be the most satisfactory solution of that question? Is there, in the Bill brought down by my right hon. friend to provide for increasing the effective naval forces of the British Empire, a single word or syllable or letter indicating that we are about to make the payment of regular or periodical contributions to the Imperial treasury? There is not one word whatsoever.

Mr. NEELY: We have arguments to back up our claims.

Mr. WHITE: I have listened to my hon. friend at morn, at dewy eve, and through the still watches of the night, and I am sure all hon. gentlemen will agree that he might have taken advantage of a previous opportunity of demonstrating this without interrupting at the present time.

Some hon. MEMBERS: He did.

Mr. WHITE: I defy any hon. gentleman who can read and understand the English language to say there is one word in the Bill now before the House in contravention with the principle enunciated and laid down in the resolution of 1909. Further, I desire to say I am entirely against a policy of periodical or stated contributions—

Some hon. MEMBERS: Hear, hear.

Mr. WHITE: —and that has been the policy of the right hon. Prime Minister from the beginning.

Some hon. MEMBERS: No.

Mr. WHITE: If in 1909 my right hon. friend had contributed two dreadnoughts, following the example of New Zealand at that time in contributing one battleship, he would have saved himself a great deal of the trouble which he has since experienced. The moral effect of two dreadnoughts, as would the moral effect of three dreadnoughts, would have gone a long way to put an end to the European armaments of which we have heard so much. My right hon. friend could then have taken his time to work out his permanent policy. What was the condition in 1909? Referring to the German expansion, Sir Edward Grey, a man who justly enjoys the confidence of both political parties in England, and who is recognized as being one of the best foreign secretaries Great Britain ever had, said in March, 1909:

> That imposes upon us the necessity of which we are now at the beginning—except in so far as we happen to have dreadnoughts already—or of rebuilding the whole of our fleet.

Referring to the increased armaments on the continent, he said:

> We are under the necessity of rebuilding the whole of our fleet. That is the situation. What we do not know is the time within which we shall have to do it. That is the element of uncertainty.

A great deal of attention at that time, in Great Britain and throughout the world, was focused on the increase of armaments in Europe. A resolution was brought forward in this House—and by the way I notice that that resolution in the House of Commons was moved by the then hon. member for North Toronto (Mr. Foster). As I have said, a great deal of attention was at that time being directed to the question of European naval armaments, and there is no doubt that public opinion throughout the Empire was very considerably excited. What happened? New Zealand sprang forward and said: we will give you a dreadnought. As I listened to the statements of hon. gentlemen opposite with regard to the violation of the principle of autonomy and the right of self-government; when I heard of the humiliation involved in Canada's making a contribution for the purpose of increasing the effective naval forces of the Empire; when I recall how the action taken by New Zealand at that time was applauded throughout the whole Empire and favourably noted throughout the world, I often wonder if hon. gentlemen opposite are really sincere when they talk about the violation of the principles of autonomy and local self-government. New Zealand came forward and contributed a dreadnought; New South Wales said: We will give you a dreadnought, and if you want another we will give you that also. New Zealand has given her dreadnought, and yet no violation of autonomy is involved in that course; I have never heard that New Zealanders were humiliated because at the time of the Empire's need, when it was apparent that naval armaments in Europe were increasing, she came forward and said: we will give a dreadnought. It is one of the golden deeds in the history of the Empire, so far as New Zealand is concerned. Let me call the attention of hon. gentlemen to this clause of the resolution to which I have referred:

> The House will cordially approve of any necessary expenditure designed to promote the speedy organization of a Canadian naval service.

I desire to specially call attention to that word 'speedy' because it seems to have struck the fancy of the hon. member for Pictou. Hon. gentlemen opposite from the beginning have laid down the principle that they have been carrying out the terms of this resolution; in other words, they consider that their naval action since 1909 has been speedy. I propose to develop this idea just a little to see how speedy they were, and whether the organization, when it was accomplished, could be considered a speedy organization, or not. Now, my right hon. friend went ahead with his naval policy. He sent two members of his Cabinet to the Imperial Conference of 1909. I want to call the attention of my right hon. friend to this: I have stated that the increase of foreign naval armaments were giving a good deal of concern at that time, and my

right hon. friend was aware of that. He had before him the resolution in which it was recommended that there should be a speedy organization of a Canadian naval service, and as I have stated, he sent two ministers to England. What was the recommendation of the Admiralty at that time? The Admiralty's recommendation in substance, was that there must be a fleet unit, that is to say, there must be a dreadnought and three cruisers, I think of the Bristol type, and an attendant flotilla. What did the members of my right hon. friend's Cabinet do when they went to England? It is all set out in this report. I am not going to read it, but I am going to tell what happened. The British Admiralty said to them: We cannot give you a plan unless you tell us how much you are prepared to spend. They said, oh, say $2,000,000 or $3,000,000 annually; let us have what you can give us for that. The Admiralty said we cannot give you a fleet unit; true, we recommend a fleet unit. My right hon. friend's ministers said, do you think you can give us something that we can distribute partly on the Atlantic and partly on the Pacific—of course they are nearly 3,700 miles apart—so that they could mobolize quickly? Now, in regard to the naval defence of the Empire, that was practically the position taken by the two members of my right hon. friend's Cabinet when they were in Great Britain at the time of the Imperial Conference in 1909. What did the Admiralty say? They said, if you are prepared to spend a couple of million dollars, or probably more a year, and if you want this fleet distributed on the Atlantic and Pacific coasts, the best we can do for you is to recommend that you take four cruisers, and put two on the Atlantic coast and two on the Pacific. The Admiralty did not say what they thought of it as a matter of naval strategy. They said, you want to spend so much money, and you can put a couple of cruisers on the Atlantic and a couple on the Pacific. That was the intention of my right hon. friend (Sir Wilfrid Laurier) though not carried out, mark you; but it was his intention from what I have heard. Now, what else happened? They acquired the Niobe and the Rainbow. They were in power from the time the resolution was passed in March 1909, until September or October, 1911, a period of two years and six months, and I have called attention to the fact that the resolution called for the speedy organization of a Canadian naval service. What was the situation at the time when we took power? If war had broken out between Great Britain and any other first-class power in 1911, notwithstanding the resolution calling for the speedy organization of a Canadian navy, the solemn fact was that Canada would have had the little Rainbow with a captain and an English crew on the Pacific coast, and the Niobe in dry-dock in Halifax with $250,000 worth of damage to her hull.

It gives me no pleasure to refer to this matter. I have heard hon. gentlemen on the other side of the House taunt hon. members on this side. I think my hon. friend from Pictou (Mr. Macdonald) spoke sarcastically of the decent Canadianism of hon. members on this side of the House in proposing a policy that would be of real help to the Empire at this present juncture. I have heard my hon. friend from West Lambton (Mr. Pardee), a good Canadian, talk about a policy that would permit of Canadians holding up their heads. What have we to say of a policy which in two years and six months produced the situation I have described? Was it a better situation than the situation that we propose, so far as increasing the effective naval forces of the Empire and affording defence to Canada in common with other parts of the Empire, is concerned? Was theirs a policy in connection with which Canadians could hold up their heads in its results or was it not? There is a national pride, and there is a pride in the Empire, just as there is an individual pride. I desire to say to my right hon. friend that I realize the difficulties he had to contend with, and I am willing to give him credit for having made a start. I have no desire to deprive him of that credit. To a certain extent, I think he hesitated to take to the water, but when he was pushed in, he started to swim. He undoubtedly struck out. True, he did not make a very successful swim, as I have indicated, but I repeat, I do not want to deprive him of the credit of having made a start. I do say, that his policy did not commend itself to the imagination of the Canadian people, because in its results, it was, as I have indicated. Having regard to the fact that Australia had contributed £200,000 per year—there was no question there of violation of autonomy; no question violating the rights of self-government; no question of humiliation because Australia had done that—having regard also to the fact that Natal had contributed, that Cape Colony had contributed, and that even Newfoundland had contributed, while Canada had practically done nothing, it did cast a certain amount of humiliation upon the Canadian people, and therefore I say, the policy of the Liberal party did not commend itself to the imagination of the Canadian people. We might just as well face that fact.

Mr. TURRIFF: Why not face it?

Mr. WHITE: We are told that this policy is a humiliating policy; we have heard them say that over and over again. I desire to repeat that the policy of my right hon. friend (Sir Wilfrid Laurier) in its results and effects, was not a policy of which the Canadian people ever felt proud.

Mr. Chairman, this debate had wandered very far afield indeed. We have heard a great deal about autonomy, and about the rights of self-government. We have heard a great deal about Nationalism, and about a permanent policy. I propose to return to the Bill itself, and to consider what it proposes to do, and whether the action proposed is justifiable in all the circumstances of the case, having regard to the memorandum of the Admiralty which was laid on the table by my right hon. friend the Prime Minister, and to the facts disclosed by him and by others in connection with this matter. What does the Bill propose? It proposes to devote $35,000,000 from the Consolidated Fund of Canada for the purpose of building three dreadnoughts, or three battle cruisers to be placed at the disposal of His Majesty for the common defence of the Empire. The question at once arises as to whether such aid is needed at the present time. That is question No. 1; and question No. 2 is, whether it is the most effective way of giving aid to the Empire; and, thirdly, whether Canada owes it as a duty to the Empire and to herself in the premises. We have to consider the question of the Empire and question of Canadian defence. What is the present position of the Empire, and what is Canada's duty with regard to it? I shall not repeat at too great length what has been said in this respect, but we know that while the British Empire, is the greatest Empire that the world has ever seen, either in extent of territory or in wealth or in influence, it differs from all other empires in this that its different parts are scattered over the continents and islands of the world. That being so, of course sea power is absolutely indispensable to the British Empire, not only sea power but control of the sea; invincibility is a quality that must attach to the British navy. The high seas are to Great Britain what the highways and railways are to the continental nations of Europe. Great Britain must always maintain control of the sea. There is no half way about it; it is life or death to Great Britain. Great Britain must either control the sea or the Empire must dissolve. The navies of other nations may be destroyed and these nations may still live, but if you destroy the British navy, the British Empire perishes and the various parts of the Empire are dissolved. We have heard a good deal of talk which would seem to indicate that the British Empire is an outside thing, a foreign thing, an exotic thing. Why, the British Empire is our Empire and I do not think that we should be backward at a time of need about coming forward with our offering. The British Empire is our Empire and, in contributing to the defence of the Empire, Canada is contributing not only to the defence of the Empire but to the defence of Canada and every other part of the Empire.

Practically, the alpha and omega of British naval strategy is the supremacy of the fleet, and that applies also when we consider the question of establishing a permanent navy in connection with any of the dominions. If Australia is considering the establishment of a navy of her own, she must depend upon the British fleet to keep control of the sea if her own fleet is to be effective at all, so that it comes down, not only to Canada but to every other part of the Empire being vitally interested in the supremacy of the British fleet.

What is the position of Great Britain to-day as to naval preponderance? My right hon. friend the leader of the Opposition has said that England is always England, and England, in a sense, is always England, but England will only be England if the other parts of this great Empire are willing to do their share,—it may be in such a way as they may decide. England is only England to-day because of what her valiant sons have done in the past. England will not continue to be England unless every part of the Empire will do its part. I will agree that the different dominions of the Empire may do their part in such ways as they see fit, but England will not remain England unless they do their part as manly Englishmen have always done. My right hon. friend has said that there has been no change in the position since 1909. But we find that the First Lord of the Admiralty says that there has been a very profound change in the situation since 1909. My right hon. friend shakes his head. The First Lord of the Admiralty calls attention in the memorandum to the effect of the fifth German naval law to which he referred in his speeches in 1912. He says:

> The main feature of that law is not the increase in the new construction of capital ships, though that is important, but rather the increase in the striking force of ships of all classes which will be immediately available at all seasons of the year.

The right hon. gentleman says: Why depart from the policy laid down in the resolution of 1909? I say that one reason why we adopt this policy at the present time is that the situation has profoundly

changed since 1909. My right hon. friend the leader of the Government went to consult the British Admiralty as to the position, and, let me ask this House, whom should he go to consult if not the British Admiralty in regard to the position? Where else would you go to obtain information as to the condition of British Imperial naval defence if not to the Admiralty? All kinds of suspicion have been cast by hon. gentlemen opposite upon the trip of my right hon. friend to Great Britain in connection with this mission. It was said that my right hon. friend and his colleagues had made up the mind of the British Admiralty. My hon. friend from Halifax (Mr. Maclean) even said that they had employed duress as against the Admiralty and that means, as pointed out by my hon. friend from Calgary (Mr. Bennett), that they had actually threatened them with imprisonment. What does the First Lord of the Admiralty say in regard to that? When the Morell motion came up in the British House of Commons he said: I had no idea whatever as to the scheme of the Canadian Government or what they proposed, and when the leader of the Government left England he had no idea at all what proposals he would bring down to this Parliament. Then, what becomes of the discussion as to the methods employed by the members of this Government who went to England? Where else would they go but to the Admiralty? There was no other place to go but to headquarters and obtain the information as to the condition of the Empire's defences and act accordingly.

My right hon. friend (Sir Wilfrid Laurier) has stated that England is always England. Is England the England to-day that she was a generation ago, or when my right hon. friend was a boy, in regard to relative naval strength? During the whole of last century Great Britain maintained a two-power standard and ten per cent over and she was supreme at sea. But, on account of the vast increase in the armaments of the United States, Germany, Japan, Austria and Italy, Great Britain has had to diminish that naval supremacy to a sixty per cent standard over her next strongest competitor. What is the result? The memorandum says that the ships of Great Britain have had to be partially withdrawn from the great stations of the world and as a consequence these stations have been weakened. The naval force has been weakened on the China station, at the Cape, at Gibraltar and in the Mediterranean and it has been concentrated very largely in the North sea. That is the position, and the Admiralty taking cognizance of that, and being asked by my right hon. friend the leader of the Government as to what was the best policy, after giving the matter its very best consideration, says:

> The Admiralty set the greatest store by the important material, and still more important moral assistance which it is within the power of Canada to give to maintaining British naval supremacy on the high seas, but they think it necessary to disclaim any intention, however indirect, of putting pressure upon Canadian public opinion, or of seeking to influence the Dominion Parliament in a decision which clearly belongs solely to Canada.

Yet, we had the hon. member from South Renfrew (Mr. Graham) talking about autonomy and going back seventy years to the Family Compact and Government by Downing Street. They specifically disclaim any intention of putting pressure on Canada and they say that they are quite prepared, if necessary, to maintain the whole burden themselves as they have done for many years in the past. Then what is their recommendation? Having given the matter the most profound consideration, they say:

> The Prime Minister of the Dominion having inquired in what form any immediate aid that Canada might give would be most effective, we have no hesitation in answering after a prolonged consideration of all the circumstances that it is desirable that such aid should include the provision of a certain number of the largest and strongest ships of war which science can build or money supply.

I have shown the condition of British naval defence and I am not going over again the details of the increase in the armaments of the nations of Europe. I have shown the policy of my right hon. friend the leader of the Opposition and I have shown the policy —the temporary policy—of my right hon. friend the leader of the Government, and it is a policy which is based on the memorandum and advice of the British Admiralty. I maintain that the policy, which we confidently submit to this House and the country, is a sound policy at this particular time. It provides for the invincibility of the British fleet, and it will help to the extent of these three battleships to make the British fleet invincible on the sea. It is a policy which gives time to the country to consider what policy it may best adopt in connection with the defence of its ports and the development of its local navies; it means real tangible help; it is not a makeshift policy; it is a real policy and it has appealed to the people of this country and to the people of this Empire.

Some say let us have no more war; and so say I; but we are confronted with a condition, and not with a theory. In the last fifteen years there have been some of the greatest wars in the world's history, and even at this very moment a great war is proceeding. In 1898 there was the Spanish-American war, and in 1899, the Boer war, to which my right hon. friend the leader of the Opposition when Prime Minister sent Canadian soldiers. Let me ask him if there was any violation of Canada's

autonomy in sending these brave boys abroad to fight the battle of the Empire and of Canada as a part of the Empire? Surely no one will say to-day that our autonomy was in any way affected by that. And what violation of our autonomy is there in our contributing three battleships to take their place in the battle line for the common defence of the Empire. As I have said, we have had the Boer war, the Russo-Japanese war, the war between Greece and Turkey, and at this very moment rages the Balkan war which all the nations of Europe have sought unsuccessfully to avert. We may deplore war, but war we will have with all its attendant horrors and all its heroism and patriotism as well. To-day as always, the saying is true: the best way to ensure peace is to prepare for war. I was surprised to hear my hon. friend from Red Deer (Mr. Clark) go back on the naval policy of his leader. His leader came out for two fleet units, one on the Atlantic and one on the Pacific, and the hon. member for Red Deer, for whose intellectuality I have the greatest respect, came out in favour of no naval policy at all. He told us that his four sons, all six-footers, would be available for the defence of the Empire, but he was unwilling to subscribe to the policy of his leader for a fleet unit on the Atlantic and on the Pacific. He told us that the motto: if you wish peace prepare for war was heathenish, and his version of it was: if you wish peace prepare for peace; do away with all your armament; no fleet unit on the Atlantic and no fleet unit on the Pacific for him. Then the member for Assiniboia (Mr. Turriff) is a most lukewarm supporter of the fleet unit policy of his leader; he seemed to have a sort of political hydrophobia, he was afraid of water; one would judge from his remarks that if there was anything like an amphibious navy that would be the navy for him. The hon. member for Moosejaw (Mr. Knowles) and other hon. gentlemen opposite indicated that they were opposed to the fleet unit policy either on the Atlantic or on the Pacific and they also disagreed from their leader. The hon. member for Halifax (Mr. Maclean) one of the leading men in the Liberal ranks, had another policy; he said there was no hurry about it; we could take our time; we did not have to establish a fleet unit at once; we could think it over for a number of years and then we could decide what to do. After all, is it not plain that the naval policy of hon. gentlemen opposite is a make-shift policy, a policy of expediency. Well, the country will judge as between the policy of gentlemen on the other side and the straightforward, manly, empire policy of the Conservative party.

Mr. WHITE (Leeds).

Mr. TURRIFF: Give them a chance to judge.

Mr. WHITE: The country has judged.

Mr. LALOR: The country judged all right.

Mr. TURRIFF: Did they elect Mr. Pelletier on that?

Mr. LALOR: They elected him all right.

Mr. WHITE: The strongest objection against our policy urged by the Opposition is that it invades the autonomy of Canada, and let us see as to that. Autonomy is the right of self-government, and what violation of the right of Canada's self-government is there in this legislation. Who votes this money? Parliament, the representatives of the Canadian people in the Canadian Parliament vote this money. Is there any compulsion, any coercion from outside? There is none. And yet the hon. member from Westmorland (Mr. Emmerson) talks about Boston tea parties and reads the Declaration of American Independence in this House.

Mr. LALOR: Shame !

Mr. WHITE: My right hon. friend the leader of the Opposition does not know what was going on in this House during the night sessions when he was absent; it is a serious thing for the right hon. gentleman to leave his place in this House, and he did a very indiscreet thing when he remained away. During these night sessions we had the hon. member for St. John (Mr. Pugsley) playing the role of Phaethon and trying to drive the chariot of the Sun, in the absence of the right hon. leader of the Opposition who is the real charioteer. And what happened to this pseudo Phaethon? The Phaethon of Mythology, by unskilful driving, drove his father's chariot too close to the earth, scorched the earth and left pestilence and plague in his train? In the absence of the real political Helios the hon. member (Mr. Pugsley) played the Phaethon of the party, and as the mythological Phaethon nearly destroyed the earth so this modern Phaethon nearly wrecked the Liberal party.

Mr. CARVELL: He came nearly wrecking the Government.

Mr. WHITE: It is a curious fact that we never see ourselves as others see us, and the hon. member of St. John (Mr. Pugsley) instead of looking upon himself as a Phaethon, no doubt considered himself as Horatius at the bridge. I wonder what Helios thinks of him? We have been very solicitous about my hon. friend from St. John (Mr. Pugsley) since a certain event took place in this House but the hon. gentleman seems to be coming back to

his old self again and to have resumed his normal complacency. So much for all the delirious talk that was indulged in here, and what else but delirium would have driven the hon. member for Westmorland to read the Declaration of American Independence in this House? Was there any reason for this action in connection with this Bill; this Bill which proposes to take $35,000,000 voted by the representatives of the people of Canada, without coercion, without compulsion and without suggestion, and devote it to increasing the effective naval forces of the Empire?

Sir WILFRID LAURIER: Do you say without compulsion?

Mr. WHITE: Without compulsion, without coercion, and without even suggestion. Why, hon. gentlemen opposite are not treating seriously the intelligence of the Canadian people when they indulge in such talk.

Mr. TURRIFF: Consult them.

Mr. WHITE: They have been consulted.

Mr. TURRIFF: Never.

Mr. WHITE: The Canadian people have been consulted.

Mr. BELAND: Look at the Citizen.

Mr. WHITE: So much for autonomy, and let us come to another objection taken by gentlemen opposite. They say: Let us build the dreadnoughts but let us build them at once in Canada. Again I have to refer to my hon. friend from Red Deer. I like my hon. friend (Mr. Clark) but I must say he has exemplified to us the astonishing effect of party feeling and party prejudice upon a purely intellectual character. The intellectual man sees things as they are, without prejudice, or feeling, or bias, and my hon. friend from Red Deer is a free-trader; he is the apostle of Adam Smith he is a graduate of the Manchester School. I thought that free trade had entered to such an extent into his being and into the very fibres of his intellect that nothing but the dissolution of his being or the dethronement of his intellect would separate him from his free trade views. Why my hon. friend has enunciated time and again the principles of free trade, the great irresistible principle of buying in the cheapest market and selling in the dearest. Where do we find him on this occasion? I could almost see, when he was speaking, the shade of Adam Smith standing over him with dejected mien and folded arms weeping over his fallen son. Here is the apostle of free trade talking about building dreadnoughts expeditiously here, bringing all the materials here, bringing all the workmen here—the man who all his life has held the view that you should buy in the cheapest market and sell in the dearest. It only goes to show what an influence party feeling has upon an otherwise intellectual man. It shows that the locks of Samson have been literally shorn by the party Delilah. My hon. friend is now one of the most reactionary men possible in matters of trade policy. When he again enunciates the principle of free trade, all that we shall have to call his attention to are these serried hordes of workmen going into the Glasgow shipyards and his desire to have them shipped over here as soon as possible. His position is over here. He is a protectionist of protectionists.

Mr. TURRIFF: Your position is over here so far as the navy is concerned.

Mr. WHITE: We come now to the question of building the dreadnoughts in Canada. Nobody has a higher opinion of Canadians in any walk of life than I have. It is no disparagement of Canada to say that, having no shipyards here and Great Britain having had shipyards for hundreds of years, we cannot immediately go to work and, inside of two or two and a half years, build three great dreadnoughts, hull, armour plate and all the completed machinery, guns and gun mountings. What else did Winston Churchill say? Nothing else at all. In his letter he said that dreadnoughts cannot be expeditiously built in Canada. Why did my hon. friends opposite not build the Rainbow in Canada? Why did they not build the Niobe in Canada? Why did they not build in Canada all the ships they have bought from Germany and England in the past ten years? This is a very sudden conversion to Canadian ship-building. They have instanced a steel plant at Sydney. I ask hon. gentlemen opposite if they are serious in that? How did that steel plant begin? It began with manufacturing pig iron, then it manufactured steel billets, then steel rails and wire rods. It was years before that plant was in a position to turn out steel rails and wire rods. Does anybody suppose that, if you establish a ship-building plant in Canada, you will immediately be in a position to turn out dreadnoughts? Who is going to supply the capital to start the yards, $50,000,000 or $75,000,000? Who at this time is going to finance a company to build dreadnoughts, to construct gun mountings, guns nickel steel armour and so on. Does anybody suppose for a moment that we can do that? Of course we cannot. Suppose you go to a company to-day and ask them for a plant to construct dreadnoughts, they will say: how many dreadnoughts are you going to construct? Well, we are going to construct three. What about the future? Do you want ten, fifteen or twenty dreadnoughts? Is that in the minds of hon. gen-

tlemen opposite? If you do not propose to do continuous dreadnought building, who in the world will establish a plant in Canada for building three dreadnoughts? The policy of my right hon. friend (Mr. Borden) is the true policy. In co-operation with the British Government, he proposes to build dry docks to make a start, and to build light cruisers and the smaller vessels first, with the idea of ultimately building up a great ship-building industry in this country. That is the way that every great industry is built up.

Mr. MACDONALD: Are those small cruisers which the Government is to build to form part of a Canadian navy?

Mr. WHITE: So far as I understand what my right hon. friend said, the British Admiralty would give orders for the building of small vessels in Canadian shipyards. Whether those yards will ultimately build for a Canadian navy, I am unable to say. I myself have never disparaged in the least degree a permanent policy if the people of this country desire it. Local navies may have their place; but a local navy is useless as a shield and buckler against an attack from a European or Asiatic power unless you have the British control of the sea.

Mr MACDONALD: Are you in favour of contribution?

Mr. WHITE: I cannot understand why hon. gentlemen opposite quibble about the matter at all. The first thing to do is to make supreme that British fleet which controls the sea. Then you can take your time and lay out your policy.

Mr. MACDONALD: When are you going to begin?

Mr. WHITE: What use will be the Australian naval organization against any great navy except for the fact that Great Britain controls the sea? If there is any danger, and we say there is danger to the British fleet, to its supremacy, then first, before we do anything else at all, we must help it to make that fleet invincible.

Mr. CARVELL: Does the minister say that?

Mr. WHITE: Certainly.

Mr. CARVELL: Does the hon. minister say that there is danger to the supremacy of the British fleet?

Mr. WHITE: I have shown that the policy of Great Britain during the last century was two to one and ten per cent over. I have pointed out that, on account of the increase in armaments, the rise of other great nations, and especially the construction of dreadnoughts which are so superior to the other vessels of the British fleet, Great Britain is maintaining a bare sixty per cent superiority, and I say that is not enough.

Mr. PARDEE: Come back to Churchill.

Mr. WHITE: It is very curious, but, until the Prime Minister read the letter, Winston Churchill was the favourite author of the Liberal party. They would say that the Hon. Mr. Asquith said this, and then they would read that the Hon. Mr. Winston Churchill said that. They asked us who wrote this letter? Who signed it? It must have been some shipbuilding firm. They did not seem to think we could get a statement in regard to the building of ships unless there was a campaign fund in connection with it. They said, who signed the letter? Why, it must have been a shipbuilding firm. Surely it cannot be authentic. When finally, the communication being absolutely confidential, the long suffering, long enduring, patient Prime Minister got permission to make the letter public—well, you know the effect upon the hon. gentlemen opposite.

Mr. TURRIFF: Did the hon. the Prime Minister have the authority when my right hon. friend asked him to place the letter on the table?

Mr. WHITE: No, he had not.

Mr. TURRIFF: He said afterwards that he had.

Mr. WHITE: No, he said that the message had not been translated. I can quite understand why my hon. friend feels so sensitive about it.

Mr. TURRIFF: I shall deal with that later.

Mr. WHITE: Here he was in full flow of eloquence, a full house—I must say that he was very courteous in taking his seat in order that the Prime Minister might read the letter. By reason of that courtesy he did not lose anything in the estimation of this House. He rose and did the best he could afterwards; I will say that for him. It was about the best that could have been done by any hon. gentleman opposite, but, of course, it could not be logical and sound. Here they had been crying, almost weeping, they had certainly been declaiming—that the Prime Minister was actually withholding a document. They wanted to know, was it an authentic document? Was it signed by anybody in authority? Was the British Government connected with it, or was it sent in by a ship-building firm? At last they got it; and the effect reminded me of nothing so much as the old Persian tale of the man who, beating a thicket for deer, stirred up a tiger.

Mr. hon. friend from South Wellington (Mr. Guthrie) makes a strong speech upon occasions. His style has a good deal of virility; he is a man himself of strong mentality. If he only had a touch of imagination—he sometimes refers to a hesitation on my part when speaking in cathedra, not ex cathedra; but he may develop imagination in time, especially through the discussion of proposals of this kind which in themselves are a liberal education. The hon. gentleman moves an amendment to provide that the money must be spent in Canada. I am in favour of spending every dollar that can be spent in Canada advantageously, or even possibly, to get results. But I have shown that you cannot build dreadnoughts expeditiously in Canada, and the hon. gentleman knows it. It would come with bad grace from this House, if we could get dreadnoughts built expeditiously in Great Britain, that we should be overscrupulous about giving an order for these ships in Great Britain. From the financial standpoint alone, the matter is worthy of consideration. I wonder if the hon. gentleman has overlooked the fact that the great prosperity of this country is dependent on two things mainly in recent years: first, the flow of immigration from Great Britain, and, second, the flow of capital from Great Britain. We have received not less than $2,500,000,000 from Great Britain altogether, and fully $1,000,000,000 in the last five years.

Mr. CARVELL: Are we not paying for it?

Mr. WHITE: Another gentleman without imagination. If I could only see his face light up once in a while, he does not know how happy it would make me. Paying for it? Why, the hon. gentleman can learn something even from me. Let me tell him, not a little good-will goes with the investment of money—'kissing goes by favour.' Canadian investments on the part of British investors have been not by reason only of the fact that this country has been growing, but there has been in them a large element of British goodwill. If my hon. friend wants to chill that good-will, one of the best things he can do is to over-emphasize the fact that this country is unwilling to give an order for three dreadnoughts to Britain; and this is a pretty serious phase of this discussion at the present time. I would not like the people of Great Britain to get the idea that, after a memorandum from the Admiralty expressing the needs of the British people at this time, showing that forces of the Empire had been weakened in the manner I have indicated, this Canada of ours was going to be a shirker or a funker, or a sponger. I think that even from the lowest standpoint, the practical material standpoint, we must consider that. This policy of ours is inspired by profound views and opinions on this side of the House that we owe this to the Empire at this juncture. We are willing to do it, and the people of Canada are willing to do it. We have heard the challenge of a general election. I think I know the people of Canada fairly well, and I would not ask a better issue to go before the people with than the question of whether Canada shall respond to the memorandum of the Admiralty to assist to the extent of her ability in increasing the effective naval forces of the Empire, upon which the safety of the Empire and of Canada, always a part of the Empire, must depend.

The hon. member for West Lambton (Mr. Pardee) is a good Canadian with a Canadian face. I always listen to him with great interest, as a good type of Canadian. But I was struck with what I might call the sanguinary character of his address. One word ran through it till my hair almost lifted: 'blood.' He said we were not giving any blood. He wants to shed blood; nothing would do him but blood. I do not know whether he sees bloodshed in what is called the Laurier naval policy; for there was not bloodshed in it, nor likely to be, because if the principal vessel is in the dry-dock. I do not see how it could get into action. Besides there is the doctrine that Canada can withhold the navy from taking part in the war, and so blood-letting would be absolutely impossible. The hon. gentleman was in favour of the shedding of blood. I do not know whether he wanted to shed his own blood or that of others, but he was in a sanguinary frame of mind. Now, we do not want to lose good Canadians like him from this House.

Mr. TURRIFF: No danger.

Mr. WHITE: No danger under your policy, that is true. But the hon. gentleman wants to shed his blood in some naval expedition with other Canadians. His place is on this side. We give these three dreadnoughts to increase the effective naval forces of the Empire, and, as Mr. Churchill shows, the mere offer of these ships from a great country like Canada will have a profound effect—to prevent the necessity of blood being shed.

Then, there is my hon. friend from Edmonton (Mr. Oliver). He spoke before the holidays, and there was no man on this side who knew the whole gospel of naval defence or conditions in Great Britain as he did. He spoke as though from his youth up he had been trained in that gospel. He went the limit. He said:

For many years the British Islands were protected by the narrow seas and the British dominions were protected by the width of the ocean, but to-day we must recognize the

fact that it is merely a matter of time when the millions of men who are or can be placed under arms in Europe at practically a moment's notice can be transported over sea as quickly and as certainly as may be necessary to carry out the will of the nation to which they belong. There is no purpose in Canada ignoring this condition of affairs. It does absolutely exist, and the question is what interest has Canada in it.

The hon. gentleman has the light, and, if he sins, he sins against the light. As he spoke I noticed a real look of apprehension on the face of his colleagues, and had he been content to continue his own course, we might have expected him to come over to this side. Years ago I knew the hon. gentleman only from caricatures. They used to picture him as a western broncho—I mean no disrespect. Here he saw the condition of the Empire in relation to naval affairs, and he was just about to take the fence and get out of the corral, when the party halter fell upon his shoulders and he was led back and came out for a little navy. There is no excuse for my hon. friend from Edmonton, because he sins against the light, although others do not see it as well as he does.

Mr. OLIVER: What was the sin ?

Mr. WHITE: My hon. friend is not so obtuse as to fail to realize that the situation is this. In view of the conditions which I have disclosed, does my hon. friend mean to say that as a Canadian he will sit in this House and say he will not act on the advice of the Admiralty and contribute to the effective naval forces of the Empire ? My hon. friend said this in his speech. He knew the danger; it is there; and yet he is so unmoved by it that he says: Let us put one fleet unit on the Atlantic and one on the Pacific—which, as a matter of fact would be absolutely useless against European powers.

Mr. OLIVER: Oh, oh.

Mr. WHITE: They would be of some use as raiding cruisers and for the protection of our trade routes, but, in case of conflict, the issue would be at the main theatre of war, and your fleet units would be as paper screens against an armada from Europe or Asia.

Mr. OLIVER: I am willing to take Lord Charles Beresford's word in that regard.

Mr. WHITE: I take your own word.

Mr. OLIVER: Does not Lord Charles Beresford know ?

Mr. WHITE: I am somewhat surprised at the attitude taken by the hon. member for Richmond (Mr. Kyte). He is a big, up-standing man, and, I have no doubt, has some fighting blood in him.

Mr. KYTE: You could not fight in an empty dreadnought.

Mr. WHITE: We will see whether the hon. gentleman wants to fight at all or not. What is he afraid of ? Oh, he says: If you make a contribution to the British fleet, when the Germans notice it we will be almost the first subject of attack, and, unless we have a fleet on the Atlantic coast, the Germans might come over and attack the county of Richmond ! I would have thought that my hon. friend, who is evidently a man of courage, would have said he would like to be attacked not last, but first, if the Empire is in danger. I do not think my hon. friend was stating his real views; I think he would be the first to fight, and I do not seek to cast any aspersion upon him in that regard. But he suggests that Canadians be very careful what they do for fear they might be the first to be attacked. I think there are some hon. gentlemen here who, if the Empire were in peril or danger, would desire to be the first in the fight, not the last. My hon. friend started out with two fleet units, one on the Atlantic and one on the Pacific. Look what he has come down to ! The hon. member for Assiniboia (Mr. Turriff) wants none at all, and others of his party are not in favour of any naval policy. The hon. member for Halifax (Mr. Maclean) says we will take our time about it; and we therefore have this variety of opinion in regard to the matter. This naval policy which last November was based on two fleet units, one on the Atlantic and one on the Pacific, has come down, facilis decensus averni, until it is simply a sort of patchwork proposition. Witness the change of heart experienced by the hon. member for South Wellington (Mr. Guthrie) in this matter! Hon. gentlemen will remember that his speech on this subject was presented in two sections, like a pullman train—one section before the Christmas vacation and the other after the House resumed in January. Indeed, I was reminded in this respect of the month of March; it came in like a lion, as did the hon. member for South Wellington, and pursuing the illustration, hon. gentlemen will know, from the second deliverance of the hon. member for South Wellington, how it went out. What was the hon. gentleman chiefly concerned about when he came back? I thought at that time that we were going to reach the highwater mark in respect of declamatory invective, but, instead of that, the hon. member was very deeply concerned about the style of the utterances of my hon. friend the Minister of Trade and Commerce. He thought his style was too rhetorical, and he proceeded to give us the English parliamentary or conversational style, which he said

was very much more to be desired than the style of my hon. friend the Minister of Trade and Commerce. It is evident that my hon. friend could only acquire that style by using it, and I understand that during the recess he held some meetings in his constituency. In his riding he has a lot of sturdy people of English, Scotch and Irish extraction, who are very loyal subjects of the Empire—as, indeed, the hon. gentleman is himself. I should think they would be men not likely to boggle, if the Empire were in need, on the alleged violation of the principle of autonomy if Canada's help were required under certain conditions. My hon. friend came back, as I say, and held out to the House the rainbow of a compromise which the House has not yet accepted, and so far as I can see, is not likely to accept. My hon. friend is a sort of a political Martha; he is worried and troubled about many things, but let me say to him that, as a loyal Canadian and British subject, if he will consider the conditions of British naval defence and our interests in it, he will realize that he should not boggle over how that money is to be spent so long as it is expended expeditiously. The hon. member for Carleton (Mr. Carvell) asks if there is any European danger. I think he should use his imagination to some extent, and look ahead into the future. What will be the position in 1915 and 1916? I do not propose to enter into the details of the German naval policy. No man in this House has a greater respect for that great empire than I have; I say they have laid civilization under tribute to them by reason of their contributions to the advancement of art, science, literature and philosophy. I am not going to blame the German people for their programme of naval expansion; it is their right, and if they decline to accept the overtures of Great Britain or any other country as to the limitation of their naval programme, I still say it is their right. But Germany is not the only consideration. Great Britain has duties in Asia, in the North sea, in the Mediterranean. My hon. friends have their eyes fixed upon the naval situation in the North sea. That this is the important situation, so far as Great Britain is concerned, is shown by the concentration in those waters of her ships, but in addition to that you have to consider the situation at Gibraltar, and Malta, the trade routes to India and China, and important stations all over the world in respect of which Great Britain must protect her commerce and the interests of the Empire. Having regard to the whole situation, I say, without any fear of successful contradiction, that such conditions of naval strength have developed that any English statesman may well be apprehensive as to the relative strength of Great Britain among the naval forces of the world. That being the case, it is our duty to contribute our quota with a view to making Great Britain absolutely invincible upon the sea, and these other things of which we have been speaking—the fortification of ports, the establishment of flotillas and local navies—can be added as people may deem proper. My hon. friend was talking about national aspirations. I have heard these two words 'national aspirations' in this House; they are not new to me. I do not wish to attribute to the words of my right hon. friend a meaning which he did not intend to convey. I did not understand him to refer to national aspirations as separatist aspirations. He used the words, 'national aspirations,' as I understood him, in the sense of the aspirations of the Dominion, to develop along her own lines, but within the Empire. He spoke of Canadian national aspirations, and of a contribution of this kind, for the purposes designated, as being a violation or contradiction of those national aspirations. I deny that absolutely. I say that Canada has national aspirations as a dominion, but national aspirations always within the Empire. I would like to hear any hon. member get up in this House—I do not believe that any hon. member would get up, because I do not think that any hon. member believes it—and say that Canada should stand outside the Empire. She has no aspirations outside the Empire. She has for Canada, but within the Empire. We cannot think of it in any other terms than these. If we believe, as we do believe, and as the majority of the people of Canada believes, that this condition exists, is there anything in our proposal inconsistent with the national aspirations, to say nothing of autonomy, or of local self-government, or any other principle? Is there anything in what we propose doing in the slightest degree inconsistent with the national aspirations of Canada to remain as a dominion, to develop as a dominion, but always within the greater Empire to which we yield such willing allegiance?

One more point. It has been said that by doing what is proposed, Canada is not contributing in brawn or brain or blood, that we are simply giving dreadnoughts, and it is stated that this is a poor gift. But who will pay for those three dreadnoughts? Every man in Canada will pay for them. He will pay for them by his work, by the sweat of his brow. The fisherman on the sea will contribute his mite, the miner in the coal areas of Cape Breton under the sea will contribute his mite; farmers, mechanics, artisans, mer-

chants, all the members of the community, will contribute of their brawn and brain towards this splendid gift that we propose to place at the disposal of the British Admiralty for the common defence of the Empire. There is nothing unworthy, or ignoble or ignominious about it. It will be a magnificent contribution to place at the disposal of the Empire. What is our duty at this juncture? I have shown that a certain naval condition exists that did not exist years ago, that Great Britain has been greatly weakened on the main stations of the world, that relatively she is not in the position she occupied twenty years ago. I have shown, I think conclusively, that no matter what the colonies or the dominions may do by way of building local fleets, you must have one supreme fleet controlling the seas, or all the other fleets woud be useless. What is the duty of Canada at this particuar juncture? How is Canada interested? In the first place, Canada is interested from a material standpoint. We have about $400,000,000 worth of traffic upon the seas per annum that requires protection. We have been getting that protection for years, and we have not been giving anything in return. For twenty-five years we have done nothing but talk about naval defence. Since 1887, when the first Imperial conference was held, we talked about what we were going to do, we have protested that we were the most loyal people in the Empire, and we have practically done nothing. I do not like to refer to it in opprobrious terms, but down to the time when this Government took power we had practically done nothing. For twenty-five years we have been looked upon as a nation of talkers. My hon. friend from Pictou (Mr. Macdonald) spoke about the humiliation of adding this gift to the effective naval forces of the Empire. He wears a King's uniform, and a fine-upstanding figure he would make in a uniform; yet actually, for twenty-five years, my hon. friend was content to have all this talk go on, and to sit as a follower of the late Government, satisfied with the situation that I have disclosed. And now, he says it is humiliating for us to bring down a Bill to increase the effective naval forces of the Empire, in the way proposed. I utterly fail to follow his mental processes with regard to the matter.

And now, just a word in conclusion, for I have taken up too much of the time of the House, as to what is the duty of Canada in these premises. Canada has always been noted for her loyalty to the British Empire. She has attested that loyalty on numerous occasions. Canada is greatly attached to the traditions of the British Empire, and she has a profound belief in the destiny of that Empire. I say that Canada is interested in the British Empire, not only from the material standpoint, but from the standpoint of what Great Britain stands for in this world. The flag of England stands for a great deal more than for possessions and wealth and power of a material kind, or for influence. The flag of England, wherever it flies, stands for justice and equality before the law, for equity and fair play, and for a higher civilization, and if from no other standpoint, I say that Canada is interested in the perpetuation of the British Empire, from the higher and nobler standpoint of the ideals of the Empire. This Parliament and this country would fail signally in their duty if, after the visit of the Prime Minister to Great Britain, after ascertaining the situation, as he did ascertain it, and after obtaining the deliberate opinion of the Admiralty without collusion, clearly the unbiased and fair opinion of the Admiralty, that this is the proper thing to do—under these circumstances I say, Canada would be signally wanting in her duty to herself and to the Empire if she refrained from making this contribution of three dreadnoughts to be placed at the disposal of the British Empire. I recall the words of the Attic orator Demosthenes in regard to Athens. Athens, he said, could not do otherwise if she had regard to her glory or to her past, or to the days that were to come. Having regard to what we have received from Great Britain in the past, having regard to the innumerable evidences of care and affection and attention that we have received, can Canada do otherwise than make her contribution to-day if she is to have any regard to her own glory, to her past, or to the days that are to come? Let us give this magnificent contribution, to be placed to the order of His Majesty for the common defence of the Empire, and by doing so, so far as this Parliament and the people of Canada are concerned, we will contribute to keep England always England, so that her flag shall ever fly over the Empire on which the sun never sets.

Mr. MICHAEL CLARK (Red Deer): Mr. Chairman, I do not know that I ever listened to my hon. friend (Mr. White, Minister of Finance) with less real interest than I have on this occasion. He has given us very freely of his opinions about the various gentlemen on this side of the House. He has given those opinions with a freedom which is unusual in Parliament. We need not be surprised at his taking a course which is unusual in Parliament, because, of course, we must remember that his experience of Parliament has been a very brief one. But he gives his opinions of others with such freedom that one is tempted to return the compliment in kind.

Mr. WHITE (Leeds).

If I may not be too offensive, I should like to say that Carlyle once said: Pert snappishness is no manner for a great man. I leave him with that thought while I proceed. My hon. friend also had a great deal to say in criticism of the naval policy of my right hon. friend the leader of the Opposition (Sir Wilfrid Laurier) in the years which preceded 1911. My hon. friend had changed his intention. He said that he did not intend to speak in this debate and he told us once in another debate that he was going to speak. Now, he has gone back to his old intention. He has also changed since 1911 because, during all those years he did not differ from my right hon. friend except on the question of reciprocity. All that time he was a good Canadian, all that time he was defending Canadian autonomy and now he comes here and quotes the Latin saying, facilis descensus averni. How true it is and how applicable in the case of my hon. friend! I do not propose to follow my hon. friend through the irregular course of his remarks. I shall take occasion in the course of the argument to make reference to my hon. friend's speech. but there are two or three things which I must take up at once. My hon. friend says that Mr. Churchill said that these ships were absolutely needed. I do not think he did. It is rather a bad fault if he did so because I should say that, if Mr. Churchill had said that, my hon. friend would have produced a very strong argument for changing his opinion and asking the House to do so. Has my hon. friend the full text of Mr. Churchill's speech?

Mr. WHITE: The quotation I gave is from the press.

Mr. CLARK: Was it from the full text of his speech?

Mr. WHITE: It is given in the Montreal Star.

Some hon. MEMBERS: Oh, oh.

Mr. WHITE: In quotation marks and in a special cablegram or correspondence.

Mr. CLARK: We all saw that and those of us with a little more experience than my hon. friend did not believe it. If Mr. Churchill had said that Britain absolutely needed ships from Canada he would have contradicted everything that every British statesmen of note has been saying for the last three years. On the face of it, it was absolute nonsense. Now, I will tell my hon. friend what Mr. Churchill did say. The nearest approach he made to saying anything like that was this.

Mr. WHITE: What date is that?

Mr. CLARK: This is the full text of his speech as reported in the London Daily News and Leader of March 27. It is not an inspired cablegram from an international ring of jingoes:

> If therefore, we were confronted, with this false dilemma of Colonial and Dominion ships we might answer directly by saying, 'they are additional to the requirements of the 60 per cent standard; they are not additional to the world-wide requirements of the British Empire.'

My hon. friend will see—he is a man of acute mind though his experience is short—that the whole question under consideration is how to meet the world-wide requirements of the British Empire. That is a perfectly different statement from what was sent across on the cables by men who, I repeat, are members of a ring of international jingoes. The whole question is what are the world-wide requirements and how to meet them. Well, having met that point in my hon. friend's speech, I have pretty largely answered the speech, because that is the only thing in it which would have any importance, if true. As it is untrue the only importance it has is as a lesson to inexperienced politicians as to the source from which they get their quotations upon which to base their arguments. When one sees the tyro blundering into a misquotation of that kind, one cannot but think of him who would have been Minister of Finance if it had not been for the Toronto Eighteen and one cannot but recall the old lines:

> Oh, for the touch of a vanished hand,
> And the sound of a voice that is still.

You do not catch old birds in that way. There are one or two other points in the speech of the hon. Minister of Finance to which I might refer. I resent as a Canadian an argument which he used towards the end of his remarks to the effect that we ought to support the policy of this Government in case we frighten British capital from the shores of Canada.

Mr. WHITE: No, I did not.

Mr. CLARK: I understood my hon. friend in that sense.

Mr. WHITE: I did not use that argument.

Mr. CLARK: I understood the hon. gentleman's argument in that sense, and there is no other interpretation that his language will bear.

Mr. LEMIEUX: Chill.

Mr. CLARK: Of course if you chill the investor you frighten the capital. Of all the arguments by which this hybrid policy has been supported, that is the one that I would be most ashamed to use as a Canadian because what does it amount to? It amounts to this, that our policy is a cheap confidence trick upon the investing British public. I do not believe that my hon. friend carries the Canadian people with him

in that argument for one single moment. I have only heard or seen it once before and that was in a letter which the man who wrote it was afraid to sign his name to and which was given to me as I was about to go upon the platform to speak in the city of Toronto. I was interested to hear my hon. friend say that the two sources of prosperity in this country are immigrants and foreign capital. I have always thought that protection, on that side of the House, was the great cause of the prosperity of Canada. I have frequently argued in line with what my hon. friend said but I have never met with very much support from his side of the House. I think that for the present time that is all I care to say in answer to my hon. friend.

Let me say that when I was out in the sunshine I wished very much that the Government had paid more attention to my advice from time to time because I have been a careful student of these emergencies, menaces or scares, and I have been prepared to give them the best advice upon this one. In regard to this German scare I have noticed that it has shown a tendency to summer hibernation. It struck the continent of Europe in the winter of 1908-09 and it crossed the Atlantic and struck us here in the month of March. As the summer went on we noticed that it had subsided and gone into summer quarters. We have had more or less of it every winter since, but as spring comes around again the emergency goes into hibernation. We put it into a somewhat dazed condition three weeks ago on a famous Saturday night and, if the Government had only learned something from these events, they would have allowed it to stay in that sleepy condition in which it was left at that time. But, if they are determined to put us up to fight, we are bound to argue this question, and there is no option on our part but to continue the debate as long as the fight is put up to us. We are fighting for the elementary rights of minorities and the sovereignty of a people. We say that this is a new departure of such colossal proportions that it ought to be submitted to the people before we are committed to it. If it is submitted we are animated by the confidence that the people will assert their right to spend their own money, and control their own defences and their own public services.

My hon. friend (Mr. White) and his friends talk of submitting the permanent policy of defence to the people. That is just the thing that no one who has studied these matters in the light of our history would ever think of submitting. The permanent defence of this country is provided for in the basis of our constitution. It is in the British North America Act and it is in the speeches of all the Fathers of Confederation that one of our first duties is to provide for the defence of Canada upon sea and land. But when it is proposed to embark us in a policy which takes us back seventy years in our history, that is the policy that should be submitted to the people. Defence is the first duty of the state Adam Smith said a century and a quarter ago, and that duty is being shirked by a government torn by internal dissentions and hampered by an unworthy want of confidence in our own people. And at whose behest? The Minister of Finance has told us; he told us this afternoon that he went to the British Admiralty for his policy, and he said, where else could you go? Why, even Mr. Churchill, the First Lord of the Admiralty, does not accept responsibility for the expert opinions we are handed out by the Minister of Finance, from the permanent servants of the Department in Downing Street; that is the latest from Mr. Winston Churchill. And who constitute these departments—especially the fighting departments? The fighting departments are always manned by jingoes who always want more money to spend on armament. We do not need to go outside of Canada to know that. Suppose my hon. friend the Minister of Militia had the chance of any other portion of the Empire giving him even a small fraction of thirty-five million dollars to spend in his department, could anyone here conceive the happiness it would bring to that electric temperament and the capers he would cut in consequence? These fighting departments are always in need of money, and of course they will take our money and they will think they are the only people that would know how to spend it.

At whose behest are we called upon once more to debate this question? At the behest I suppose of the Montreal Star and of the Toronto News; but the Montreal Star does not any longer speak for a solid Conservative party because it was hauled over the coals the other morning by a leading article in the Citizen. What other object have the Government for proceeding with this policy at the present time? There is no request from the people of Canada; there is no mandate from the people of Canada, and yet they are going on with this policy and Parliament has been five months sitting without doing anything. The Government are going on with this policy to save their own faces; that is the reason, and the more this matter is debated the more the people of Canada will see that is the whole object of the Government, and the more certainly they will come to the conclusion that the faces of this Government are not worth being saved at $35,000,000. Where is the mandate for this policy? There is no mandate behind the Prime Minister even in this House. The Nationalists were elected to oppose this policy; my hon. friend from Jacques Cartier (Mr. Monk) admitted that.

When he left the Cabinet he took from the other side of the House the moral sanction there should always be behind such a policy as this. What he did the others should have done, and, if you take the Nationalists supporters from the Government, where would they be? We would be almost equal in this House, and if you count the votes of the people we would be in a majority. This is a serious argument and this is a very serious and strong defence of everything we have done on this side of the House. My hon. friend from Jacques Cartier (Mr. Monk) told us last session that he was locked, bolted, and barred to his portfolio. What changed his view? It was changed by this policy which was in direct violation of the principles which he and his followers had taught in the province of Quebec. That it is which burst the locks and the bars, and threw to one side the bolts.

Mr. LEMIEUX: Padlocks.

Mr. CLARK: My hon. friend the Postmaster General (Mr. Pelletier) probably recognized the insufficiency of the bolts and locks which secured the hon. member for Jacques-Cartier (Mr. Monk) and so he bought a few more padlocks; in fact, he secured more than enough for himself; he secured enough for his fellow ministers from Quebec and all the members of the Nationalist party to boot. But, that does not alter the fact that electorally the Government has no manhole; as they were elected to this House in opposition to this policy. I am sure everyone here has the feeling that is shared outside, that in resuming this debate yesterday we were assisting at a funeral. The fact is that this policy died on March 15; and while its interment may be postponed it is inevitable. The speeches of Government supporters yesterday were melancholy in matter and funereal in tone; they were the fitting accompaniment of the last obsequies of this ill-fated measure. The nature of the operation of burial is ill-concealed by holding out threats of closure over the heads of those who have given it its happy despatch. It will be time enough to discuss the closure when we come to it; there is an excellent proverb which says it is time enough to bid the devil good morning when you meet him. But the closure proposition which has been announced makes me think that like ministry like measures, would be a good way of describing the situation.

What is the ministry which proposes to closure debate in this House, and not only proposes it, but attempted it by the most extraordinary series of coincidences on the part of Chairmen who all took the same road without consulting themselves or anybody else? Who are these minstiers? They constitute a Cabinet who have exported their only experience and a large portion of their ability in the person of the Minister of Trade and Commerce (Mr. Foster). He is the only minister who ever sat in a Cabinet of the Dominion before, so that we have a Cabinet of inexperienced ministers, and these are just the kind of ministers that I should expect so to manage their business that closure would be necessary. They are not the only bad workmen who complain of their tools; bad workmen always do.

A very candid description of the Cabinet was given a short time ago in the Morning Citizen. It was described as a Cabinet with limitations. The Citizen said, if Mr. Borden—referring to him by name—had had his own way, how much better a Cabinet he could have collected; but he was limited by considerations of geography, of race and of creed, so that he could only get a Cabinet like the present one. It would be very interesting to work out those limitations. It is a very personal line of research. You cannot say that the Minister of Inland Revenue (Mr. Nantel) has any topographical limitations, although he may be the minister referred to as having geographical limitations. As to race and creed, my hon. friend the Minister of Public Works (Mr. Rogers) evidently thinks that his religious opinions are becoming a little doubtful and that he is the one of the creed-limited men, because he was quoting scripture yesterday. A ministry with limitations threatens us with taking to itself, after fifty years of Confederation and after the business of this House has gone on during that time by mutual consent, unlimited power over debate. It threatens us with the closure. Let the people judge of this question too. Submit closure as well as the naval debate to the people, and find out what they say on the double issue. If the Government has no mandate from the people for its naval proposal, still less has it a mandate for the closure to rush those naval proposals through. A very easy method of finding out what the people think was pointed out in the Citizen this morning. Let us try the referendum. For the fifteen or twenty gentlemen elected in 1911, who forget all their principles in 1913 and vote on diametrically opposite lines to those upon which they were elected, there will be a tremendous agitation in this country not only for the referendum but for their recall as well.

So far from these rules, which we hear so much about, being antiquated, so far from what has happened demonstrating any need for new rules, recent events have shown the absolute efficiency and necessity of the rules for safeguarding the rights of the minority and also the public interest. Just consider for a moment. Suppose that events had gone differently in this country,

what would have happened? Suppose that we had had shorter debates on the resolution and on the first and second readings of the Bill. Suppose that we had not had those two weeks of day and night fight. Why, Sir, the country would have been committed to a policy supported by contradictory statements on the other side of the House, and only dimly foreshadowed in the speeches of the Prime Minister himself. The Canadian people would have been committed to that policy and they would have been buying a pig in a poke. They would have been committed to a policy although they did not know what it was. The Opposition, by their course, have vindicated the right of free speech. They won that battle—won it out and out. They pierced the silence, the tomb-like silence that reigned upon those benches for weeks. We have speech for speech in this debate upon its resumption. They introduced a spirit of conciliation, on which I congratulate the Government and its supporters; but the final justification of our action and equally the condemnation of hon. gentlemen opposite lie in the fact that now for the first time we know, and we learn it from Downing Street, what is proposed to be done with Canada's warships.

Who ever heard of the flying squadron? Did anyone on that side of the House know anything about it, from the Prime Minister down? Did they know anything of the flying squadron, before Mr. Winston Churchill made his speech ten days ago? I do not see any minister rise to say that he knew of it. If he did know of it, why did he not tell this House? If hon. members opposite do not know of it, the Government did not know what its policy was until it learned it from Winston Churchill. My hon. friend the Minister of Finance says that there is no loss of autonomy; yet we go to Downing Street to have a policy stated. We did hear, of course, of the battle of Armageddon in the North sea. My hon. friend from Calgary (Mr. Bennett) drew a wonderful picture. He said, we are going to build a dyke in the North sea—he might have been thinking of children's bricks in a nursery—with these three dreadnoughts. This was his understanding of the Government policy. The dyke will be impregnable. Lacking the dreadnoughts, we shall lack the dyke. Now, you lack the dyke. The hon. member for Calgary, who was the last gentleman allowed to speak in the last stage of the proceedings on this measure, knew absolutely nothing of the destination of Canada's ships. Mr. Winston Churchill comes along and says: Who is this talking nonsense about Armageddon and North sea dykes? That is not what I am going to do with you. I am going to link you up with the Malays at Gibraltar rock. You will be controlled by the Admiralty; yet my hon. friend the Minister of Finance cannot see that we are losing any autonomy under his proposal. Mr. Winston Churchill says that you will be controlled by the Admiralty. If he takes my hon. friend from Calgary in hand, he will be doing something which is a little difficult. When they talk of controlling one another, there will be wigs on the green. The fact is that both my hon. friend from Calgary and Mr. Winston Churchill would be better off if they were both controlled, in considering this policy, by a little extra dose of common sense. What is the new policy as we have it declared from Downing Street? I do not want to go over the whole of the four column speech of Mr. Winston Churchill or even that part of the speech which refers to this proposition. I just want to say that there are three vital objections to this policy of the Government as it appears from its latest exponent. The first objection is that it is not an Imperial policy at all. My hon. friend from Toronto (Mr. White) has shown us once more that the people who come from that particular city think they are the only Imperialists on earth.

Mr. WHITE: You have overlooked Red Deer.

Mr. CLARK: They have the pure brand of the article there. This is not an Imperial policy at all. You may call it an Anglo-Canadian-Malay policy; but you cannot call it Imperial. I would call a policy Imperial which embraces the Empire, but Australia ostentatiously and nobly stands outside the arrangement. Australia with half our population takes the self reliant and wholly creditable course of self defence and Empire defence at the same time. New Zealand shows an inclination to go in the same direction. South Africa hesitates and is considering the subject and is going to interview the Admiralty this summer. The moment when South Africa is considering her policy, when Australia has gone definitely and finally for the policy of self reliance and the development of an Australian navy, and when New Zealand is going in the same direction. is the moment when Canadians allow themselves to be linked up at Gibraltar rock with the Malays of the Archipelago. You call that an Imperial policy. They are really not meeting Armageddon in the North sea; they are to 'show the flag.' Why, I thought that was settled by the Government of Manitoba by flying it on all the school houses. But we are going to 'show the flag at sea.' If a private individual went on in this way, what would you think about him? What do you think of a man in private life who goes about boasting of his power and his wealth? No right think-

ing person wants to have anything to do with him. I say, as a man who has some regard for British traditions, that under this policy we are going to link up, not with a well thought out Imperial policy but we are to link up with a vulgar and menacing display which would be resented in private life by any right thinking man. That is not the kind of Imperial policy I want. That is my first objection to it. My second objection is this—and if there were nothing else to condemn it, this, I think, would condemn it in the eyes of the majority of the Canadian people—the words 'directly controlled by the British Admiralty.' Now, direct control by any department on Downing Street of anything Canadian arrives just seventy years too late. I defy any minister in this House to go with those words on his lips and get the approval and sanction of any Canadian audience anywhere, if the case is properly represented.

Mr. WHITE: It could be done in Red Deer.

Mr. CLARK: The policy of the right hon. leader of the Opposition, says the Minister of Finance, does not appeal to the imagination of Canada. I do not know that imagination has much to do with it when fighting is to be done. There is too much imagination in the fighting that hon. gentlemen opposite propose to do. The whole thing would be left to the imagination so far as the ships are concerned—the only thing we should know without 'imagining' anything about it would be that the men aboard would not be Canadians. The hon. gentleman and Mr. Churchill got into a hard place in Imperial policy. Australia stands aloof from him, stands independent of his ideas. New Zealand is preparing to take the same place. And Mr. Churchill finding himself in a hard place, says: I can get these Malays; they will be all right; their chief man is the Sultan of Perak. And he says also: There is a sultan in Canada, the sultan of Manitoba. We cannot get Australia, are not sure of New Zealand, and I do not know about South Africa, but I will hitch the sultan of Perak and the sultan of Manitoba, and then we shall be able to recall the quotation made by the hon. member for South York (Mr. Maclean) about all abreast like the horses of the sun. That is the kind of policy finally evolved in connection with the giving away of your autonomy. The people of Canada will forbid these banns if you give them an opportunity. I do not know they will ever get an opportunity; I hope not. I can hardly conceive of any intelligent and self-respecting parliament, which is the only kind that should represent an intelligent and self-respecting people, allowing this to go through. But it will be voted upon some time, and some way, and then my hon. friend will know what the people of Canada think of it. And if Canadians are like other British subjects, there will be only one verdict and that will be the verdict of absolute utter condemnation, a verdict which has already been pronounced by my hon. friend from Jacques Cartier, and, in their hearts, by his followers.

The third and most vital objection to this policy is that it leaves the real and most pressing problem of defence of our own country absolutely neglected. Where is the real problem? The problem is on the Pacific coast. And what does Mr. Churchill tell us? What does he say about this flying squadron that we are going to constitute, forsooth, as to the time it will take to get to the Pacific coast? It takes the longest time of all the places he mentions—twenty-three days. Where the problem at present is greatest is where the flying squadron will arrive the latest. That is the policy of the Government. If there were a sudden breakdown of the friendly relations between this country and the Empire of Japan there would be an incursion upon our Pacific coast by Japanese, and for anything that our defence could do to keep them out, they would be through the Rocky Mountains to attack my farm in Alberta—and I leave the disembowelling to conjecture. They would meet with a sturdy resistance, for we have a few boys there who can handle a rifle, but I have no doubt but that these would have to surrender to overwhelming odds. All this could go on before the flying squadron would reach the Pacific coast at all.

An hon. MEMBER: The Japs might be wrecked.

Mr. CLARK: If they could be blown back with wind and would call at Calgary at the proper moment—

Some hon. MEMBERS: Oh, oh.

Mr. CLARK: Those people who know anything about this practically know that what I say is absolutely true. I notice that a strong supporter of this Government on general principles, speaking a week ago in Vancouver—I refer to the Attorney General in Sir Richard McBride's Cabinet—said this:

> On the coast of British Columbia Canada would in the future find the crews to man her own navy.

That is the policy they believe in. Why, hon. gentlemen opposite cannot carry British Columbia on this policy; do not let them dream of it for a moment. And a friend of mine the other day, giving the opinion of an old sailor,—and this is a point well worthy thinking of as to where the real problem of defence lies—said:

The Admiralty plan absolutely loses sight of the fact that local knowledge of the coast is a great factor in the training of a sailor.

I would call the attention of the Minister of Finance to that point. The hon. Minister of Finance was rather ashamed of the laughter he provoked when he referred to the wreck of the Niobe. I do not wish to dwell upon that—

An hon. MEMBER: Go for him.

Mr. CLARK: No, for when a man says a thing and is ashamed of it, that is enough. The hon. gentleman produced laughter on this subject and saw that it was rather a mean thing to do. As a practical proposition, he referred to the wreck of the Niobe. Of course, his followers cheered, as they are always ready to cheer such a thing in the case of a British ship; the only thing that creates enthusiasm in their breasts is an empty ship. But when they laugh at a disaster to a British ship, they degrade their professions of loyalty past recognition and past regard. The practical point is that British officers were running the Niobe, and they ran her into a wreck. But when you train your sailors on your own coast and run your own vessels with your own sailors that will not happen. The Minister of Finance waxed eloquent on not losing autonomy. I have put the answer to that in the shape of a quotation from Mr. Churchill, and personally I cannot see how anything worthy of being called autonomy is kept if we give half our defence over to the control of the British Admiralty. The hon. gentleman asks: When Australia gave contributions who spoke of the loss of autonomy: when New Zealand gave contributions did any one speak of the loss of autonomy? Yes in both cases they did; and in each case the party that supported contributions was beaten at the polls. That is the answer to my hon. friend. And I am perfectly sure that in that matter coming events cast their shadows before, because number three will come along the next time of asking. Although hon. gentlemen opposite take the cold shivers when an election is mentioned, they cannot postpone it forever, and from the electors my hon. friend will get an answer to the question whether the Canadian people think there has been any proposal to give their autonomy away.

I now desire for a moment or two to deal with the speeches which were heard yesterday. Both the Prime Minister and the Minister of Public Works (Mr. Rogers) seemed to desire more light on this question, but they complained that it was not forthcoming. I am bound to say there was not much light forthcoming in the speech of the hon. Minister of Public Works. He says the difference between the policy of this Government and that of the Liberal party was that their policy is an effective one, whereas the policy of the Liberal party is not effective. By the way, my hon. friend the Minister of Finance asked what the Liberal policy is, and I will tell him. We are all united on this side of the House on one definite principle; let there be no doubt about it. He says our policy is established on feet of clay. Yes, but it is Canadian clay; The Liberal policy—the policy which was laid down by his leader, and which he himself supported up to the time of the elections of 1911—was that out of our own materials, with our own labour and in Canadian shipyards, we should do the whole business. If that was a bad policy, why did my hon. friends not say so? But they dare not disavow it. Hon. gentlemen have been all over the globe in matters of policy during the last few months; they have now arrived at least for the moment, at the rock of Gibraltar, but a very little argument speedily brings them back to their old policy, and they would arrive there if they had at this moment any moral courage. If it was not a matter of saving their faces, they would be there now. They know in their hearts what the people are thinking on this question. Did anybody ever see any effectiveness about empty ships? That is the hon. Minister of Public Works's idea in respect of an effective policy. If 'effective' spells 'empty,' I would say he made an effective speech. And ineffective, I presume, spells Canadian—from the remarks of the hon. gentleman one can come to no other conclusion. I have told hon. gentlemen what the Liberal policy is; it is that, whatever is done, we shall begin in Canada a Canadian naval service. I shall not depart from the statement of the hon. Minister of Trade and Commerce that the first ships be built, and very likely manned, in England, but, as he said, the men will be the pattern for stokers produced in Canada, sailors produced in Canada, and, finally, an admiral produced in Canada. If this present policy is proceeded with, the Canadian ships are likely to land, as it were in the Malay States if the Sultan of Perak happens to be stronger than the sultan of Manitoba! The Minister of Public Works evidently expects us to believe that 'ineffective' spells 'Canadian,' and there is an issue that would kill this ministry if they went to the polls at the present moment, because you cannot go to the country with a policy of which that is a plank; you cannot say, you cannot do things and persuade the Canadian people to vote for you—they believe in themselves if you do not believe in them. My hon. friend the Minister of Public Works said that the Rainbow and the Niobe have produced side-splitting

laughter throughout Canada; he mistakes the scurrilous cartoons of his pap fed press for the opinions of the people of Canada. The people do not laugh at British battleships, even when they are bought by Canada from the Admiralty, which my hon. friend the Minister of Finance so implicitly trusts. He says: where would we go in a matter of this kind but to the Admiralty? We went to the Admiralty for the very ships upon which my hon. friend and his colleagues delight in casting much ridicule, and in respect of which they seek to cause laughter by referring to the wreck of one of these ships. Of course we have very great sympathy with my hon. friend the Minister of Public Works; he was brought up, so far as politics are concerned, in the comparatively narrow sphere of Manitoba, and he possibly never heard of a training ship. I should like to tell him that training ships are quite numerous in Britain, and that they are the proper commencement of a navy; it is on your training ships you get your boys to grow into self-respecting citizens of the country to which you belong. That is the way in which we believe in building a navy. We are not ashamed of the Niobe and the Rainbow ,and the hon. minister only shows by a reference of that kind the narrowness of his own training. And then he actually referred to my hon. friend as having pursued a childish policy. I should be very slow to defend my right hon. friend against the attacks of the Minister of Public Works; he needs no defence against all the shafts that can possibly be shot from such a quarter. I think I may assure the hon. Minister of Public Works that so far as our leader is concerned, the majority of Canadians recognize him today not as a child, but as the greatest Canadian that Canada has ever produced. My hon. friend the Minister of Public Works says that if he cannot do much else —and with that part of his statement I do not desire to take issue—he can win elections.

Mr. SHARPE (North Ontario): Hear, hear.

Mr. CLARK: I should like to say, with regard to the 'hear, hear,' of my hon. friend from North Ontario, that my hon. friend the Minister of Public Works has not shone in that respect either in the federal or provincial fields. He did not shine after the last dissolution so far as fighting elections was concerned; what he did was to allow a party outside to fight the election, after which he stepped in and took a portfolio. He did not leave his berth in the province of Manitoba until he was sure that a better berth awaited him. As I say, he never took part in the elections except as a subsidiary assistant, and he took good care not to run as a candidate. Even with regard to the local field he has not always been an absolute success. He came out to Saskatchewan and he announced something that the Minister of Finance taught him—that reciprocity was dead. I was growing potatoes about that time, and was watching carefully the results of my experiments. I had sown some new seeds, among which was one variety known as the King George; they were splendid potatoes. I obtained the samples from England; they were nurtured on free trade soil, and they took hold at once in Alberta. I had another sample called the Wee McGregor, which was evidently of Scotch origin, and which shared the hardy characteristics of that race; I had splendid results with that variety. I planted fifty samples of a potato called the Manitoba Wonder and—Mr. Chairman, I am relating the absolute facts—there was not one Manitoba Wonder that sprang up! I came to the conclusion that the Manitoba Wonder was of very little use outside its own province, and so far as the results in Richelieu and some other parts of the country are concerned, I am not at all sure that the hon. gentleman can even boast that he can win elections. That is the whole effect of the speech that we had from the Minister of Public Works.

Now, I come to my right hon. friend the Prime Minister. Like my hon. friend the Minister of Public Works, he had something to say about dissolutions. There is one thing upon which hon. gentlemen opposite are agreed, and that is that a dissolution is a thing not to be thought of. As the Evening Journal said the other night, it is unthinkable. I think that is the view of members on the other side of the House; to them it is the most unthinkable thing possible. The right hon. the Prime Minister said that it is the constitutional privilege of the ministry to dissolve when it is convenient. He found it convenient to make no reference to the argument made by my own leader in his examination of the case of reciprocity. He left that severely alone. The Prime Minister now tells us that it is the right of ministers to dissolve. They did not always hold that view. As my hon. friend the Minister of Finance knows, people change their views very rapidly when they get into power. My hon. friend himself has made a very rapid change, and a similar change has come over my right hon. friend the Prime Minister with reference to procedure and to the right of an opposition to force a dissolution, or the withdrawal of a measure. When they talk of closure, they forget their own history. In the year 1908, my hon. friend the Minister of Public Works said that a certain place hotter than Florida would freeze over before he would allow a certain Bill dealing with the lists to pass. He used that language in Manitoba,

but he came here and he mastered the opposition to the extent of forcing them to fight that Bill because he ordered it, and it was fought. Debates are always closed with some form of mutual consent, and my right hon. friend, the leader of the Opposition, as a great constitutionalist, as a man with a regard for the utmost liberty of speech, withdrew the Bill. Then later on, in the history of the last Parliament, a possible solution was found. My right hon. friend the Prime Minister and his followers to a man fought reciprocity by every resource in Parliament, and again my right hon. friend the leader of the Opposition regarding, as a constitutionalist, parliamentary privileges and the privileges of minorities, knowing how sacred they are and how important it is to keep them inviolable, consented to a dissolution and went to the country; and now because we debate a thing which we believe is absolutely vital in relation to the rules of Parliament, these hon. gentlemen, not one of whom has ever sat in a Cabinet before, first meet us with absolute silence, and then with a threat of closure.

The right hon. the Prime Minister in his speech yesterday made a hard struggle to establish his own consistency. Mr. Chairman, it cannot be established, and that is another of the grounds upon which this debate has been so prolonged. It cannot be established. The right hon. the Prime Minister voted for a resolution which called for the speedy organization of a naval service in 1909, and that action cannot be reconciled with the language which he used on the 5th of December when he stated that no naval organization of an effective character could be built by this country within a quarter or half a century. No reconciliation is possible between those two statements. In one case you have a plea for the speedy organization of a naval service; in the other the statement that it cannot be done in half a century. The only way you can reconcile these two statements is by assuming that building a navy in fifty years is doing it speedily, and that is outside the consideration of those of us who sit on this side of the House anyway. Yesterday the Prime Minister said the ships would be the property of Canada. That is a new view. That was not the view before Christmas. My hon. friend the Minister of Marine and Fisheries said in the debate before Christmas that this was a free and loyal gift, a free offering. What did the Prime Minister himself say? In his original speech of 5th December he said the ships would bear Canadian names, and that was all he intended them to bear at that time, because he went on to say that every Canadian would realize in seeing or reading of those ships that they were a gift in which he had participated. Now, those statements cannot be reconciled. I put it to my hon. friend the Minister of Finance, how can those ships be the property of Canada, as my right hon. friend said yesterday they would be, and at the same time be a gift to Great Britain to which each one of us would contribute. Again, joining with my hon. friend the Minister of Finance, he scouts the idea of any interference with our autonomy. He says, are the people of Canada not masters of their own destinies. Mr. Churchill says no, not so far as our navy is concerned, because he says, your flying squadron will be controlled by the Admiralty. Who are the masters of the destiny of your ships? They are the British Admiralty. Mr. Winston Churchill and his experts, are your masters under this scheme, and that is why it will not become law if we can prevent it. It will condemn the Government that passes it, if it ever does become law, or if it is submitted to the people. No more humiliating spectacle was ever seen in Parliament than that of the Prime Minister of Canada stating as he did yesterday afternoon that this thing is not a contribution and not a permanent policy. We have been debating for months in this House the respective merits of contributions on the one hand and of a permanent policy on the other, and I repeat that nothing more humiliating was ever seen in this House than the Prime Minister coming out at the end of these prolonged debates and saying that this thing is not a contribution and not a permanent policy. If it is neither of these things, what in the name of wonder is it? He does not answer, and I question if any one of them can answer. It is our contribution, and it is to be a flying squadron it is true, but we are getting light now. We wanted more light, and we are getting it with a vengeance. We did not know until yesterday that this thing was neither flesh, fowl nor good red herring, for he said what is practically the equivalent of that when he stated that it was not a contribution and no part of a permanent policy. But he wants to make it part of the permanent policy, and he wants us to do it. He says, you can get the ships back. The Government are almost pleading with us to make a compromise. They have given up their own policy, for they know it is being ridiculed by every thoughtful man in Canada at the present time. He says, you can get them back if, hereafter, it is the will of the people to get them back. My answer is that heretofore, it has been the will of a united Parliament of Canada that this gift should not go.

At six o'clock, House resumed, and then took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

THIRD READING.

Bill No. 114, to incorporate the Port Nelson Company, and to change its name to the Port Nelson Corporation, Limited—Mr. Beattie.

INDEPENDENT ORDER OF FORESTERS.

Further consideration in Committee of the Whole of Bill No. 30 to consolidate and amend the acts relating to the Supreme Court of the Independent Order of Foresters, and to change its name to the Independent Order of Foresters.—Mr. Macdonell. (Mr. Deputy Speaker in the Chair).

On section 7—Investment Board of Society:

Mr. ROBB: Mr. Chairman, before this clause is adopted, having been absent when the Bill was considered in committee before, I desire, on behalf of some Foresters, to make a few observations. I am not now, nor have I ever been, a Forester, but I recognize the importance of this great fraternal organization in providing a fairly cheap and reasonable insurance to a class of people who otherwise might not have taken insurance. The Independent Order of Foresters was organized as a fraternal insurance association. Its laws were made in the supreme court where there were representatives from the provincial high courts and these representatives of the provincial high courts were elected by subordinate courts. The order has been most successful. It is said that it has over $20,500,000 of accumulated funds and it is proposed by this legislation to change this great fraternal organization or society to what may be termed a straight life insurance company. If I understand the legislation aright, it is proposed to put the society exactly on the same basis as the straight line companies and I am not sure but that it will come under legislation affecting the standard or straight line companies. I submit to the committee that the promoters have offered to Parliament no evidence that they have authority from the membership to ask for this legislation. The High Court of Quebec has not met for three years, nor has the Supreme Court, and at these meetings no question has been raised with regard to this proposed legislation. I have the last official journal of the fraternity wherein is a report of a recent meeting of the state High Court of Rhode Island and there is no statement to show that the question of this proposed legislation was submitted to the membership of that high court. I have here the January, February and March numbers of the official journal of the fraternity. There is no notice in the January or March numbers to the membership that this legislation is being asked for. In the February number there is, in small print in a corner of the journal, a notice intimating that at this session it was proposed to ask for some legislation defining the rights of members. I submit that, inasmuch as this fraternity originally received its charter from Parliament, we cannot escape the responsibility of this matter and the Government of the day, and more particularly the Finance Minister, are responsible to the members of the Independent Order of Foresters for this proposed legislation. We should say to the promoters: Go back to your subordinate courts and your high courts and explain to them this legislation and the effect that it will have upon the membership and then come to us and we will consider your legislation. I know it will be answered that the matter can, under the legislation, be referred to the supreme court and that the Act does not come into effect until the supreme court has met. But, as in most of these fraternities, the representatives of the courts are junior members who have passed the chair and who are, as a matter of courtesy sent to the Supreme Court, they have no knowledge of the proceedings of previous courts and it will be easy for the men at the head of affairs to railroad this legislation through. There are 135,000 members in Canada and we have no right to put this legislation through until the promoters have told the membership what effect it will have upon their rights which have accrued under the charter granted by this Parliament.

Mr. MACDONELL: Mr. Chairman, the hon. gentleman (Mr. Robb) mentioned to me a day or two ago the objection that he has made. I pointed out to him then that the best notice that could be given of the intended application had been by the publication of the fact in the February number of the official organ of the society. No doubt it would have been published in the March number had it not been for the fact that this Bill was before the committee but was being investigated very thoroughly by the Finance Department and its passage was delayed for some weeks. This legislation is purely tentative. It does not bind the society to accept it and it does not bind the members to adopt it unless and until they have themselves, by a two-thirds vote, decided that they will take advantage of it. I am not a member of the Foresters Order, and I am not as familiar with the technical details as to this class of insurance as I might be, and I have therefore taken the trouble to procure a written statement in regard to the point my hon. friend has

made so that it can go on the records of the House as an answer to his objection that the members will not be sufficiently notified of this becoming law. The answer is as follows:

Note on suggestion by Mr. James A. Robb that before granting legislation asked for, the society should explain to its subordinate courts what effect this will have on their policies.

(1) The members have already through the notice in the official journal of February, 1913 (the official journal goes free of charge to said members) had notice of the purpose of the Bill.

(2) Section 12 of the Bill provides that the supreme court of the society shall in regular session accept the Bill or it does not become effective. The constitution provides that ninety days notice be given of the session of the supreme court. The call for the session together with an explanation of the business to be transacted is published in the official journal which is sent free or charge to every member.

(3) The steps that will be taken if the Bill is enacted by Parliament are as follows:—

(a) The Bill with explanations and the call for the session will be published in the official journal in the months of May and June.

(b) In June and July the subordinate courts (in which the members assemble) elect their delegates to the intermediate body—the high court.

(c) In July and August the high courts (composed of the delegates of the subordinate courts meet and elect representatives in the supreme court.

(d) In September the supreme court composed of these elected representatives meets, and after deliberation decide on acceptance or non-acceptance.

Thus the members will be fully informed at the time they select their delegates.

That seems to be as thorough a way as could be devised, by which the members can be consulted. This is a purely democratic organization; it is mutual, there are no profits except those that accrue from the members themselves, and they have to give and take among themselves. This method which I have read is the method prescribed by the constitution and by-laws of the society, and it is in strict accordance with these by-laws and this constitution that the proceedings are to be taken. If the supreme court of the order, who are a thoroughly representative body, do not approve of this Bill, they will not accept it. Doubtless when the different courts are elected as they will be before this vote is taken, they will be instructed whether to accept or decline this legislation, and in that democratic manner each member will have an opportunity of expressing his opinion as to this Bill. The other point mentioned by the hon. gentleman is as to the change of this society from a fraternal or benefit to an ordinary life insurance company. That is not quite so. This society in order to continue doing business in some twenty states of the American union at the present time, will have to be put upon a reserve basis in or before the year 1917, and unless it is on that reserve basis at that time, it will have to discontinue business in these states. A large number of other states in the union, which have not yet adopted what is called the Mobile law, are taking steps to pass it, and the result will be that by the year 1917, unless the society can qualify to do business on the reserve basis in the United States, it will practically have to withdraw from that country. Furthermore, even if they did not intend to do business in the United States, owing to their own business requirements, they find it absolutely necessary to be put on the reserve basis, if they are to continue to insure as they have been in the habit of doing. In order to go on the reserve basis they have to come within the jurisdiction of the Insurance Department and under the Insurance Act. Their chief reason for asking for this legislation is to become an insurance company under the Insurance Act and have their fraternal and benevolent features retained. Those who have administered the affairs of this society successfully for many years have recommended this and it is for the members to accept it or not as they please. In the committee the chief ranger and his counsel appeared and the matter was thoroughly discussed. I am informed the Insurance Department has gone closely into the matter and approved of this legislation.

Mr. BELAND: Has not this order been under the inspection of the Government Insurance Department for a number of years?

Mr. MACDONELL: As a fraternal society I should think so, but not as a straight insurance company.

Mr. BELAND: Is the head office still in Canada?

Mr. MACDONELL: In Toronto.

Mr. BELAND: What is the membership?

Mr. MACDONELL: Two hundred and forty-three thousand members, and each member is a policy-holder. Of that 243,000 members 133,000 are living in the United States and it becomes of very great importance to this society that it should not be excluded from operating in the United States.

Mr. BELAND: Is there anything in the Bill affecting the rates?

Mr. MACDONELL: No.

Mr. ROBB: What effect will clause 5 in the schedule have on clause 12 of the Bill? I refer to page 7, where it says:

In the event of the said supreme court failing to adopt——

Mr MACDONELL: That is part of section 4 of the schedule; that is not section 5. It is simply a technical definition of that class of insurance business.

Mr. BARKER: I was on the committee when this Bill was under consideration. Notice of it had been given in the usual way. The Minister of Finance informed us that the whole Bill had been before the officers of the Insurance Department and had been considered very carefully. The counsel of the society, Mr. Hunter, appeared before the committee and gave full explanations. One or two gentlemen there discussed the matter and seemed greatly interested in it. After hearing the discussion, the committee were satisfied that this was in the interest of everybody connected with the Forester's society; but it is all subject to a vote at a meeting to be called within six months. If a majority of the whole body cannot be satisfied that this is right, it will fall to the ground.

Mr. MACDONELL: Two-thirds.

Mr. BARKER: Why did this gentleman, whoever he is, not appear before the committee where everything was fully discussed and explained. If some single member of a society composed of three or four hundred thousand people could appear here through an hon. member at the last moment, and object after the Bill had gone through its first and second readings, through the Banking Committee and then come back here, no Bill whatever could be carried through this Parliament. If anything is wrong, as the hon. gentleman mentions, the Bill has still to go through the Senate and the Senate Committee. Let them go there and point out anything that is wrong. This Bill does not change the order at all.

Mr. MORPHY: With regard to section 12 of the Bill:

Notwithstanding anything in the existing constitution and laws of the society, the supreme court of the society may meet in regular session within six months from the date of the passing of this Act.

The point that occurs to me is that the supreme court may meet within two weeks or two months after the passing of the Act. The section is very broad. It may meet with or without notice to what is know as subordinate courts of the order. Where a sweeping measure of this kind is being put forward in this House, which will have the effect of altering to some extent the policies or the beneficiary certificates of a great many members of this large and widespread fraternal organization there should be in this Bill a clause which would compel the High Court or members of the supreme court of the order to send to every subordinate court throughout the length and breadth of its jurisdiction a notice saying when the supreme court meeting would be held and also that this Act would be taken up on the date mentioned, so as to give the individual, whose policy will be more or less affected, the right, free from the control of any person, in his own local court, to discuss all the bearings of this Act as it affects him. There may or there may not be a reason for this objection. I am a member of the order, holding office in it. I am not a member of the Private Bills Committee and have been only incidentally attracted to the Bill as it has come up in the House. I would suggest with all courtesy to the hon. member, who is promoting the Bill, either that he should consider the insertion of a clause that the usual rules for calling meetings to discuss questions of this kind in local courts shall be provided for in this Bill, or that the Bill itself should contain a clause that notice should be given to every subordinate court before it meets to elect delegates to the supreme court where this matter will be finally decided. In that way the local court can instruct its delegates how to act in regard to this Bill when it comes up for discussion in either the supreme court or the High Court.

Mr. AMES: Does not section 12 provide that this can only be dealt with by the society at a regular session and does not section 3 state that the constitution and by-laws of the society which were in force in 1909 shall still remain in force? Those by-laws of the society provide the manner in which the society shall be convened in regular session. Consequently all the formalities as to notice which already exist in the by-laws will be preserved in this particular case.

Mr. MORPHY: Does the Bill say so?

Mr. AMES: The Bill distinctly states that the constitution and by-laws of the society, as in force in January, 1909, shall remain in force; consequently, as this is to be a regular session of the society, it is to be convened in conformity with its by-laws.

Mr. BARKER: The hon. gentleman does not understand the point I make. The doubt I have is as to what the constitution and by-laws provide, not as to what the statute provides.

Mr. AMES: That is on record.

Mr. MORPHY: But I have not it before me.

Mr. MACDONELL: Perhaps the hon. gentleman will allow us to proceed with the Bill until we reach that clause.

On the schedule:

Mr. GUTHRIE: I do not see anything in the Bill to provide that the schedule is made part of the Act.

Mr. MACDONELL: I propose to move an amendment to the schedule. It was suggested when the matter was before the committee on the last occasion. The objection was that this Bill might interfere with contracts as it stood at the present time, and that vested rights that individuals hold in their certificates of membership might be interfered with to the detriment of the members. That was apparently not the intention of this Bill; but, in order to make it emphatic, I am prepared to ask the committee to add a clause to the schedule. This amendment has been submitted to the Insurance Department for the purpose of making sure that the amendment will cover these cases and will protect the present status of all policy holders or contract holders, and the Insurance Department passed upon this amendment, which is as follows:

Notwithstanding anything in this schedule contained, when the event insured against in any certificate or policy happened prior to the first day of July 1911, the rights of the members shall be as set forth in the constitution and by-laws of the society filed in the office of the superintendent of insurance on the 26th day of January 1909——

That is regarding the earlier group, and when the event insured against in any certificate or policy has happened or shall happen between the said first day of July, 1911,

And the first day of October, 1913, the rights of the members shall be as set forth in the existing constitution and laws of the society defined in section 3 of this Act.

That is the day intended when this Bill shall take effect.

The by-laws and constitution were changed in July, 1911, and the first part of this amendment will cover all those cases up to that time. And all cases since then will be covered by the subsequent part of this amendment, which provides that the existing contracts and laws of the society shall be applied to the subsequent contracts or the present group.

Mr. GUTHRIE: I am not familiar with the by-laws and constitution of the order, but I have received the assurance from the Supreme Chief Ranger of the order and from the solicitor, as well as the assurance given by my hon. friend from South Toronto, that the amendment does cover the cases referred to on Friday night last, namely, that those people who now hold matured or paid-up policies will be protected from any subsequent call or further assessment. Upon that understanding I am quite willing to consent to the amendment.

The CHAIRMAN: It seems to me that the amendment is quite important, and falls under rule 112, which requires a day's notice. Perhaps it might stand as a notice.

Mr. MACDONELL: With the consent of the House, Mr. Chairman.

Amendment agreed to.

Bill reported.

CANADA NORTHWEST LOAN AND MORTGAGE COMPANY.

On motion for second reading of amendments made by the Senate to Bill No. 29, to incorporate the Canada Northwest Loan and Mortgage Company.—Mr. Meighen.

Mr. AMES: The amendments consist merely in striking out clause 21, which deprives the company of the right to do business through foreign agencies, and striking out from clause 22, the words ' or possessed of property suitable for the purposes of the company.'

Mr. MEIGHEN: A discussion took place in the committee as to whether or not clause 21 should be retained, and there were some who thought that the part reinserted should take the place of that clause. The Senate committee first of all passed it, it was afterwards passed by the Banking and Commerce Committee of the House, and I believe, without notifying those interested in the Bill, the Senate committee wiped out clause 21 and inserted the substitute. At this stage of the session I feel that it would be in the best interests of the Bill itself and of all concerned, if the Senate amendment were accepted and not referred back to the committee.

Mr. GRAHAM: I imagine that this could hardly be considered a minor amendment. Even if it be taking away powers, the amendment might be very important, just as much so as if it were adding powers. If the promoter of the Bill is satisfied to have it so, I presume the question as to whether or not the amendment is of major or minor importance could be waived, but it would not be a very good precedent to lay down that because we are merely depriving the company of powers conferred by the amendment is a minor one. It might be an amendment that would destroy the whole scope of the Bill.

Mr. MEIGHEN: The effect of the amendment is this: Section 21 enables the company to make sales of stock in other countries, to effect registrations of those sales, and to establish offices there for that purpose. There was another clause appended

to section 16, which enables the company to open offices in other countries, but not to effect registrations. In any event, there must be a complete registration at the head office, so the hon. gentleman will see that there is nothing very vital at stake—it is merely a matter of the reduction of power.

Mr. EMMERSON: What is the meaning of the amendment to section 22—'or possessed of property suitable for the purposes of the company.'

Mr. MEIGHEN: The committee will see that as the clause did read, the company incorporated could take over the entire assets and undertake the whole of the business of any other company. The only restriction on the class of company which might be taken over is that is be possessed of property suitable for the purposes of the company. Evidently the Senate thought that almost any company at all might qualify under that, and, as a consequence, they struck out that provision. If the company were able to take over any other company merely possessed of properties suitable for the purposes of this company, it would practically wipe out restriction, as almost all companies would be so possessed.

Amendments read the second time, and agreed to.

NAVAL FORCES OF THE EMPIRE.

House again in Committee on Bill No. 21, to authorize measures for increasing the effective Naval Forces of the Empire.—Mr. Borden. (Mr. Deputy Speaker in the Chair).

Mr. CLARK (Red Deer): Mr. Chairman, in the few minutes that I require to finish what I have to say to the committee at this time, I should like to make one more appeal to the Government, though I am bound to say, Sir, that the Government have not given the attention to my appeals which I think it would have paid them to give. What a difference it would have made to us on a recent Saturday, if the Government had listened to the appeal which I tried to make to them on the afternoon of that day. I pointed out that the health of members was suffering to such an extent that no careful man could prophesy without fear of being wrong what would happen if we went into an evening sitting, and I argued that we ought to rise to prevent things from happening. Well, the Government would not listen to me, and the things happened. If that Saturday evening had not found us in Parliament, the history of Canada would have been different. The only statesmanlike thing that this Government can do is to withdraw this measure; that is the only statesmanlike course before them. I want to appeal to them once more along that line, and I do so, reinforced by the kind of defence that was put up this afternoon on behalf of the measure by my hon. friend the Minister of Finance. I have already dealt very largely with what he said, but there are one or two points that will bear repetition and I invite the special attention of the committee and of my friends opposite to this point. My hon. friend the Minister of Finance had not been on his feet for five minutes when he produced a profound impression upon the benches opposite, and how did he produce that impression? By reading a document. He read words and attributed them to Mr. Churchill, words which Mr. Churchill never uttered, which anyone who knew anything about English statesmen or anyone who knew anything about this question, knew he could not have uttered. I had read the cabled communication which misled my hon. friend the Minister of Finance, and the moment I read it, being comparatively an experienced parliamentarian, I knew at once that it was a garbled thing, and that Mr. Churchill could never have said what was attributed to him. But my hon. friend read it, and produced a profound impression upon the benches opposite by reading it. No applause so hearty was evoked by him in the course of his speech as was evoked by his quoting words of Mr. Winston Churchill which Mr. Churchill never uttered.

Mr. WHITE (Minister of Finance): I understand my hon. friend read from a newspaper, the London Daily News and Leader of March 27?

Mr. CLARK: I did.

Mr. WHITE: The speech of the Right Hon. Winston Churchill to which I referred was of date March 31. I have here in my hand a cabled despatch of the words of the Right Hon. Winston Churchill on that occasion, and they are what I read to the House this afternoon. I do not want to take up the time of the committee. My hon. friend is fair; he said this afternoon that if Mr. Churchill had said what I quoted, I would have produced a very strong argument for changing his opinion and for asking the House to change its opinion. Now I have this cabled report from the Colonial Office:

> Both these views seem to me to be equally wrong and equally harmful to our interests, and I must repeat that the Canadian ships are absolutely necessary for the whole world defence of the British Empire from the end of 1915 or from the beginning of 1916, onwards.

Mr. MURPHY: To whom is the cable addressed?

Mr. WHITE: To the Right Hon. R. L. Borden.

Mr. CLARK: The words which my hon. friend has just read are not the words he used this afternoon. I do not know what is the authenticity of this cablegram, any more than I know what was the authenticity of the previous cablegram, but I am bound to say that I shall be very much surprised if Mr. Churchill ever used those words, because they would be an impeachment of himself, and a contradiction of everything that has been said by every other British minister. If Mr. Winston Churchill contradicted everything that has been said by his own Cabinet and by himself for the last three years, then I shall put the speeches of the whole of the Cabinet against that statement, even supposing it was uttered. But I shall want further confirmation of those words before I believe that he ever said that those ships are absolutely necessary. The quotation this afternoon was, of course, from a cablegram which I believe, was garbled for the purpose, and which was sent if I am not mistaken, by 'Windermere.' However, I can make my appeal to the Government just as strongly by leaving that point in abeyance. My hon. friend did not know this afternoon that Mr. Churchill said these things and he did not trust his own cablegram. He based his case upon words the truth of which he did not know this afternoon; he only believes in their truth now, and no hon. member sitting behind him believed in the truth of the words, but they were all ready to applaud him, and they gave him the most vociferous applause he got in the course of his remarks. The point I wish to make is this, and this is where I make my appeal: are the Government, some of whose members I see sitting opposite me, and their followers in a position to come to this House and threaten hon. members on this side of the House with closure to put through a measure the supports of which they know as little as they have demonstrated this afternoon? The threat of closure for the purpose of putting through that measure in view of their absolute ignorance of the things that have been said by Winston Churchill is a reason why they should never mention closure any more, and why they should withdraw the measure from Parliament until they know more about it.

The second reason in my hon. friend's speech, upon which I base this appeal, is that a measure that needs to be supported by an argument such as my hon. friend the Minister of Finance presented to us in regard to the chilling of the British investor, is damned by that argument. Is this the strength of my hon. friend's case? It is an argument that is not true. The investor would not be chilled if we did not get our ships built in Britain. The proof is very easy of demonstration, and ought to be present to the mind of the minister who is responsible for the ordering of the finances of this country. It is true that Britain has two billion dollars invested in Canada, but she has three billion dollars invested in the United States. Will my hon. friend the Minister of Finance argue that these three billion dollars are invested in the United States because the United States get their ships built in Britain? Then what becomes of his argument as applied to Canada? He knows about investments; he does not believe in the strength of his own argument. Does he not know that men invest money in this country because of the interest they get on it? Of course he does. That is what leads British investors to put their money into Canada. It is a matter of business. They send it to the Argentine, to the United States, to Canada and all over the world, because these are the best places for investment. But I wonder what the people of Great Britain will say when they know that the Finance Minister of Canada has been so reduced in his attempt to defend this crude, ill-considered and impossible measure, as to present to this House the argument that we ought to pass it, forsooth, because we shall give a little order for shipbuilding to England and we shall induce Britishers to come and invest their money in Canada. I wonder what the British investor, the British citizen, will think of the party that claims that they are the sole representatives in Canada of loyalty and high imperialism when they want to argue that the Dominion of Canada would only be ordering these paltry ships, forsooth, to buy the larger investment of British capital. Never let them charge my right hon. friend (Sir Wilfrid Laurier) with disloyalty, never let them find the words 'loyalty' and 'imperialism' upon their lips until they have purged themselves of, and disavowed any connection whatsoever with, this debasing argument.

If my hon. friend wants to induce British investments in this country in a proper manner I will tell him how to do it—extend the markets of the western farmer. That is how my right hon. leader induced prosperity, that is how my right hon. leader induced immigrants and investments to come upon which, according to my hon. friend the Minister of Finance, the prosperity of Canada depends at the present time. He introduced the British preference; he did not talk loyalty, he showed it. He gave the Britisher the advantage in this country. The British preference was like the grease on the wheels of a rusty and slowing-down machine; the Britishers came to sell here, we sold to Great Britain, and Canada was advertised by this wise, economic policy in Great Britain. The result was that the British

immigrant came, then the British investor came, and then prosperity came.

I want to enforce this argument by a reference to another aspect of the case. I have been taken to task by certain western newspapers supporting, of course, my hon. friends opposite, because I had ventured to tell this committee at a previous stage in this discussion the truth about western conditions as a reason why we should be cautious about sending out of this country $35,000,000 which will not be of any use to the industries of Canada. I do not know that a man should be too heavily criticised for telling the truth. I have always thought that telling lies was a thing that a man should be criticised for. But I want to enforce my appeal to the Government to pause and rest a little upon this measure. The Calgary Eye Opener is a strong supporter of my hon. friends opposite, and the Calgary Eye Opener is a paper upon which the hon. Minister of Public Works (Mr. Rogers) relies very heavily because it has been foremost amongst the journals which have produced the side-splitting laughter to which he referred last evening about the supposed insignificance of the Niobe and the Rainbow. The Calgary Eye Opener, in a recent issue, had something to say about the present economic conditions of western Canada and this is what it had to say:

The farmers of Alberta owe the machine companies $20,000,000 at the present time.

That is a pretty serious state of affairs, Mr. Chairman. I take that information to be authentic, even appearing in the Eye Opener, because it was written in favour of the machine men and against the legislation which had been passed in the Alberta legislature in favour of the farmer as against the machine men. The writer was defending the corporations upon whose support my hon. friends opposite depend. They are all in league, they are all Imperialists—the Manufacturers' Association, the Eye Opener and the Government. That is the combination we are up against, that is the combination that wants to run Canada into close association with the Malay Archipelago and the Gibraltar rock. That is what the Calgary Eye Opener says is the present condition of western Canada and I want my hon. friends to pay attention to that. I want my hon. friend the Minister of Finance to base his fiscal policy upon that. I want him to consider that corpse of reciprocity that he has been rejoicing over so much. I do not think it is nearly so much a corpse as these three dreadnoughts are. I have my own opinion about which is the deader, and I have an opinion that in a few weeks there will be more talk about reciprocity than there will be about the Malay Archipelago-Canadian affair. I had a letter a short time ago from a friend in Stettler who tells me that every working day for some weeks within a radius of twenty-five miles of that town there has been a sale. Men are selling out and leaving the country.

Mr. LALOR: Made their fortunes, I suppose.

Mr. CLARK: No, my hon. friend who is a manufacturer takes very good care that the farmers do not make their fortunes. He makes his fortune out of the farmers. They are selling out because they cannot market the stuff they raise and the conditions are not allowing them to stay in the country. This was an intelligent man who wrote that letter and he says that they are going back to the United States where they came from.

Mr. LALOR: Wilson is fixing that up for them.

Mr. CLARK: Yes, my hon. friend rejoices that they are to have a fraction of reciprocity apparently. He is one of the hon. gentlemen who objected strenuously to the whole thing, but he likes a fraction of it. I do not understand the mind of my hon. friend. My corespondent went on to say that he would go back next year unless the conditions improved. Incidentally he wrote strongly disapproving of the gift of this money, if it is a gift. I do not know what to call it; you cannot dignify it by that name. It is really like the state of the world before the Creator had gone very far with it; that is, it is without form and void. It is neither a contribution, nor a permanent policy, but whatever it is, the thing is without form and void that we are asked to invest $35,000,000 upon. This will be one of the most foolish investments made by a Canadian or anyone else. This is no time to send $35,000,000 out of Canada to be invested in a way that will not bring one cent of advantage to the people of Canada. While a handful of eastern manufacturers are becoming millionaires, the western farmers are faced with falling land values and the general symptoms of commercial depression. If the hon. Minister of Finance would look into the condition of business at home, instead of going to the ends of the world to seek this nautical marriage with the people of the Malay States, he would do more good to Canada and the British Empire. It is in that way that he will attract British capital. Increase the markets of the farmer and increase the production of wealth within the limits of your own country. Then you will attract capital, you will attract inhabitants and you will increase the prosperity of the country. These are two points in the speech of my hon. friend and his third point around which really the whole of his argument, in so far as we can dignify it by that name, revolves, was that the policy of the Government is more effective, that it is in an effective policy. On this point the Minister of Finance joined with the Minister of Public Works. That is the latest argument we have to

deal with. I want to understand the policy of the Government; I want to understand the argument by which it is supported. They tell us we do not give them light; it is not for us to give them light, but we do punch holes in their argument until they get Mr. Winston Churchill to make a speech and explain their policy to them and to us. I think it is capable of almost exact proof that their policy is the most absolutely ineffective thing that ever the human intellect was called to examine. Is it the Government's idea of effectiveness to send empty ships to Britain or the money to build empty ships? Australia does not do that; why should Canada? Australia is building her own navy and manning it; why should Canada take the opposite plan? Will the British people form a high idea of Canadian ability or of Canadian courage; will they not make unfavourable comparisons between Canada and Australia as the result of this policy. It is a thousand to one that the British people will think more of Australia. I have seen the Australians in their flannels compete on the cricket field with their brethren of England, and were they not brethren and friends on the cricket field, and when the British people know that the Australians are building their own ships, however small the beginning, and that they are manning them, will they not say that these are true sons of Britain? It is, I say, a thousand to one they will think more of Australia than they will of Canada. Where does the effectiveness of which the Minister of Finance spoke, come in? He tells us Britain is weakening on the sea; he said in as many words that Britain is not as strong relatively as she used to be. If that be the case, every Canadian wants to take the road which will strengthen Britain. I am going to prove to the Minister of Finance, as clearly as a sum in arithmetic can be demonstrated, that he cannot strengthen Britain by the course he is taking. In the British naval estimates upon which our last understanding of the Government's policy is based, it is pointed out that at the present time the ship-building resources of Britain are so taxed that they do not permit of a larger constructional programme. I ask the Minister of Finance what is the meaning of that language? The meaning of that language, and it admits of no other interpretation, is, that in Britain at the present moment, under their own programme, they are constructing every ship that they possibly can cram into the shipyards of Great Britain? I want to ask the Minister of Finance, who is so sure of the effectiveness of his policy, where is he going to get his three ships built? He says in Britain, but the Admiralty says he cannot get them built there, and therefore his policy is to vote $35,000,000 to build ships in Great Britain which he cannot get built in Great Britain. That is the effective policy of hon. gentlemen opposite. I think I have demonstrated this to the satisfaction of the Minister of Finance; he is quite thoughtful, he does not interrupt me at this moment.

Mr. WHITE: I never do.

Mr. CLARK: Where will you get your ships built? Where is your effectiveness in the building of the ships. Let me read the words again:

> It is also pointed out that at the present moment the ship-building resources of England are so taxed they do not permit of a larger constructional programme.

What is the duty of Canada in these circumstances? Is it to laugh at the Niobe and the Rainbow; is it to laugh at the idea of beginning construction here; is it not to play the part of men?—are we sons of Britain—and begin, however humbly, just as Australia has begun and help the Mother Country out of her difficulty. The Minister of Finance says Britain is getting weaker, but the Admiralty says the British shipyards are doing all they can in the way of ship-building in their own programme and Canada wants to send this money over to England, for what purpose, I do not know, unless there is a rake-off in it.

There is another question which crops up, and that is, how are you going to man the ships. We are told they are not to be manned with Canadians; Canadians are ruled out, and, can we get the men in Britain? I quote from last month's National Review, and Imperialist organ; a jingo organ if you like:

> We have battleships enough to fulfil present requirements.

That does not seem a very good reason for Canada building three more.

> We have battleships enought to fulfil present requirements, but unfortunately these vessels happen to be empty.

So it would appear that Britain has plenty of empty ships already, because she cannot man them, and this effective policy of the Canadian Government is to send her more empty ships. If that is the Finance Minister's idea of effectiveness, I hope he will not construct any more policies, and I think I have given him good reason to call a serious council to-morrow morning before we get into all night sittings over closure or anything else, and to solve that little problem with the people of the country as to where he can get his ships constructed and how he will get them manned, after he has constructed them.

I stand absolutely on the policy of my right hon. leader to begin in Canada as

soon as possible—and you cannot begin anywhere else, for you cannot begin in Britain —to construct a Canadian navy. The Minister of Finance told me this afternoon that I was following a policy of peace; that I stood alone; that I wanted to begin in a small way, but I think in what I have said I have furnished him reasonable ground for believing that I am one of the few sane men in the Parliament of Canada. I have given strong reasons why we should begin in a small way; if Britain has all the ships she wants and she cannot man the ships she has, in the name of common sense what becomes of the policy of the Government? As to where the Malays come in, that will be next century. The flying squadron that will never fly, under this policy of the Canadian Government.

I want to say a word or two on what is really a vital question before the country and this House, and I believe my right hon. leader summed that up absolutely when he said it was a question between centralization and expansion. That is what we have to decide. On what basis are we to build up the British Empire? Is it on the basis of a commonwealth of free nations such as we have regarded it for the last seventy years, or are we to go back to a policy of centralization? I want to call the attention of the Finance Minister to the fact that what Mr. Winston Churchill has always emphasized is the willingness of Canadians to help. That is the great thing the British Government wants and that is the great thing the British people want; they want an effective policy and they have said all along that what they want is our moral support. Mr. Churchill emphasizes the fact of Canadian willingness to help and he deprecates too much insistence on methods. He said in effect: the two parties are not very far apart, and he says something that makes one think that in the bottom of his mind he has a hankering for a Canadian naval service because he referred to my distinguished leader as 'that far-seeing Imperial statesman, Sir Wilfrid Laurier.' By the way this reference was in the early reports carefully kept out of the Tory newspapers, I do not know that cutting it out very much shortened the far-sightedness of my right hon. friend. I think the right hon. the leader of the Opposition has seen further in this matter than hon. gentlemen opposite have from the very beginning. It would look very much like it when we consider the condition of the British shipyards and the condition of the manning resources of the British Admiralty at the present time. He says: Do not put too much insistence upon method. From Mr. Churchill's point of view, that is all right. His is a British point of view. I want to point that out to my hon. friend the Minister of Finance. From the Canadian point of view, from the point of view of Canadian self-government, Canadian self-reliance and Canadian development, method is all-important; and the method that we have followed for the last seventy years has been the method of whatever we did having the distinctive Canadian marks upon it. When we go on to the sea, we should go there as Canadians. That is why we stand by our policy of a distinctive Canadian naval service as opposed to flying squadrons anywhere. Method is all-important from that point of view. I think my hon. friends of the Government are coming to hold this view, in spite of themselves. If they take their minds off closure, force, and all-night sittings and just study this question for a little, I think they will get the correct solution.

This was perhaps the most noticeable thing in the speech of my hon. friend the Prime Minister and also in the speech of my hon. friend the Minister of Finance. I want to call the attention of the committee and of hon. gentlemen opposite to it. The Prime Minister yesterday was very vehement in his repudiation of the idea of permanent contributions. Indeed, his vehemence carried him the length of saying that this was not a contribution. My hon. friend the Minister of Finance was almost equally vehement against the idea of permanent contributions althought he did not go the length of saying that this was not a contribution. The Prime Minister and my hon. friend the Minister of Finance were equally vehement in their disavowal of the statement that this was not a departure from a policy of a Canadian navy. I do not think I misrepresent my hon. friend; I am certain I do not misrepresent the Prime Minister. They will not be misrepresented as saying that they have in any way given up the idea of a Canadian navy. They did not want it to be stated that this is the first of a series of contributions. If that is so, this contribution stands in magnificent loneliness, in splendid isolation. Is this the policy that is to be effective, a solitary flying squadron, probably among Mongolians, with Canadian names on three of the ships. This is the idea which my hon. friend has of effectiveness. That, however, is not the point that I wish to make. They say in effect: You are going to have a Canadian navy. They see that Canada must develop. Now Imperial federation is very rapidly flying to the winds in the sense of concentrated defence under the contol of the British Admiralty. I have been trying to put a fair argument up to my hon. friends and to the Cabinet, because we have bought enough pigs in a poke. We want to know what this policy is. If we believe in a Canadian navy, what

about concentration in matters of defence, and where does Imperial federation come in? Imperial federation has two ends, tariff reform and defence. Tariff reform is as dead as Julius Cæsar in England to-day. Everybody knows that, who knows anything. Colonel Weston in Westmorland the other day won an election by throwing over tariff reform and running as a Unionist free trader. He won the election in spite of the tariff reformers. The people are against it. The trade end is gone. The defence end is going. My hon. friend the Minister of Finance will not have it said that he is not for a Canadian navy. What is he for? As I say that, he gets an angry look on his face, as near as he can get to looking angry. If he will not have it said that he is not for a Canadian navy, will he allow me to say that he is for a Canadian navy? He stays by the flying squadron. Why, he does not know whether he is for a Canadian navy or not. This is the party that is going to put this Bill through by closure. I hope my hon. friend will instrust someone to tell us where the Government stands in this matter. The Prime Minister says that this is not the first of a series of contributions. My hon. friend follows that argument and says that this is not the first of a series of contributions. The Prime Minister says: I have never said that I was not in favour of a Canadian navy. Well, he said something awfully like it, in one of his speeches, but I am glad to have him where he is now. He asked us a question in one of his speeches this winter, saying: Are we to have five navies? Well, Australia immediately says, we shall have one anyhow; and one of these days Canada will say we shall have another. My point is this: when he asked that question, what was the House to infer from it? If the question had any meaning, it meant that at that time the mind of the Prime Minister was on concentration for purposes of Armageddon and other purposes. But now that Armageddon and the emergency have all gone into the skies, now that the North sea has been deserted, now that the flying squadron has been called to Gibraltar Rock, they know that this policy will not go; they know that the people are laughing. Hon. gentlemen opposite laughed at the Rainbow and the Niobe; the laughter that has taken place at the expense of the Rainbow and the Niobe will be a mere smile in comparison with the laughter which this flying squadron is going to create. They know that the flying squadron will not go with the Canadian people. Imperial federation seems to me to be more of a dream than ever it was. I heard my right hon. friend and leader (Sir Wilfrid Laurier) say yesterday: It is a magnificent idea. I

Mr. CLARK (Red Deer).

hate to contradict my leader but I like an idea that can be put into practice. Edmund Burke said it was a magnificent idea a century and a quarter ago. You cannot do anything for defence or anything else with a magnificent idea. What you want is something which can be put into practice. Imperial federation never looked thinner than it does at the present moment. My right hon. friend (Sir Wilfrid Laurier) is all right. He is a Frenchman; his temperament is French; he likes an idea. He added, however, an 'if,' he said: 'If it can only be put into practice.' The moment you try to put it into practice, Australia sheers off and will not have anything to do with it. So does New Zealand. The only people who will have anything to do with Imperial federation are the Sultan of Perak and the Sultan of Manitoba. I have tried to bring the argument to this point with a view of emphasizing this further appeal to the Government that it should defer this matter and at the last moment follow statesmanlike lines and take this thing out of the way. I ventured last night, in an interjection, to call it a corpse. You cannot keep your corpses around too long. Take it away. Give it a decent burial. There is nothing in the idea. Let Canada get down to developing Canada. There are only two ways, as my hon. friend from Pictou (Mr. Macdonald) pointed out last night, of looking at the British Empire. I may be pardoned by this committee for a reference which may appear egotistical; but I had a letter from an old Northumbrian, who happens to be my father. He is eighty-three years of age, but still walks his four miles every day. He says, Churchill has been a little rash in this business. My father is a good supporter of the Asquith government too. He says, you must entirely and absolutely have a navy of your own in Canada, because one of these days Canada will become a greater country than England. There are some people in England who have a proper idea of Canada. I shall have to tell the man to go and see Churchill. You must absolutely have a navy of your own, but loyal to the British flag. And there are millions of Englishmen and Irishmen and Scotchmen who are saying the same thing, who want you to to this thing in the right way. Does any man in his senses suppose that this country can for a long time—I do not see why I should argue this point with the Government, because they have given it up—be kept in leading strings to Downing Street? It is unthinkable—absolutely unthinkable. Australia has cut loose from that, and we have to get away from it; and the time is now. My hon. friend will not say he is not in favour of a Canadian navy; I believe in his heart

he knows that it has to come, for this is a great nation. And we are the people who have to build it. If these gentlemen on the other side will not do it, we will get over on that side, and we will do it. It is unthinkable that a country of the size and resources of Canada can be kept long, or can be put again into leading strings to Downing Street. And what is the other ideal? The other ideal is to have centres of defence in every portion of the world; it is to begin with your Canadian navy. And, if you are going to have a navy, if you are never going to repeat the contribution, why give the first one? Thirty-five millions of dollars would make a magnificent start on our proper line of development. Let us start now; let us go back to the united condition in which we were in 1909. Then we shall be able to get about the proper business of this Parliament in looking after Canada, and we shall be able to wind up this session very quickly. Our plea here is for a united Canada; and you can have a united Canada by going back to the resolution of 1909. Our plea is for a united and free Canada. And our plea is equally for a free and united Empire, an Empire united because it is free, for the yoke of freedom is both light and easy. There will be no more glorious story written in history than that of the island heart of this Empire. Occupying but half the area of my province of Alberta, the United Kingdom last year built sixty-two per cent of the shipping of the entire globe. Her eye is undimmed, her natural strength is unabated. Her ships sail every sea and bear everywhere the message of freedom. And it would be our glorious privilege in Canada if we could rise to the height of that privilege, and to the true thought of our destiny, to set the seal upon a policy which will lead the outlying portions of the Empire in endeavouring to give to the world the knowledge that in the coming years the pride and joy of the Old Land will be found, in fact that in every portion of the globe there are growing up daughter nations with her strength of character, with her quality of self-reliance, with her determination to share in the great work of the world's civilization.

> She sailed wherever ships could sail,
> She founded many a mighty state;
> Heaven grant her greatness may not fail
> Through craven fear of being great.

Mr. F. B. CARVELL (Carleton, N. B.): I am surprised, Mr. Chairman, that the hon. Minister of Marine and Fisheries (Mr. Hazen) can allow such an appeal to his patriotism to pass unnoticed as that to which he has listened for the last three-quarters of an hour from my hon. friend from Red Deer. It is a most remarkable thing that the hon. gentleman, who next to the Prime Minister, is responsible for this monstrous proposition which is being put forward, has not the nerve—if I may use no stronger term—after six weeks of silence, to stand up and defend that proposition even for five minutes. I had hoped that at least he would try to defend that coal barge business of his in St. John for a few minutes. I thought he was going to give us some reasons, after all the discussions we have had, as to why at least a portion of this $35,000,000 should not be spent in Canada. He seems to have abandoned the Canadian idea; and so obsessed are these hon. gentlemen with the idea of getting this money out of this country, that after the abortive attempts of the Minister of Public Works yesterday, and the Minister of Finance this afternoon, the matter is entirely abandoned. I thought I saw signs of half a dozen gentlemen on the other side this afternoon having an ambition to throw some light on the subject, but evidently the word has gone forth, the gag has been applied again, and we are back in the same position as on the 15th of March.

Mr. GRAHAM: They have had closure for months over there.

Mr. CARVELL: Yes. When this debate started four months ago they gave their followers the right to discuss the matter. But those followers got in such a sorry plight that they commenced to abuse the Germans and talk everything else to such an extent that the right hon. Prime Minister put the gag on them. And after the speeches of yesterday and this afternoon we have had the gag tried again,—and I do not wonder at it; the Prime Minister would not know where these hon. gentlemen would lead him if he allowed them to talk on this question. But the speeches of the Minister of Public Works and the Minister of Finance to-day show the necessity of further discussion on this important matter. We had hoped, at the end of a very stormy sitting which terminated, I think on the 15th of March, that possibly further discussion would not be necessary, that our friends opposite would see the error of their way and withdraw their iniquitous proposition. But instead of that, we find that we have to start in all over again and discuss it probably to as great an extent as in the past. Fortunately, members on this side are not only willing but they have the ability to discuss this matter. While we cannot all discuss it with the eloquence of the hon. member for Red Deer, yet every member on this side has given some consideration to the subject, and I am sorry we cannot say the same thing about hon. members on the other side. When the Bill was introduced on the 5th of December, who forgets the setting that my right hon. friend gave it—

the galleries filled with the feminine portion of the community, the seats filled with members, every newspaper in Canada with an advance copy of his speech ready to release on a telegram, every jingo newspaper in Great Britain with a copy of that speech, and every man on the other side instructed to sing God save the King as though the whole Empire had been on the verge of perdition and had only been saved by the proposition of my right hon. friend. And what do we find now? Only about a dozen of these hon. gentlemen can be induced to come and even listen to a discussion of the proposition. You could not get 'God save the King' out of the whole Tory party on this question. You find the Minister of Militia (Mr. Hughes) will no more than come in and look on. He became disgusted weeks ago. I do not blame him. He is a man who knows something about warlike affairs. He has had some experience. In discussing this Malay proposition, we must remember that there is no Canadian sailor or officer who will be mixed up with the Malays, because Canadians will not be allowed to go on board these vessels. As a matter of fact, they may recruit the whole flying squadron from the Malay peninsula, so it makes but little difference to the Canadians there. We do not care very much what hon. gentlemen opposite do with the squadron after they get the money; it is our business to see that they do not get it, and I can promise my hon. friend the Minister of Militia that there is not very much prospects of their getting the money. Hon. gentlemen opposite will find that the members of the Opposition know what they are talking about. It is all very well for them to talk about bringing in closure, but closure will not give them the money. As I have said, it is necessary to argue this matter further, and to discuss it in such a manner as to throw more light upon the question—and I am glad that there are a few hon. members on the other side who are perhaps anxious to get some light on the matter. When this question was first discussed in the month of December, the whole question hinged upon the existence of an alleged emergency. Those who listened to the well-staged speech of the right hon. gentleman, the speeches of the hon. member for Brantford (Mr. Cockshutt); the hon. member for Calgary (Mr. Bennett); and the hon. member for Brandon (Mr. Aikins) could not but realize that emergency was the chief argument of hon. gentlemen opposite. My hon. friends say they did not talk emergency; what did they talk? The right hon. Prime Minister made use of the following words, which may be found on page 710 of 'Hansard':

> No one is more eager than myself for the development of ship-building industries in Canada, but we cannot, upon any business or economic considerations, begin with the construction of dreadnoughts; and especially we could not do so when these ships are urgently required within two or three years at the outside, for rendering aid upon which may depend the Empire's future existence.

He says we have to have these dreadnoughts in two or three years at the very outside, because the very existence of this Empire will depend on having these vessels —where? Not at Gibraltar, but in the North sea, where Armageddon comes in two or three years! I wonder what he meant in the words of his famous peroration on the 5th of December? I will read these words to my hon. friend the Minister of Militia, and see what interpretation he will place upon them:

> But to-day, while the clouds are heavy and we hear the booming of the distant thunder, and see the lightning flashes above the horizon, we cannot and we will not wait and deliberate until any impending storm shall have burst upon us in fury and with disaster. Almost unaided, the Motherland, not for herself alone, but for us as well, is sustaining the burden of a vital Imperial duty, and confronting an overmastering necessity of national existence. Bringing the best assistance that we may in the urgency of the moment, we came thus to her aid, in token of our determination to protect and ensure the safety and integrity of the Empire, and of our resolve to defend on sea as well as on land our flag, our honour, and our heritage.

Was there not an emergency then? Is there any ground, aside from that of emergency, upon which this statement of the 5th of December is based? I wish to quote just a few words from the speech of the hon. Minister of Trade and Commerce, which appears on page 1415 of 'Hansard,' as it is indeed very interesting. The hon. minister attempts to tell what the right hon. the Prime Minister could not tell. He said that the Prime Minister had stated that when he became Premier he would consult the Admiralty and, if he found that an emergent condition existed, he would come back and propose a contribution, and if the Parliament of Canada did not grant that contribution, he would dissolve Parliament and appeal to the people. Here is what he said:

> I propose to go to Great Britain and ascertain, as nearly as I can, the exact state of affairs. If I find that there is a need or necessity, I will come back and ask this House for a money vote to meet that necessity; I will take up the question and will thoroughly look into it.

The hon. gentleman did go to England; he lived in the atmosphere of jingoes of that country, he was wined and dined by the ship-building concerns, he came back and said to the people: I have a certain amount of information, the most important part of

which is necessarily confidential and must not be revealed to the public. In his own manner—and he has a manner which no other man in the House possesses—he assured the members of this House and the people that the condition was something terrible; that it was the bounden duty of this House to pass this Bill at once, and that the whole fabric of the British Empire depended on whether or not it was passed. He came back to this Parliament and laid before it all the proofs he could, and gave to the House his own conviction as leader of the Government. He could not lay more before the House, because it is not permitted; but let no man run away with the idea that the statistical statements contained in the memorandum of the Lords of the Admiralty which has been prepared for publication, was all, or even the most important part, of the information obtained. But, Sir, from the memorandum of the British Government, and from that deeper and more intimate source, he says to this House and to this country: There is a need, and it is pressing. I believe in giving the most effective aid in the face of that need, and I say to the people of my country I know the trust that is committed to me. I hold a little more than Canada's welfare in that trust; I hold some parts of the welfare of the Empire. Whatever men may say or whatever men may do, the destinies of Canada are absolutely and irrevocably bound up with the destinies of the Empire. On my knowledge as given to you, on my knowledge as possessed but which cannot be disclosed, in pursuance of the sacred trust of a privy councillor and the leader of the Government in my country, I ask Parliament to pass this vote.

These are the words of the hon. the Mininster of Trade and Commerce as put into the mouth of the right hon. the Prime Minister. Who could listen to these words without coming to the conclusion that the whole argument of the right hon. the Prime Minister in December last was not only that there was an emergency, but that the very existence of the British Empire depended upon the granting of this vote and the construction of these dreadnoughts in England within the next two or three years? What is the situation at the present time? The Minister of Finance this afternoon went so far as to say that he was opposed to permanent contributions. He would not say he was opposed to a Canadian navy, but after his statement regarding contributions he was like Mahomet's coffin; he is suspended between Heaven and earth, and it is hard to say whether he will go up or down —I would say he will come down! They talk about emergency. In speaking on this matter on a former occasion I referred to what had taken place in Germany, to a declaration of the policy laid down by Von Tirpitz in the Reichstag, that Germany had agreed that her shipbuilding in the future should be limited to ten capital ships as compared with sixteen capital ships for Britain. I am not going over that again, because it is well known to every member in this House, and I presume to every newspaper reader in the country. But there are other cogent reasons which might be advanced to show the absolute nonsense of this emergency talk. In the first place the position of Britain in relation to the other nations of the world was probably never more favourable or more friendly than it is to-day. In the trouble which has taken place in Europe during the last six months, Britain and Germany, the two nations which have been talked about for the last two years as being bitter enemies, have proved the peacemakers of Europe. I have no hesitation in saying that but for the cordial co-operation of Britain and Germany, war would have burst all over Europe, and would not have been confined to the Balkan States and Turkey. Those two peoples, about whom so much has been talked, have proved to be the principal factors for peace in the European situation to-day, and those two peoples, who have no trouble in arranging matters between themselves, have practically agreed that it will be a satisfactory arrangement if Britain builds at the ratio of sixteen capital ships to Germany's ten. I wish to point out to the committee something which I think has not been brought to the attention of the House as to the absolute absurdity of this emergency talk. No man talks emergency except in relation to Germany. The only suggestion put forward as to any possible trouble is in regard to Germany, and for a few moments I wish to compare very briefly the condition of the British navy with the German navy. It has been said by the hon. Minister of Finance this afternoon, that for years it was the proud boast of the British Admiralty that they were able to maintain a two to one standard, but that they had now fallen far below that standard, and had got down to a sixteen-ten standard. I tell the hon. Minister of Finance that that is not so. You have only to go to the records to find that the British navy is in as predominant a position to-day as ever it was, so far as the two to one standard is concerned. I make the statement without fear of successful contradiction that the British navy stands to-day equal to any two navies on the face of the globe. I have not time to go into all the details, and it might not be interesting to the committee to give them, but I wish to give some facts from Burgoyne's Navy League Annual for the years 1912-13, as to the condition of the two navies, a

text book which is recognized all over the English speaking world as an authority on naval matters, and one which I think will not be gainsaid by any hon. member of this House. If you refer to page 342 of this annual you will find a statement of the capital ships of the British navy to-day. I shall not go back further than 1895, that is seventeen years ago. I shall take no account of the ships that were launched and put into commission prior to 1895, and I shall take the same dates as regards the German navy. I find that in the British navy sixty-five capital ships have been completed since 1895, with a total tonnage of 1,309,650 tons, and during the same period the German navy has launched only thirty-one capital ships with a tonnage of 723,185 tons, showing that the tonnage of the British ships completed in that period is practically double that of the German vessels.

I come next to armaments, and I find that in the British navy to-day there are three hundred twelve-inch guns. So far as the British navy is concerned, I take no guns below the twelve-inch calibre. The total weight of projectiles fired from those twelve-inch guns is 255,000 pounds. In addition to these there are one hundred and forty-four 13.5-inch guns, and the total weight of projectiles fired from these guns is 180,000 pounds, or a total broadside of 435,000 pounds. Taking the same standard of comparison, the German navy, which has launched only thirty-one capital ships, with a tonnage of 723,185 tons, has only one hundred and forty-eight 12-inch guns, with a total weight of projectiles of 145,188 pounds, and it has not a single 13.5-inch gun. But it has one hundred and sixteen 11-inch guns with a total weight of projectiles of 65,192 pounds, or a total weight of projectiles of 210,000 pounds, or less than one-half of the total weight of projectiles in the British navy. If you take the guns, the comparison is still more unfavourable to Germany, because while in the British navy there are four hundred and forty-four big guns, the German navy has only two hundred and fifty-four, and of these one hundred and sixteen are only 11-inch guns. There are practically as many 13.5-inch guns in the British navy as there are 12-inch guns in the German navy, which as I have already said, has not a single 13.5-inch gun. I do not know what they have in the new ships; I have only taken into consideration the ships completed down to 1912, because I could not get accurate information regarding the later vessels. For instance I have not taken into consideration the Tiger, which is the latest type of dreadnought construction, with 30,000 tons displacement. But it is not completed yet, and I am not able to give the facts regarding the calibre and size of the guns.

Now, when you consider facts like these, not to mention the hundreds of cruisers, torpedo boats, torpedo boat destroyers and submarines, that go to make up a fighting force, and compare the British navy with other navies in the world, I have no hesitation in repeating the statement, often made here, that all these emergency scares and all this German war talk are manufactured absolutely and solely by parties in England for the purpose of selling guns, building ships, and making money out of naval contracts. It is just as easy for a few jingoes in Great Britain to create a war scare as it is for a few jingoes in Germany to do so. As my hon. friend from Red Deer has said, these scares usually start in the fall of the year, are kept going during the winter. That is the sort of thing that is made use of as an argument for launching out on this un-Canadian and un-British policy of the Government. My hon. friend the Minister of Finance asks how can we refuse the request of the British Admiralty and he started this afternoon to do what every loyal Tory does when he gets a chance, to wave the old flag. He did the very same thing only he did not go as far as an hon. gentleman who spoke about three months ago; he did not go so far as to abuse the Germans. He waved the flag. The hon. Minister of Public Works last night said that the business of this country and the Empire must go on. Why, Sir, you would think that we were holding up the business of the whole British Empire because we object to giving $35,000,000 for jingoes in England to spend on warships and for politicians in Canada to get a mighty good rake-off from the construction of these warships. That is at the bottom of the whole question and I have no hesitation in saying it. When my right hon. friend voted for that resolution in 1910 he was not going to build ships in Britain, but he was going to put the money in the hands of the Admiralty. The hon. Minister of Public Works was not running the show then. You would never get the hon. Minister of Public Works to hand over $35,000,000 if he could have the spending of it himself. The Minister of Finance asked how we could refuse the request of the Admiralty? He tried to create the impression that Canada would be taking a fearful risk if we refused to grant this $35,000,000 to build these ships because they are requested by the Admiralty. I have no doubt that was the request, not of the political end of the Admiralty, but of the jingo end, the men who want to control this money. The hon. Minister of Militia and Defence (Mr. Hughes) has gone out. I had something to say to him. I would like to make a comparison between the men of the Admiralty and the war lords of Canada. Suppose you went down to the Woods building in Ottawa and said to the war lords of Canada. We have $1,000,000 to spend in improving the militia force of

Canada; how can we best do it? What kind of an answer would you get? Do you think that they would tell you to hand it over to somebody else to spend? I think I can see the scowl of derision that would come over the faces of the war lords of Canada if you asked them to subscribe to the idea that that $3,000,000 or $4,000,000 for military purposes should be spent by anybody but themselves. It is the same with the lords of the Admiralty in Great Britain. The lords of the Admiralty in Great Britain say: Give us this money and we will spend it, or give us three ships to control. We cannot very well exculpate the right hon. Prime Minister and the Postmaster General in placing all the responsibility upon the officials of the Admiralty. I think they are guilty themselves. My hon. friend the Postmaster General looks up which is an evidence that there is some little consciousness left in him, although after that lock transaction, it is pretty nearly all gone. But it shows that there is a chance to reform him and I want to direct my attention to him for a few moments. It is evidence that he is willing to be talked to and that he will not answer back. Does anybody in his senses mean to tell me that the Admiralty, whether you call them the officers of the Admiralty or the First Lord of the Admiralty, did not tell my right hon. friend the Prime Minister and his colleagues the very thing that they wanted to be told? Do you suppose that they told them the thing to do was to build three capital ships? Do you mean to tell me that the people of Great Britain do not know something about what is going on in Canada and that they did not know what were the cardinal differences between the principles of the two parties on this question? Everybody knew it; it was heralded before the country, it was in the newspapers, it was so widely circulated that even the Navy League Annual has it. This policy of the Conservative party that they would not build a Canadian navy, that they would have nothing to do with Canadian seamen or sailors, was so thoroughly engrafted upon the people's mind that even Mr. Burgoyne knew it. He copied it from the Quebec Chronicle. Away back last April the Quebec Chronicle came out with an inspired article and it was put in this Navy League Annual as the policy of the Conservative party before my right hon. friend the Prime Minister had announced his policy. It is wonderful how that statement put forward by the Quebec Chronicle last April coincides with the condition of affairs at the present day. It is almost prophetic. It is so prophetic that the article must have been inspired. Even the flying squadron was prophesied in this. Winston Churchill was not saying anything new in this respect; he was only repeating what the Prime Minister had told him.

One other charge that we have to bring against my right hon. friend is that he was trying to deceive the people when he was talking about the North sea proposal a little while ago. Let me read what the Quebec Chronicle said in its issue of the 2nd April last:

> The actual number of ships Canada intends to order is, it is understood, not definitely settled, but it is believed that, while the question is being considered, tenders will be called immediately for two super-dreadnoughts (first-class cruisers), surpassing anything yet built for speed, power, and efficiency.
>
> Canada's answer to the German menace and the latter's refusal to meet the most moderate but firm speech of the First Lord of the Admiralty for limitation or moderation of armaments, is noteworthy of a great people and a great country such as Canada is.
>
> The great drawback heretofore confronting the Canadian public, and particularly the people in the province of Quebec, was that they had never been consulted in the matter.

Then it goes on:

> While these ships are being built Canada will notify the British Government and the other overseas, dominions that autonomy in naval matters is essential; that representation is imperative; that these two important points can only be met by the creation of an Imperial squadron toward which the British and Dominion Governments will contribute, and which would be controlled by an executive or special Imperial Board of Admiralty, representing each contributor.
>
> This would, indeed, be the commencement of Imperial unity and co-operation for the defence of Imperial trade and commerce, which is synonymous with the interests of the Dominion of Canada. These ships, which would be under the control of the Dominion of Canada and the other dominions, would be the most modern and powerful of their kind. They would patrol the vast expanse of ocean over which the mercantile shipping of the Empire passes unceasingly to and fro.
>
> Canada's message to the world is: 'The Canadian people are determined that the supremacy of the Imperial navy is of vital importance, and she is determined that she will take upon her shoulders her full share of her responsibilities for its maintenance.'
>
> Her message to Great Britain is: 'We will co-operate, but representation is a sine qua non of contribution. We demand the immediate creation of a special Imperial squadron to be controlled by a board representative of our own and Imperial interests.'

That was before the right hon. gentleman and his friends went to Great Britain last summer and that was the policy which they announced in advance. When they got over there they said: We cannot build ships in Canada, and we will not have Canadian seamen to man a navy in Canada, because we promised our Nationalist friends that we would not do so. We have promised our Nationalist friends that we will not do anything in Canada, but we can contribute money and we will contribute

money under certain specified conditions. We will build at least two of the greatest dreadnoughts that science can devise or money can buy—almost the very words that were used by the Admiralty in their memorandum. This coincidence is remarkable. It is, as the Minister of Finance says, another synchronism. It is a most remarkable thing that the Admiralty should coin words very much like the words used by the Quebec Chronicle some three or four months before. They said: While we give ships or money we must have a say in the control, and although the Chronicle was wrong then, it was right at the time the statement was made. I see the Minister of Inland Revenue has come into the House and I am delighted, for I have something to say to him and I know he will give it that judicial consideration to which such an important matter is entitled. The people of the country are crying for more light on this important subject, and I hope the Minister of Inland Revenue will honour the House with a few remarks on the subject, because I am sure he knows all about it if he would only tell. When the Prime Minister went to England he no doubt wanted to give dreadnoughts, but he wished in return to have a say in the foreign policy of Great Britain and in the control of the flying squadron, but the British Government told him that was useless, unless he was prepared to pay his share of the taxes and abide by the rule of the majority in Great Britain. Of course the Prime Minister could not do that and then he said: for God's sake give me something to take back to the people of Canada, and the British Government said: we will let you sit on the Imperial Defence Committee. True, Sir Frederick Borden sat on that committee ten years ago and Mr. Justice Brodeur sat on it in 1909 and 1911, but possibly the Prime Minister and his friends had forgotten that, or, if they had not, they tried to mislead the people of the country by telling them that this was something new which they had obtained. The truth is that we have no more representation on any British Committee than we had before. The Government could not build ships; they could not enlist men; they would not be allowed to do either of these things by the Quebec Nationalists; they could not have representation in the Imperial Council, and all they could do was to send money over to England and try to fool the people by making them believe they had something big in being allowed to sit on the Imperial Defence Comittee. Now, as my hon. friend Pardee would say, we got down to brass tacks, and the Minister of Inland Revenue and the Postmaster General and the Quebec Nationalists would not let the Government do anything else than contribute this sum of money. They tell us that in the distant future we may be able to bring these ships back to Canada, but what in the name of Heaven would they do with these ships if they did bring them back? They will not be built for three years; they will remain in the flying squadron for six or seven years more in all probability, and if the Government brings back these dreadnoughts at the end of ten years where are they going to put them? They have no docks, they cannot repair them in any way, they have no organization, they have no cruisers, torpedo boats, submarines and the rest of the flotilla that must go with battleships, and what are they going to do with them? Does the Government think the people of this country are so ignorant as to believe that these ships could be brought back under such conditions? Does the Minister of Inland Revenue believe it? Does the Postmaster General believe it? I know the Minister of Finance does not believe it because he knows better. And, driven to the last ditch, the Government now intimates that when they give three dreadnoughts to Great Britain they will stop there. But the Postmaster General knows better than that; he knows the Government cannot stop contributing once it begins, he knows that if you buy 350,000 locks, you will have to buy more; he knows that once he starts out to give some of his friends a slice out of a patent invention, he has to give the others some small slices to satisfy them; he knows that once you start out contributing three dreadnoughts to the British navy you cannot stop there, and that you will have to provide contribution upon contribution and the more contributions you make the more impossible it is to stop contributing. If the least doubt remained in the mind of any intelligent man in this country, that the Prime Minister had the faintest idea of bringing these vessels back to Canada or inaugurating a Canadian navy or doing anything but contributing that idea must have been dispelled by the following remarks of the right hon. gentleman, 'Hansard' page 4384:

> What are you to do? Are you to have one Empire, one foreign policy, one combined naval force, to resist every peril or are you to have five foreign policies and five scattered navies to go down against the attack which may come upon them at any time? It is idle to pretend that defence upon the sea of this Empire is in all respects the same as defence upon the land. The continents are separated, but the sea is one, and I speak not only from the absolute sincerity of my own convictions but from the well-considered opinions of men who know infinitely more about this than I can claim to do when I say that I do not believe that the security of this Empire can

be maintained and preserved without a combination of the naval forces of the Empire under one control, at least in time of war.

What more proof do you want than that as to the policy of the right hon. gentleman? Can any man read those statements and believe that the Prime Minister thinks that we shall not have contribution after contribution? There is nothing left for him but that. As I said before, the more contributions you make, the greater the impossibility of getting back to a Canadian navy. You would have a lot of obsolete or obsolescent vessels after ten or fifteen years. Are the people of Canada going to bring those vessels back here and make them the nucleus of a Canadian navy? Never. Therefore I take it for granted that the settled policy of this Government is contribution. It cannot be anything else. Take the condition of affairs as it is to-day. My right hon. friend said when he introduced this Bill; he has repeated it a number of times; it has been repeated by his press that, before they go to the country at a general election, they will lay down a permanent policy. What policy could hon. gentlemen opposite lay down under present conditions and under their present professions but a policy of contribution? You cannot have a hybrid policy in naval defence. You must have one thing or the other. You must either have contribution or a Canadian naval service. My hon. friend the Minister of Finance this afternoon attempted to create the impression that this is only a temporary measure and that possibly later on we may do something else. Before he got through with this speech, he gave the lie to the proposition, because he said: Your two fleet units are absolutely useless. If two fleet units are no good, what will be the good of his three dreadnoughts? Does my hon. friend shake his head at that statement?

Mr. WHITE: My hon. friend did not take a correct note of what I said.

Mr CARVELL: Only because you talked an hour and a half. I took down the substance of it and you will find in 'Hansard' to-morrow that I am absolutely correct in what I say. I do not wonder that my hon. friend wants to get away from it.

Mr. WHITE: Not at all.

Mr. GRAHAM: It is another break.

Mr. CARVELL: No break at all, it is the truth. He is only telling what they all believe. I do not call the truth a break. I like to hear a man tell the truth. I give him credit for telling the truth.

When they come down with their permanent policy two years from now, before they hold a general election, they will enunciate their policy and then go to the people. With the Postmaster General (Mr. Pelletier) and the Minister of Inland Revenue (Mr. Nantel) directing the affairs of the Government, how on earth can they have anything but contribution? What was the policy of the Nationalists in Quebec during the last campaign? What was the declaration at the St. Eustache meeting which was the beginning of the campaign in Quebec?

Mr. BUREAU: Down with the navy.

Mr. CARVELL: We object to a Canadian navy because it leads to conscription. We owe nothing to Great Britain, and we will have no Canadian navy. We will not allow our sons to be drafted on board these vessels and to be disembowelled in the foreign wars of Great Britain. That is the ground upon which they fought the election of Drummond Arthabaska; that is the ground on which they fought the general elections in 1911; that is the ground upon which the Nationalists won the elections in 1911; that is the ground upon which they came into this Government. That was the solemn compact made between the Nationalists and the Premier of this country, when the Government was formed, and that is the solemn compact which the Premier cannot break. As long as the Premier has these gentlemen in his Cabinet, he is bound to contribution or nothing at all. When he comes down with his permanent policy two years hence, it cannot be anything else but contribution. That is as nearly the real policy of this Government as anything can be.

If my hon. friends will not be guided by the arguments and logic of the people of Canada, if they will not be guided by their own professions in 1909, I want to know if there is anything to which we can call their attention which will guide them. There is no doubt that when the Premier and the Minister of Trade and Commerce (Mr. Foster) discussed this matter in March 1909, they knew the historic conditions and the history of the naval defence of the Empire as well as we do. It is true that possibly many of the other gentlemen, who are now responsible for the political affairs of Canada, did not know and do not now know the conditions existing at that time as well as the Prime Minister and the Minister of Trade and Commerce did. I exculpate my hon. friend the Minister of Public Works (Mr. Rogers) from any blame in this, because possibly he did not know anything about it. I will also be lenient with the hon. Minister of Finance, because perhaps he did not know anything about it. I have some doubt from his speech this afternoon if he ever read it up. My friend the Minister of Inland Revenue (Mr. Nantel) has left the Chamber. I have

some doubt whether he has ever read up the history of the question or not. With the exception of the right hon. the Premier and the hon. Minister of Trade and Commerce, I am afraid that none of them know anything about the historical side of this affair. I have not the time at my disposal to-night to go into the whole history of the matter; but if these gentlemen will not be guided by common sense, logic reason and facts, surely they will be guided by history. Let me take them back, if I can, a little way and repeat some of the history which has led up to the present condition of affairs. Away back in 1897, the matter was discussed. It was discussed in 1894; it was even dicussed in 1887 at the Colonial Conferences. Finally, when we get down to 1902, we have the first occasion on which this matter became a real live issue in any of the colonies of Great Britain and became consolidated into an agreement and into a policy. I want to call the attention of my hon. friends to-night, who have not read this, something about the agreement and the policy which was agreed to in 1902 between Australia, New Zealand and, I think, Cape Colony as well. I do this because these dominions have had the experience. They know what contribution means and they know what it is to break away from it. The contribution on the part of Australia and New Zealand was not one-half as bad as a contribution on the part of Canada would be, because they were getting something in return for what they were giving, whereas we are getting nothing. All that we are getting, according to the Minister of Finance, is that we will prevent that chilly feeling from going out by the money lenders to the people of Canada if we do not give these people an order for three dreadnoughts. That has all been so thoroughly discussed by my hon. friend from Red Deer (Mr. Clark) that I would only be wasting time by referring to it at any length. For some years prior to 1902, a real live issue had arisen in the antipodes, in the way of an Oriental invasion. The Japanese and the Chinese had commenced to come into Australia and New Zealand to such an extent that the people became really alarmed. They felt that something must be done in order to maintain what they call a 'white Australasia.' They did not contribute money to the British Admiralty for the mere fun of contributing, or in order to be represented by ships in the North sea when Armageddon came, but in order that the British navy should be on their shores to protect them. Contribution under these conditions is very different from what Canada is asked to do in this case; for there the British Government were to give something for what they gave to the British Government. They were giving a contribution for protection which they believed they needed in order to prevent the flooding of their country by Mongolians from China and Japan. This matter came up first in concrete form in the conference of 1902, although prior to that there had been contributions in a very small way. In 1902 it was definitely agreed that for ten years New Zealand should contribute £20,000 a year or $100,000, and Australia £200,000 a year or $1,000,000, and in consideration of this the British Admiralty was to maintain a fleet of a certain power within Australasian waters. Yet, even though the contribution was made under these conditions, let me call attention to some very pertinent remarks made by Lord Selden, First Lord of the Admiralty under the then Conservative Administration of Great Britain. That right hon. gentleman showed that he had grave doubts of the effectiveness and advisability of a policy of contributions:

> The second point on which I want to lay stress is this. At present there is only one agreement between the Imperial Government and any group of colonial governments in respect to naval affairs, although we have received generous—and independently proferred—aid from the Cape and from Natal—I allude to the Australasian agreement. Now, gentlemen, I attach great importance to that agreement, because the statesmen who negotiated it and signed it have led the way in what I call the Imperial consideration of this question of naval policy. But, like every document that commences a policy, it has faults, and to my mind there is no fault in it greater than this, that the relations of the Australasian governments to the Imperial are simply that of the man who pays to the man who supplies. The Australasian governments pay us a certain contribution; for this contribution we supply them with a certain article. Now, this is good so far as it goes, but it does not, to my mind, go far enough. It does not give our New Zealand and Australian fellow-countrymen the sense of personal interest, of personal possession in the British navy which I most of all desiderate for the future, and I want, not only the colonial government to understand that on the naval protection of the Empire, exercised by a wise, naval strategy, depends our future existence as a united Empire, but I want them to regard the navy as their own, at least, as much as ours, and with that object I wish to see in the navy more colonial officers and a contribution of colonial seamen. I want, in fact, if I may use such a term, to increase the maritime spirit of the Empire.

Let hon. gentlemen opposite think of that. Away back in 1902, when Australia was agreeing to a contribution for ten years, this First Lord of the Admiralty declared that this lacked the very essential of naval force of the Empire—the man element; it did not give the people of Australia the real interest in the navy that they ought to

have. I wonder what the Postmaster General thinks about that. I wonder what the Finance Minister has to say about it. I do not wonder the Finance Minister does not want to listen to it, but I think he is listening to it with one ear just the same. And, though it bothers the hon. gentlemen, I must go on, for these utterances justify our position to-day—because what was true in 1902, is doubly true in 1913:

After all we are not in this country all sailors, yet we are all imbued with the maritime spirit. Here you have the great colonies converging vast geographical tracts of country; is there not a danger that in the far interior, unless we take precautions, the maritime spirit may be lost? I want to bring Australasia, Canada and South Africa to understand in the sense that the average Englishman understands it, that the sea is the one material source of our greatness and our power; the main bond of union, the real source of our strength—if I may use such a mixed metaphor, that the sea is to the Empire as the breath of life; but it cannot be done, I opine, so long as we are only receivers of money. I want to see from all parts of the Empire a personal contribution to the navy, so that it may not only be an abstract Admiralty to govern the navy but an Admiralty that has won the confidence of the colonies because the colonies understand its policy, and because in each colony there are officers and men belonging to the navy—an integral portion of the navy.

If hon. members opposite would take the doctrine laid down in that speech of the head of the Admiralty in 1902, and apply it to the conditions of Canada it would be alone sufficient to cause them to pause in their un-Canadian and unpatriotic conduct of sending out $35,000,000 of the money of this country on the plea of assisting the effective naval forces of the Empire, while leaving out the real element, the man element. You talk of sending away three ships, with not a Canadian seaman or a Canadian sailor aboard; and then you say, you are going to be in the forefront when Armageddon comes in the North sea. This may be good enough for the Postmaster General, but it is not good enough for me nor for other loyal Canadians. Nor do I believe that even the Postmaster General will ultimately be satisfied with it, for as this discussion goes on, I am sure the hon. gentleman will see that he has not been playing the part of a big Canadian, but has been pandering to the lowest sentiments of the people whom he wishes to influence by this un-Canadian and unpatriotic policy. Now, I want to read a little of this agreement to show that this was no contribution by the Australasian colonies on the lines of what is here proposed, but was a real contract for real protection, something not one-quarter as bad as the proposition put forward by this Government. My hon. friend will find it on pages 24 and 25 of the report of the Colonial conference of 1902:

The commisioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, &c., and the Governments of the Commonwealth of Australia and of New Zealand, having recognized the importance of sea-power in the power it gives over sea communications, the necessity of a single navy under one authority, by which alone concerted action can be assured, and the advantages which will be derived by developing the sea power of Australia and New Zealand, have resolved to conclude for this purpose an agreement as follows:

(1). The naval force of the Australian station shall consist of not less than the undermentioned sea-going ships of war, all of which shall be from time to time throughout the terms of this agreement of modern type, except those used as drill ships; one armoured cruisers, first-class; two second-class cruisers; four third-class cruisers; four sloops; and of a Royal naval reserve consisting of twenty-five officers and seven hundred seamen and stokers.

(2). The base of this force shall be the ports of Australia and New Zealand, and their sphere of operations shall be the waters of the Australia, China and East Indies stations, as defined in the attached schedules, where the Admiralty believe they can most effectively act against hostile vessels which threaten the trade or interests of Australia and New Zealand. No change in this arrangement shall be made without the consent of the governments of the Commonwealth and of New Zealand; and nothing in the agreement shall be taken to mean that the naval force herein named shall be the only force used in Australasian waters should the necessity for a larger force.

(3). This force shall be under the control and orders of the naval commander in chief for the time being appointed to command His Majesty's ships and vessels on the Australasian station.

(4) Of the ships referred to in article 1, one shall be kept in reserve and three shall be only partly manned and shall be used for drill ships for training the Royal naval reserve; the remainder shall be kept in position fully manned.

(5) The three vessels used as drill ships and one other vessel shall be manned by Autralians and New Zealanders as far as procurable, paid at special rates, and enrolled in proportion to the relative population of the Commonwealth and New Zealand. If a sufficient proportion of men from either colony should not on the aforesaid basis be forthcoming, a sufficient number of men to complete the complements of the ships may be enrolled from the other colony. They shall be officered by officers of the Royal navy, supplemented by officers of the Royal naval reserve.

(6) In order to ensure that the naval service shall include officers born in Australia and New Zealand who will be able to rise to the highest posts in the Royal navy, the under-mentioned nominations for naval cadetships will be given annually: Commonwealth of Australia, eight; New Zealand, two.

(7) The branches of the Royal reserve established in Australia and New Zealand shall

be called into actual service by His Majesty in Council acting on the advice of his governments of the Commonwealth of Australia and New Zealand respectively. The men forming the Royal naval reserve shall be divided into two classes: (a) those who have served for three years on board of one of His Majesty's ships; (b) those who have not so served. These men shall be trained on ships specially provided for the purpoe. The officers of this reserve force shall be included on the list of officers of the Royal naval reserve.

(8) In consideration of the service aforementioned, the Commonwealth of Australia and New Zealand shall pay the Imperial Government five-twelfths and one-twelfth respectively of the total annual cost of maintaing the naval force on the Australian station, provided that the total amount so paid shall in no case exceed £200,000 and £40,000 respectively in any one year. In recognizing the total amount cost, a sum equal to 5 per cent on the prime cost of the ships of which the naval force of the station is composed shall be included.

The other articles do not affect this contract, and I will not refer to them. Australia and New Zealand went into a policy of contribution upon a quid pro quo basis; they got something in return for it. They obtained the protection of a not inconsiderable squadron of the British navy, consisting of eleven ships of war. That contract was for a period of ten years, but, even considering the reasonableness of this agreement, they saw at once that it was not a proper policy. At the conference of 1907 this policy was objected to, and in 1909 notice was given that it would not be any longer carried out. The contract was accordingly rescinded, and at the end of the ten years it was discontinued. In exchange for this policy they said, we will adopt the principle of building and manning our own navy. They entered into an agreement, and, to my mind, this agreement is one of the most important things we have to consider in discussing this matter. An agreement was entered into with the British Government that Australia would build and maintain on the Pacific ocean one fleet unit, and Canada agreed with Australia that she would build and maintain on the Pacific a certain number of cruisers and destroyers. Australia has loyally carried out her part of the contract; Canada started to carry out her part of it, but the present Goverment have broken these bonds, and have failed to adhere to the agreement. It is of but little wonder that the Prime Minister of Australia finds very serious fault with Canada for failing to carry out the international agreement made with Australia and with the Empire. Coming to a consideration of the situation in New Zealand, that country was governed for a number of years by that great Imperialist, Sir Joseph Ward. As long as he held the office of

Premier he maintained and carried out a policy of contribution, but the people of New Zealand held an election less than a year ago, and this man was driven from power because it was contended he was not a good New Zealander. His policy was one which embodied the giving away of the money of New Zealand and failing to create in that country that Imperial spirit which can only be developed by the existence of a local naval organization. They also decided to discontinue the payment of contributions, and notice has practically been served on the Imperial Government to that effect. The people of New Zealand are, therefore, adopting the same policy as that of Australia, and the same policy as that which was unanimously adopted by Canada in 1909; they intend to have their own navy, to own and man it themselves, and to create a national spirit throughout the country. And yet, in the face of the experience of those who have experimented with the policy the Government is now attempting to launch it upon this country. Hon. gentlemen opposite contend that we should adopt a policy of contribution which does not inculcate into the people a true national spirit, and which does not provide for the adequate defence of this country.

My hon. friend says that a fleet unit on the Pacific would be of no use. I wonder what the people of British Columbia will think when they read the statement of the Minister of Finance to-morrow morning that two fleet units would be absolutely useless. Do my hon. friends opposite mean to tell me that a fleet unit on the Pacific coast owned by Canada, another by Australia, and another by New Zealand, would not be of any use in case of trouble arising on the Pacific ocean? That was the contract made in 1909, that is the contract which Australia is carrying out, that is the contract which New Zealand is willing to carry out, and it is the contract which Canada made and broke. What will the people of British Columbia say to the statement that a naval organization composed as that would be of three capital ships with attendant cruisers, torpedo boats, destroyers and submarines, would not be of any use in time of trouble on the Pacific ocean. It would be of infinitely more value than any flying squadron composed of Canadian and Malay ships, because it would always be ready when required. It would not go scurrying around the world with the flag, but would be where business was to be done and where it was needed in time of trouble. The British Admiralty do not need those vessels now in the North sea. That is pretty well established. When my right hon. friend the Prime Minister introduced his proposals in December, his whole argument was that those ships would be placed in

the North sea where a war was going to be fought within two or three years. Now Mr. Winston Churchill says that Britain is able to take care of any emergency that might arise in the North sea, and the facts contained in the Navy League Annual and the information which we had from every quarter during the last four or five months prove that Britain is well able to take care of herself in the North sea, and that she does not need our ships there. Mr. Winston Churchill sees that his friends in Canada are in a hole, and he is trying to help them out. He says there is going to be a flying squadron which can go to the Cape, to India, to the Fiji Islands, to Australia, and to British Columbia. Would it not be better protection for British Columbia, for Australia, for New Zealand, or for India, if there were permanently three fleet units such as I have described in the Pacific ocean, which could be augmented by the British navy if necessary? When they say that a fleet unit on the Atlantic coast would be no use, they do not know what they are talking about. Do they realize that it is only a matter of five days' sailing from Halifax to the North sea, and do they mean to tell me that the Armageddon is going to be fought without five days' notice? Do they not suppose that the British Admiralty would not know that trouble was going to happen in the North sea five days beforehand? Why, one has only to consider a few of those things to realize the absolute nonsense contained in the statement of the Minister of Finance when he says that fleet units on the Atlantic and Pacific coasts would not be of any use to Canada or to the Empire.

In conclusion, in my judgment, the great trouble in this matter has arisen from the Postmaster General; I get back to him every time. If you want any evidence of the part that my hon. friend the Postmaster General has played in the matter you have only to look at the statement made by Mr. Winston Churchill on January 24, which was read in this House on the 10th day of March. One of the principal reasons given by Mr. Winston Churchill why we could not maintain a fleet unit or a Canadian navy, was that we could not get the men. Let me read to my hon. friend the Postmaster General what Mr. Churchill said and see if he recognizes the language. I want the Postmaster General to remember whether he ever repeated this language before, or whether he ever heard it repeated. I believe he not only repeated it here, but in Britain last summer. I wish to ask the Postmaster General if he is responsible for what Mr. Winston Churchill said. This is what Mr. Churchill said:

> In 1909, the question turned upon the provision by Canada in the Pacific of a fleet corresponding to the Australian fleet unit, involving an initial expenditure estimated at £3,700,000, and maintenance at an estimated cost of £600,000 per annum. The Canadian Government did not think this compatible with their arrangements and suggested that they should provide a limited number of cruisers and destroyers which were to be stationed in the Pacific and Atlantic. The Admiralty agreed to help in the organization and manning so far as possible. Between that time and 1912 a commencement was made with the establishment of a Canadian naval force, but in those three years only small progress was made with the training of recruits and cadets and it would have been impossible for the Canadian Government to man a single cruiser.

Does my hon. friend the Postmaster General recognize the language? That was the argument which he and his friends put before the Admiralty last summer. Why, Sir, I would think that every Canadian would blush with shame when he reads such statements. How could the British Admiralty know that the Canadian Government had met with such indifferent success in recruiting men in Canada, if my hon. friends did not tell them so? Why did they not give to the British Admiralty last summer the reason why they had not been able to get any men to volunteer for the naval service? They did not tell the Admiralty that they had practically invited the men to desert. I make this statement and I challenge contradiction, that the present Government practically invited men to desert from the Canadian naval service. They dare not deny it. I made the statement in this House a month ago, and I challenged contradiction, that there was not a solitary instance of the Canadian Government following up a deserter to try to get him to return to the Canadian navy, and I repeat the statement to-night. The Canadian Government wanted these men to desert, because they had decided that there would not be any Canadian navy. They had promised their Nationalist followers that there would not be any Canadian navy, and they had hundreds of men they did not know what to do with. They simply told them to get out as they had no use for them and they would have been bigger fools than I give Canadians credit for being if they had not taken the advice given them. Then my hon. friends go over to Great Britain and say: We have not been able to get enough recruits to man one cruiser; you cannot get men in Canada and they want too high wages. The Postmaster General says: What is the use anyway when an Englishman will work for 28 cents a day? The British Admiralty sent back an insulting statement with regard to Canada which the Prime Minister and his colleagues had made to them when they were there during last summer. I ask the hon. Postmaster General again, Does he recognize the language; has he

ever heard it before? He is dumb and I do not wonder at it. I do not wonder that the hon. gentleman does not want to confess that he went over there and traduced the good name of this country. I do not wonder that the hon. Minister of Marine and Fisheries is not here to-night in order to answer for himself. We will be here again and we will have another opportunity of taking up this question, no matter whether they get a chance during the summer of 1913, 1914 or 1915. They will not be able to get away from the people by sitting silent as they do here when we put these questions to them. They will have to answer for the insult to the Canadian people when they told the Admiralty last year that Canadians were such cowards, such sluggards and had so little patriotism that they could not get them to enlist in the navy in order to defend their country in case of need. I do not believe the statement. There is nothing that we need so much in Canada as a national sentiment. I wish we had something which would correspond with the Fourth of July in the United States of America. I think I have more respect for the Fourth of July celebration than for anything else in the United States and I wish we had something to correspond with it here.

An hon. MEMBER: We have the First of July.

Mr. CARVELL: The First of July!—a day that scarcely a boy or girl knows anything about excepting that it is a holiday. I repeat that there is nothing that we are suffering for the want of so much as a national sentiment. If we had one fleet unit on the Atlantic and another on the Pacific we would have something to which our young men could look with pride, we would have something which we could say belonged to Canada, which was manned by Canadians and which, if trouble came, would protect Canada and Canadian interests wherever they were threatenend. This would mean a thousand times more to the youth of Canada than three dreadnoughts floating somewhere around the ocean and named Pelletier No. 1, Pelletier No. 2, and Pelletier No. 3, because these are the names that they ought to give them.

I am amazed that my hon. friends will try to force this unpatriotic and un-Canadian policy through Parliament. The only thing that can make this navy a live issue, that can make it an Imperial matter and that can make it of any benefit to Canada, is the thing that these hon. gentlemen will not allow to be incorporated in it. Look at the hundred or more statues scattered all over the Dominion of Canada and remember the influence which they exert upon the patriotic impulses of our people. The statue in front of the City Hall at Ottawa is worth more than a hundred dreadnoughts sent over the sea. Statues are things that inspire the patriotic youth of the country. Some of these statues recall the scenes of 1902. They recall the fact that we had some thousands of our young men fighting for the defence of the Empire. They recall a time when people were flocking into the towns and villages and waiting until midnight in front of newspaper and telegraph offices for news. They recall a time when mothers, sisters, and brothers were reading the newspapers and scanning telegraphic despatches for the latest news about the war. This is something which appeals to the heart and the soul of every true Canadian, not because we sent $3,000,000 or $4,000,000 out of this country, not because we bought a lot of rifles, clothing and ammunition, but because our sons and brothers were there ready to shed their blood if necessary to defend the Empire. Construct Canadian war vessels, send them to the front, place them in the line of battle when it becomes necessary and you will do something which appeals to the patriotic sentiment of every true Canadian. You cannot say that we shall weld this Empire together, that we will create a patriotic sentiment in this country, that we will do the business of the Empire, as my hon. friend the Minister of Public Works said, by sending three empty ships to be manned, not by Canadians, but to be manned by somebody else, whom the British Empire will provide and pay for, and to whom will go all the honour and glory when the time comes to defend the Empire.

Mr. ROGERS: Mr. Chairman, we have had a very interesting and good-natured discussion throughout the day, and I would like now to make a suggestion to my hon. friend from South Renfrew (Mr. Graham) and those upon the other side of the House which I think should be agreeable to them, that, in order that we may show some sign of making progress, we should pass at least one clause before we adjourn.

Mr. GRAHAM: Mr. Chairman, the suggestion is a very mild mannered one, but as a great many hon. gentlemen, probably including myself, wish to express their views further on the clause, I would ask the hon. leader of the Government, protem, seeing that we have had a good-natured debate, as he says, and made some progress, that the debate be adjourned.

Mr. ROGERS: Well, if we cannot make any progress, I will move that the committee rise, report progress, and ask leave to sit again.

Progress reported.

Mr. Rogers moved the adjournment of the House.

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

Mr. ROGERS: I think that to-morrow we will take up the resolutions that stand in the name of the Prime Minister on the Votes and Proceedings.

Motion agreed to, and House adjourned at 11.15 p.m.

HOUSE OF COMMONS.

WEDNESDAY, April 9, 1913.

The SPEAKER took the Chair at three o'clock.

QUESTIONS.

(Questions to be answered orally are indicated by an asterisk.)

QUEBEC DRY-DOCK.

Mr. LACHANCE:

Has the Government decided to build a dry-dock in the port or harbour of Quebec? If so, has it reached a decision as to the site where the said dry-dock shall be constructed, and will this dry-dock be a floating one or otherwise?

Mr. ROGERS: Yes, at Lauzon; a graving dock.

FLAG INCIDENT AT MATAPEDIA.

Mr. MARCIL:

Are the facts alleged in the following extracts from the Campbellton, N.-B., Graphic substantially correct:—

The incident of last July, when a detachment of the 19th Field Battery of Moncton returning from camp, pulled down and insulted the American flag at Matapedia, will be remembered by readers of the Graphic.

This journal spoke strongly at the time of the action and stated that the last was not heard of the incident.

The latter did go further for we are credibly informed that the matter was brought to the notice of the Secretary of State of the home Government by the United States Ambassador, Mr. Whitelaw Reid, and as a result of that the Minister of Militia, while insisting that no insult was intended, has apologized to the United States for the action of the Moncton frolickers on that day.

It would be interesting to have the letters and reports of this case made public.

Mr. HUGHES (Minister of Militia): The facts set forth in the extracts from the Campbellton, N. B., Graphic, referred to above, are not correct. The facts are: The flag was lowered, but no indignity in the sense complained of occurred. The Minister of Militia has not made an apology, but he has expressed regret that such an incident should have occurred as the unauthorized lowering of the flag by members of the field battery.

ST. CHARLES, MANITOBA, RIFLE RANGE.

*Mr. LEMIEUX:

Is it the intention of the Department of Militia to give up the present rifle range at St. Charles, Manitoba, lately acquired and now in use, and to move said rifle range to somewhere else? If so, where?

Mr. HUGHES (Minister of Militia): No change whatever has been made in regard to the rifle range at St. Charles, Manitoba. If the hon. member has any specified range in view and would make his question definite, I would be pleased to answer it.

Mr. LEMIEUX: Drop the question.

Question dropped.

L'ARDOISE AND BLACK POINT BREAKWATERS.

Mr. KYTE:

What quantity of cement was purchased by the Department of Public Works during the summer of 1912 for repairs to the L'Ardoise breakwater?

2. What quantity was purchased for repairs to the Black Point breakwater?

3. From whom was the cement purchased, and what was the price paid?

4. Where was delivery of said cement made to the department?

5. What freight was paid on said cement?

6. To whom was said freight paid?

Mr. ROGERS:

1. 116 barrels.

2. 66 barrels.

3. Thompson and Sutherland, Limited, at $2.38 a barrel, in bags with 40 cents refund when bags are returned.

4. St. Peter's, N.S.

5. L'Ardoise, $111.36; Black Point, $63.36.

6. D. Y. Stewart and Son, St. Peter's N.S., at the rate of 24 cents a bag.

GOVERNMENT PRINTING BUREAU EMPLOYEES.

*Mr. MURPHY:

What are the names, home addresses, occupations, and salaries, respectively, of all persons appointed to positions in the Government Printing Bureau since the 1st November, 1912?

Mr. CODERRE:

Name.	Home Address.	Occupation.	Salary.
			Per week.
Laurent Gravelle	Eastview	General hand	$12 70
A. Stewart	Toronto	Map engraver	30 00
Miss Maud Galbraith	Ottawa	Embosser	7 50
D. Joseph Brown	"	Messenger	15 00
Miss F. Moss	"	Collater	7 50
John Mackenzie	"	Bundler	12 00
Wm. McKee	"	Machinist	18 00
F. Rabbe	New Edinburgh	"	18 00
Miss V. Roy	Ottawa	Collater	6 90
R. J. White	"	Bundler	12 00
Miss C. Brosseau	Hull	Apprentice, bindery	3 45
J. W. Latimer	Ottawa	Compositor	18 50
Miss K. Cain	"	Collater	6 90
George W. Ross	Pembroke	Compositor	18 50
Miss T. J. Hart	Ottawa	Charwoman	*1 00
Charles Bateman	"	Night staff, compositor	21 27½
Moïse Groulx	"	Messenger	8 00
Miss B. Gosselin	"	Apprentice, bindery	3 00
Joseph Paré	Hull	Clerk	15 00
Miss A. Roy	Ottawa	Apprentice, bindery	3 00
Noé Brunet	"	Packer, Stationery Branch	12 00
J. A. Picard	Papineauville	Compositor	18 50
T. J. Petticrew	Hintonburg	"	18 50
Miss May Arbour	Ottawa	Apprentice, bindery	3 00
Miss A. Baril	"	" "	3 00
E. G. Roy	Brantford	Pressman	19 00
Miss May Wallace	Ottawa	Collater	5 00
Miss A. Matte	"	Apprentice, bindery	3 00
Wilbrod Caron	L'Islet	Packer, Stationery Branch	12 00
Charles R. Hurst	Toronto	Bookbinder	18 00
A Laflamme	Hull	"	18 00
E. Ritzo	Ottawa	Packer, Stationery Branch	12 00
R. Pelletier	"	" "	12 00
Miss G. Séguin	"	Apprentice, bindery	3 00
Miss M. Viché	"	Pressfeeder	6 00
Mrs. B. Prieur	Montreal	Proofreader	15 00
E. Bouchard	Aylmer, Que	Pressfeeder	8 00
L. Legacé	Montreal	Pressman	19 00
Hector Brulé	Ottawa	Mono. operator	8 00
Arthur James	"	Mono. runner	8 00
Philias St. Amand	"	Pressfeeder	6 00
Joseph Tarte	"	Secretary, King's Printer	†1,200 00
W. H. Bone	"	Proofreader	18 50
Mrs. Kate Bowen	"	Bindery	7 50
T. R. Bouthillier	Hull	Bundler	12 00
Réné Charron	Ottawa	Clerk, Stationery Branch	10 00
Octave Cloutier	"	Bundler	12 00
E. Boudreault	"	Mono. runner	8 00
E. Laviolette	Eastview	Labourer	12 00
W. D. Martin	Ottawa	Mono. operator	19 50
A. Reny	"	" "	19 50
D. Brisson	"	Pressfeeder	6 00
W. J. Gervan	"	Messenger	12 00
Emile Depocas	"	Clerk, Accountant's Branch	19 25
Hermas Ouellette	"	Learner, linotype	14 00
Louis Fortin	Hull	Compositor	18 50
Miss D. Bélanger	"	Apprentice, bindery	3 00
G. DeMontigny	Montreal	Clerk, Printing Branch	19 25
A. Béland	Eastview	Packer, Stationery Branch	10 00
Emile Paradis	Ottawa	Learner, compositor	13 50

*$1 per day. † $1,200 per year.

Mr. MURPHY.

Mr. SPEAKER: With reference to questions which are answered by statements containing long lists of names and other information, it would be better to allow them to stand as notices of motion under the rule which provides that, as long as there is no objection, they need not remain on the paper to be asked, but may be taken as notices of motion, and the answers handed in. It would save considerable time to do so.

SALE OF QUARTER SECTION NEAR BRANDON.

*Mr. TURRIFF:

1. Has the N.W. quarter 29-10-18W. been sold?
2. If so, what is the name and address of the purchaser?
3. On what date was the land sold?
4. At what price was the land sold?
5. What was the upset price of said quarter section?
6. When was the valuation made?
7. Who made the valuation?
8. What is the name and address of the auctioneer who sold the land?
9. In what papers and for what length of time in each paper was the sale advertised?
10. Where was the sale held?
11. How far is the said land from the city of Brandon?

Mr. CROTHERS:

1. Yes.
2. Milne Dermot Evans.
3. October 28, 1912.
4. $12 per acre.
5. $12 per acre.
6. August 12, 1912.
7. R. D. Evans, valuator.
8. Daniel Shelmerdine, Winnipeg.
9. Winnipeg Telegram, three issues weekly and three issues daily.

The following weeklies, two issues in each: Winnipeg Der Norwestern, Winnipeg Heins Kringla; Winnipeg Western Canada Real Estate Journal; St. Boniface, Le Manitoba; Portage la Prairie, The Review; Souris, Plaindealer; Boissevain, Recorder; Brandon Times, Gladstone Mercury, Virden Empire Advance, Glenborough Gazette, Belmont News, Hartney Star, Baldur Gazette, Holland Observer, Cypress River, Western Prairie, Morden Times, Manitou, Western Canadian, Minnedosa Tribune, Elkhorn Advocate.

10. Portage la Prairie.
11. About two miles.

PICTOU MARINE HOSPITAL.

Mr. MACDONALD:

1. Has Duncan McKenzie, keeper of the Marine Hospital at Pictou, been dismissed?
2. If so, when and what was the cause of his dismissal?
3. Who was appointed in his place, on what conditions and at what salary?

Mr. HAZEN:

1. Mr. McKenzie was not dismissed. On the 3rd June, 1912, he tendered his resignation which was accepted by the department.
2. Answered by No. 1.
3. The hospital having been closed no one was appointed keeper, but Mr. Mark Talbot was appointed watchman to look after the building at a salary of $15 a month.

NEW CARLISLE EXPERIMENTAL STATION.

Mr. MARCIL:

1. Referring to the answer made by the Minister of Agriculture on January 27th last, what is the nature of the proposal made to the Government in connection with the establishment of an experimental farm or experimental station at New Carlisle, Quebec.
2. By whom was the proposal made?
3. What was the substance of the answers given?

Mr. CROTHERS:

1. The proposal represented the desirability of the establishment of an experimental station at New Carlisle, Quebec, for the benefit of the Gaspé peninsula, and pointed out the suitability of the Robitaille property for the purpose.
2. L. J. Riopel.
3. The reply stated in substance that the question of additional farms or stations is yet to be considered, and also that Mr. Riopel probably had in mind demonstration farms which were being selected by the Commission of Conservation, and it was suggested that he might communicate with their secretary.

EMPLOYMENT OF E. A. McGRATH.

Mr. GARLAND:

1. Is Mr. E. A. McGrath employed at the Printing Bureau as superintendent of lithographing and engraving?
2. If so, what is his salary?
3. Is he a British subject by birth or naturalization?
4. Has he subscribed to the oath of allegiance?
5. If a naturalized British subject, what is the date of such naturalization papers?

Mr. CODERRE:

1. Yes.
2. $2,500 per annum.
3. By naturalization.
4. Yes.
5. February, 1911.

DISMISSALS.

Mr. LEMIEUX:

1. Has Amédée Cléroux been dismissed from his duties as immigration agent?
2. If so, for what reason?
3. Who has been appointed his successor?
4. On whose recommendation was his successor appointed?

Mr. CROTHERS:

1. Yes.
2. Active partisanship.
3. Paul Ashby.
4. On recommendation of the minister.

Mr. MACDONALD:

1. Has John A. Gordon, watchman Intercolonial railway at Pictou, been dismissed?
2. If so, for what reasons and on whose recommendation?

Mr. COCHRANE:

1. Yes.
2. For political partisanship; an investigation was held and the charges were established.

UNOPPOSED AND UNDISCUSSED MOTIONS.

Copy of the report of the Royal Commission appointed to investigate the Law Branch of the House of Commons; and also a copy of all letters, telegrams and other correspondence, and of the evidence taken, and of all other documents in any way relating to or connected with the said investigation.—Mr. Wilson (Laval.)

Copy of the contract entered into by the Post Office Department with the Ontario Equipment Company of Ottawa relating to the purchase of locks for mail bags.—Mr. Carvell.

Copy of all correspondence, telegrams, petitions, affidavits, certificates, reports, complaints and other documents, relating to the resignation of Mr. M. C. Blais, recruiting officer of the Department of Marine and Fisheries from the Government shipyards at St. Joseph de Sorel, and to the appointment of Mr. F. P. Vanasse to this office.—Mr. Cardin.

Copy of all letters, papers, telegrams and other documents in connection with the sale of the N.W. quarter section 29-10-16 W.—Mr. Turriff.

Copy of all letters, petitions, telegrams, complaints, reports and other papers and documents in the possession of the Post Office Department, relating to the dismissal of William McKinnon, postmaster ot Erinville, Guysborough county, N.S., and the appointment of Daniel Kenny as successor; and if there was an investigation in connection with the dismissal of the said William McKinnon, the names of all witnesses examined, a copy of the evidence and report of the commissioner, and a detailed statement of the expenses of such investigation.—Mr. Sinclair.

Copy of all charges, correspondence, payrolls telegrams and other documents relating in any way to the expenditure of money on the harbour inprovements at Mabou harbour by the Department of Public Works, during the years 1911-12, 1912-13.—Mr. Chisholm (Inverness.)

Copy of all charges, correspondence, telegrams and other documents relating to the dismissal of Duncan Cameron, postmaster at Craigmore, Inverness county, Nova Scotia.—Mr. Chisholm (Inverness.)

Copy of all charges, correspondence, telegrams and other documents relating to the dismissal of John McDonnell, postmaster at Essex, Inverness county, Nova Scotia.—Mr. Chisholm (Inverness.)

Copy of all charges, correspondence, telegrams and other documents relating to the dismissal of Mrs. Sarah C. Rankin, postmistress at S. W. Ridge Mabou, Inverness county, Nova Scotia.—Mr. Chisholm (Inverness.)

Copy of all petitions, affidavits, specifications, plans, drawings, claims, certificates, papers and patent rights in the Department of Agriculture or the Patent Branch thereof, with respect to patent number 142823.—Mr. Carvell.

Copy of the petition of the Restigouche Fishermen's Association to the Minister of Marine and Fisheries asking for the removal of Mr. M. M. Mowat, head guardian of the Restigouche Riparian Association or Dominion Fishery Officer, and the answer thereto.—Mr. Marcil.

Copy of all documents bearing on changes asked for in the postmastership of Port Daniel Centre, Avignon, New Richmond and Black Cape, Bonaventure county; and of all documents bearing on the closing of Black Cape East post office, Bonaventure county.—Mr. Marcil.

Return showing in detail the expenditure incurred since October 11, 1911, in connection with investigations held in Bonaventure county by commissioners appointed by the departments of the Post Office, Customs, and Marine and Fisheries into charges made against employees of said departments of offensive political partisanship, together with the means and amounts paid to each of said commissioners in each investigation, as well as details of amounts paid to witnesses and others.—Mr. Marcil.

Copy of all documents, including petitions, memorials, letters and telegrams, addressed to the Government, or any of its members, urging it to take over and incorporate into the Canadian Government railway system of the Quebec and Oriental railway and the Atlantic, Quebec and Western railway, with a copy of all the answers thereto.—Mr. Marcil.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Right Hon. R. L. BORDEN (Prime Minister) moved:

That it be resolved, that rule 17 of this House be amended by adding thereto the following:—

(2) Every motion heretofore debatable made upon routine proceedings, except adjournment motions and every motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or a special committee, or for the previous question, or the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means of the resolution clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may

move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes, in any such adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

(4) On Thursday and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the Estimates of each department shall be first taken up on a day other than Thursday or Friday.

He said: Mr. Speaker, the resolution which I have the honour to move this afternoon touches a very important subject, because it must be apparent to all hon. gentlemen in this House that unless we have such rules as permit the reasonable transaction of public business, and prescribe the ordinary and proper conduct of debate, Parliament must fail in its chief function, and the proceedings of this House are liable to be brought into disrepute and contempt. No one is more ready than I to acknowledge that liberty of speech and freedom of debate must be preserved, but I venture respectfully to suggest that these privileges must be observed and maintained under such conditions that they shall not be allowed to degenerate into license and obstruction. During the past sixteen or seventeen years, since I have been a member of this House, there has been a great deal of discussion with regard to the amendment of our rules. From time to time changes have been made in those rules, but they are still in a form which I think every hon. gentleman in this House, without distinction of party, will admit does, nevertheless, permit a much smaller number of hon. gentlemen than are usually comprised in the minority of the House actually to prevent the transaction of any public business. Let us look for a moment at the conditions under the present rules, and let us take the case of an ordinary Bill preceded by a resolution. I have asked the officers of the House to make up for me a statement as to the several stages at which debate and amendment would be permitted, and I find that, in the case of such a Bill as that to which I have alluded, there are no less than nineteen different stages including the committee stage, at which it would be possible for every hon. gentleman in the House to debate and discuss that particular measure, and I believe that at every one of those stages it would be possible for any hon. gentleman to move amendments to the measure. I shall leave out of consideration for the present the committee stage; to that I will allude in a moment, but if hon. gentlemen will take the eighteen stages exclusive of the committee stage, and add to these all the amendments that are possible, they will readily see that there may be, when the Speaker is sitting in the Chair, fifty or sixty or seventy different motions which every hon. gentleman in this House is at liberty to debate to the fullest possible extent, and at such length as shall seem to him desirable. It is perfectly obvious, it seems to me, that such conditions cannot possibly result in the efficient or satisfactory transaction of public business, particularly if a certain number of hon. gentlemen—even though they may comprise a very small proportion of the members of the House—are disposed to oppose the transaction of that business. If you add to these stages the period during which the Bill is in committee, when every hon. gentleman in the House is at liberty not only to speak, but to do so as many times as may please him, it will, I think, be apparent to every hon. gentleman in this House, and to every intelligent and reflecting man in the country, that the transaction of public business in those cases becomes impossible, unless you have a convention—what one might call closure by consent—between the parties, so that, at a particular stage, the debate, however lengthy it may have been, shall at last come to a close, and the majority of the House shall be permitted to express their opinion by a vote upon the measure under consideration. Under conditions as they are, I am very much reminded of the description which Thomas Carlyle gives, in the twenty-first volume of his Life of Frederick the Great, of the wonderful Polish Parliament, the proceedings of which he narrates. He says:

> In 1652, the incredible Law of Liberum Veto had been introduced, in spite of John and his endeavours. Liberum Veto; the power of one man to stop the proceedings of Polish parliament by pronouncing audibly 'Nie pozwalam, I don't permit!'—never before or since among mortals was so incredible a law. Law standing indisputable, nevertheless, on the Polish Statute-Book for above two hundred years; like an ever-flowing fountain of Anarchy, joyful to the Polish nation. How they got any business done at all, under such a law? Truly they did but little; and for the last thirty years as good as none. But if Polish parliament was uni-

versally in earnest to do some business, and Veto came upon it, hon. members, I observe, gathered passionately round the vetoing Brother; conjured, obtested, menaced, wept, prayed; and, if the case was too urgent and insoluble otherwise, the Nie Pozwalam gentleman still obstinate, they plunged their swords through him, and in that way brought consent. The commoner course was to dissolve and go home again, in a tempest of shrieks and curses.

When I bring to your attention the extraordinary number of stages through which every measure has to pass in running the gauntlet of this House, when you realize the opportunities for indefinite delay, I shall not use any stronger expression, which are afforded by rules so framed, I think you will come to the conclusion that this Parliament, in the face of determined and obstinate obstruction, is not in a position very much superior to that of the Polish parliament described by Thomas Carlyle in the passage which I have quoted.

I was alluding a moment ago to the transaction of business in the past. How has it been possible for Parliament since 1867, under the conditions which I have described, to transact public business? It has been possible, as I understand it, simply by means of what I might call closure by consent. That is to say, at a definite stage in a debate, when, in the judgment of the leading men of both sides of the House, it has proceeded far enough it has been the practice for a consultation to be held and a date to be fixed; and members who are not able to catch the Speaker's eye within the period so fixed are, by arrangements made on both sides of the House, practically excluded from taking part in the debate on that subject and the question is brought to an issue in that way. The difficulty has arisen in the past and arises to-day that conventions of that kind, which have in the past to a considerable extent obviated the necessity of any stronger form of rules, are not observed and therefore, not being observed, are not operative. I think the situation is very well expressed in an article which appeared in the Fortnightly Review in 1881, over the signature of Mr. Frederick Pollock, in which he made the following observations in regard to conditions in the British Parliament:

> The positive rules of debate are so framed as to leave an immense latitude to members and give immense opportunities for delay. They were framed and long acted upon, on the assumption that members of the House of Commons would behave themselves as reasonable men and gentlemen, and would not obstruct public business for obstruction's sake. But in the last two or three years certain ingenious members have invented the policy of obstruction for the set purpose of bringing the whole proceedings of Parliament to a dead-lock, and thus intimidating the House into compliance with their demands. What is the result of this? After all the House is master of its own rules, and will not allow them to be notoriously abused. A new rule has already been made; and if that is not found effectual, we cannot doubt that other and more stringent measures will be taken. The understanding founded on trust having broken down, positive regulation becomes needful.

I do not desire in the course of my remarks to call attention more than may be necessary to observations which have been made in this House during the present session as to the inadequacy of the rules, but it is certainly apparent to all of us that hon. gentlemen on the other side of the House have called our attention to this absurd condition in a very marked way indeed, and we have been told that the Government of this country is practically helpless, although it has a majority of forty-five in the House, who are ready to vote on measures after reasonable debate and to pronounce the verdict of the House upon them. Hon. gentlemen opposite have used very strong language in that respect. One notable utterance to which I have called attention I might be pardoned for mentioning again. That is a statement made by an hon. gentleman opposite which is only a sample of what has been been said by many hon. gentlemen opposite with the view, no doubt, of directing our attention to the fact that the rules as they exist at present are absolutely inadequate for the purpose of carrying on the business of the country:

> The spectacle presented by the Government of Canada to-day is a regrettable one, a Government fresh from the people with a normal majority in this House of forty-six or forty-eight, as helpless as children! The present Bill has now been under consideration for some time, and the Government are unable to pass it. What will the people say? They will say what they have already said—that it is time that they again went before the people, and if they do this the result will be known to no one better than to themselves. This is the first time in the history of Canada that a Government has been tied up in such a manner as this Government is to-day; they cannot move hand or foot, and will not be allowed to move until this Bill is either withdrawn or amended, and then go before the people and obtain their verdict as to what they should do.

I am sure that there could be no stronger admonition to hon. gentlemen on this side of the House as to the necessity of revising the rules than the advice contained in the quotation I have just read and it is entirely on the lines of what has been said by many hon. gentlemen opposite; but I shall not, at the present moment, stop to comment upon their advice. I think the last

admonition came from the hon. member for South Wellington (Mr. Guthrie) who, in a very smiling and somewhat cynical way, intimated to us the other day that it was absolutely impossible for the majority of this House to pass any measure without the censent of the minority. Considering the present rules, and in view of their effect and operation as I have already stated it, there is immense force in the point and the argument which the hon. member thus made in favour of some immediate change in the procedure.

I must advert at this stage to the view which has been taken by the press of the country as to the necessity for some change in the rules. Of course the voice of the press has varied from time to time, but I am taking certain observations made by journals which support hon. gentlemen on the other side of the House, as I imagine that these would be more effective by way of argument, or by way of appeal to them, than any observations which I might see fit to quote from any journals which usually support the party that is now in power. A leading journal in the West of Canada, the Winnipeg Free Press of 26th October, 1909, used this language:

The Dominion Government would have done well to introduce at the last session of Parliament, which was the first after the general elections, legislation for the revision of the rules of procedure so as to prevent the possibility of a minority of the House obstructing the public business, at great cost to the country. Such tactics were resorted to in the last Parliament, the result being that thousands of pages of 'Hansard' were filled with verbiage, the time of the House was unconscionably wasted, the heavy expense which Parliament is to the country every day it is in session was piled up senselessly, the health of the members of the House was subjected to severe strain and all absolutely to no purpose and with no result save the public disgust that was created by the spectacle of Parliament thus being reduced to impotence for weeks.

The first session of the new Parliament was the session at which the rules of procedure should have been revised; as it was not done, it should be attended to at the coming session. With each succeeding session, as the next general election campaign looms up nearer, the Government will find themselves more and more open to the accusation of using the majority power to choke off the Opposition. Revision of the rules is absolutely necessary, as was proved to a demonstration during the last Parliament; and when the next session begins, the Government should take as their motto in this connection, 'do it now.—

It will be useful also to quote an article from the leading organ of the Liberal party in the province of Ontario, the Toronto Globe, of 22nd April, 1911:

The application of the closure to debate at Ottawa seems inevitable. The one Parliament that retains the Great Britain tradition of free and unlimited debate has during the past few sessions proved that the system is no longer applicable to modern conditions. Parliament in Canada, with all the vast and complex problems arising out of the settlement of a half-continent to dispose of, cannot become a mere academic mutual improvement society. Debate must be a means, not an end. Liberty of speech in the Commons has degenerated into license, and a dozen inveterate talkers bore a weary House with talks that were old two thousand years ago, until the wonder is that enough members can be induced to remain in the Chamber to make a quorum.

Year by year the 'Hansard reports occupy a larger space on the library shelves and the length of the session stretches out. The tax on the time of the members will soon be so great that only men who have retired from business or who have no business at all will be able to serve in the Commons. It has become absolutely necessary to take steps towards the limitation of debate. Sir Wilfrid Laurier has been very much against limitation, but the proceedings during the past six months must have convinced him that there is no other way to prevent an utter breakdown of the Parliamentary machine. Mr. Borden also must be nauseated with the eloquence of some of the too wordy gentlemen in his immediate vicinity, and would no doubt welcome a change that might enable him to put a limit to it. A committee should be appointed for the thorough revision of the rules of debate, so that next session Parliament may be able to purge itself of the reproach that it is becoming a mere talking machine incapable of coping with the business laid before it.

Mr. GRAHAM: That is why he got some silent ones in the Government.

Mr. BORDEN: My hon. friend does not always seem sufficiently to realize the truth of the old proverb that speech is silvern, but silence is golden. Let me seriously call the attention of hon. gentlemen on the other side of the House to one phase of the argument put forward by the Toronto Globe for the limitation of the absolute license of debate which now exists in this Parliament. In Canada we are a very busy people, and I suppose that hon. gentlemen in this House who are not obliged to follow some avocation for the purpose of providing a livelihood for themselves and their families might be numbered on the fingers of one hand. We have no leisure class in this country to deal with affairs in Parliament, and it is better as it is. We want representatives of the people who are associated with the vital interests of the country of every kind to be here in Parliament, but, as the Toronto Globe very truly says, under existing conditions, and with sessions of Parliament drawn out to an absurd and unnecessary length as at present, and sometimes in the past, it is absolutely impossible to get the best representative elements to come into this Parliament to do the work of the country. That very consideration of itself will, I am sure, appeal to hon. gentlemen on both sides of the House as a strong reason

why some fair limitation should be made immediately in the present rules.

I propose next to quote again from the Manitoba Free Press of Thursday 27th April, 1911:

If the challenge for a trial of strength is made the Government should meet it and fight it out to a finish, if it takes all summer and next winter too. The inevitable victory, when it comes, should carry with it the closure which will take our Parliament out of the freak class and make it an assembly that can act as well as talk. The Canadian is the only British Parliament of the first rank which has not the closure. It is high time that it lost this undesirable distinction.

Then, again, I quote from the Toronto Globe of 28th April, 1911:

The Government should make it plain that the penalty of deliberate obstruction would be a few weeks of continuous session. Before the steady pressure of that sort of logic obstruction will not long make headway. Already a number of the western and eastern Conservatives are very restive, and only the determined attitude of the Ontario holds them in line. The heat of the summer will do much to lessen the fighting spirit of the irreconcilables, and if they hold out through June and July, then August would be an excellent month for introducing that much needed measure, a bill for applying the principle of closure to Parliamentry debate in Canada.

Then, I observe in the Ottawa Free Press of 27th Auril, 1911, an article on the kangaroo closure, as it is known in the British Parliament. I need not read more than a short extract from that editorial:

The kangaroo closure which was enforced in the British House Tuesday, is the latest device known to Parliament of cutting the talk short and getting the business on remarks the Manchester Guardian. The need for some sort of closure has been evident of late in the Canadian Parliament and the Guardian's description is, therefore, of interest.

Then, I observe a reference to the same subject in the Edmonton Daily Bulletin of 11th May. 1911 I need not read the whole of it. but one or two sentences might be useful for reference:

A group of strong-headed tongue-waggers have it in their power to hold up the course of business as long as they please, and to block indefinitely the passage of any measure, however large the number of their fellows favourable to it, and however warmly the public approve of it. The performance is purely a physical one, and leather lungs are the only qualification necessary, save a callous indifference to the rights of the too tolerant majority in the House and out of it.

I am not at all attributing that language to the hon. member for Edmonton (Mr. Oliver), because I am sure that if he had expressed himself on the question, he would have used much stronger terms.

We are appealing to hon. gentlemen on the other side of the House as to the wisdom and the necessity of some amendment and for that reason I have made these quotations. But I wish also to cite the utterances of some hon. gentlemen who are more closely identified with the leadership of the Liberal party than are the editors of the journals from which I have taken these citations. On February 13, 1908, the Hon. W. S. Fielding, then Minister of Finance, used this language in the House of Commons, and I am quoting it also for the reason that my right hon. friend the leader of the Opposition, when I alluded to it a few days ago, was inclined, as I understood him, to dispute my recollection as to what Mr. Fielding actually did say. Mr. Fielding used this language ('Hansard,' 1908, page 3110):

I said the other day, in answer to a question concerning a certain motion, that any hon. member could only have such rights in this House as the majority afford him. Surely the hon. gentleman does not dispute that. If the majority exercise that right unwisely, there is the remedy in publicity. I repeat the statement I then made, no hon. member in this House can have any rights in the procedure in the House except what the majority of the House see fit to give.

Mr. Foster: I do not care to discuss that question with my hon. friend. The majority might say, we have a greater number here than you people have, and we will pass a resolution that no member of the Opposition shall speak a word in this House. Have they the right to do that?

Mr. Fielding: Yes. No public deliberative assembly could be conducted upon any other principle than that the wish of the majority shall prevail. If that majority acts foolishly, harshly, then the remedy is in public opinion. I repeat the statement that in this or any other deliberative assembly no member can have a right in the deliberations of the House except what the majority gives him.

It is not at all necessary to go as far as Mr. Fielding did in that statement, for the purpose of arriving at the conclusion that some reasonable amendment to the rules of the House at the present time is not only desirable, but is absolutely necessary if public business is to be transacted. Mr. Fielding's remarks were alluded to again in the House on June 5, 1908 ('Hansard,' page 9897). I quote:

Mr. Owen: I have not forgotten that the Minister of Finance did say a few months ago that we have no rights in this House.

Mr. Fielding: That phrase for a time seemed to do my hon. friends opposite some good. I will be glad to repeat the same statement and give my hon. friends the benefit of it once more. Every member of this House and every group of members has just as much right as the majority accord to them, and no more. That is true to-day as it was true then. But the trouble is my hon. friends opposite have abused their rights. The trouble is that we have got into the habit of per-

mitting an easy going method of procedure whereby hon. gentlemen opposite are permitted to delay the business of the House to an extent that would not be allowed in any civilized country outside of Canada.

Some hon. Members: Hear, hear.

Mr. Fielding: It was just such difficulty that compelled the mother of parliaments to adopt a procedure which allows the majority to rule. But it is difficult to bring some people to understand why the majority of this Parliament should not rule. Let it be understood that if men on both sides would realize their responsibility, if they would realize their obligations to the state as well as their party interests, they would admit that this Parliament has allowed a latitude and freedom of discussion which enables any half dozen men in this House to hold up any one measure the whole session. It was never supposed that any member would abuse that privilege the way the hon. gentlemen opposite are doing.

There was another very much respected member of the House and of the late Government, the Hon. William Paterson, who, in 1908 ('Hansard,' page 10137) used this language:

If there is anything in the minds of the people at present on which, when the Government ask for a verdict, they will get a favourable verdict by an overwhelming majority, it is this question of obstruction. I can tell you that the rules of this House must be revised in such a manner, that while the amplest time will be given for the discussion of every question and the investigation of every subject, there must be a means devised whereby the hon. member for North Toronto and the little clique around him will not be able to keep this House sitting indefinitely. This is the issue that will be pronounced upon, and the party which will favour a revision of the rules in order that something within the lines of decency may be maintained and the country's money saved, will be endorsed by the people, and the party which will be entrusted with the carrying out of that reform will be the party that has ever carried out all reforms.

After the dissolution of Parliament in 1907, a good deal was said upon this subject by several members of the then Government, some of whom are in the House to-day, and some of whom are not. If we are to take what these hon. gentlemen said, upon their responsibility as ministers of the Crown, we can come to no other than this conclusion: that the late Administration had arrived at a definite determination to revise the rules of Parliament by adopting the closure if they had been returned to power. In support of that I will quote three separate utterances of the then Minister of Agriculture, the Hon. Sydney Fisher. Speaking at Waterloo, Que., on August 1, 1911, he said:

Now, if we are returned to power, we will pass reciprocity and we will also pass a measure changing the rules so that the business of the country may go briskly forward, without obstruction. It is only right that it should be so. Full investigation we believe in, but empty obstruction is a drag on the country.

Speaking again, as reported in the Montreal Herald, on August 19, 1911, at Magog, Que., he said:

So long as a small minority or any group can take up the time of Parliament in order to hear themselves talk, it is impossible to avoid waste of time—

I would like hon. gentlemen, and especially my hon. friends on the other side of the House, to note the language of Mr. Fisher that follows:

—and I give my pledge that, if the Laurier Government is returned again, the rules of the House will be changed. I consider present conditions inimical to the proper conduct of public business.

Speaking again at Knowlton, Que., August 21, 1911, as reported in the Montreal Herald, the Hon. Sydney Fisher said:

The minister stated that it was the intention of the Government, should it be returned, to so change the rules of the House, that such obstruction would in future be impossible.

Another member of the late Government, the ex-Minister of Justice, Sir Allen Aylesworth, used very strong language indeed with regard to the same matter during the same campaign. Sir Allen Aylesworth on two occasions spoke of the necessity of some revision of the rules. At Newmarket, on the 2nd day of June, 1911, he is reported as having used this language:

Now, some attention has recently been paid to that (the prevention of obstruction) by reason of some remarks uttered by Hon. Sydney Fisher in the Eastern Township. He was expressing no more than I would express, no more than every Liberal in the House would express. Things have come to a pass which threatens the destruction of representative institutions. I make that statement with a full sense of the responsibility upon me for what I utter, with the full sense that I speak as a member of Parliament and a minister of the Crown. Under our existing rules of procedure there is no limit upon talk. When the House is in Committee of the Whole each member may speak as often as he pleases, and any half-dozen men can obstruct the business of the House and prevent the other two hundred and ten from doing any business. I think this is a perilous state of things. Every other representative House of Parliament in the British Empire, every other Parliament in any English-speaking country of this globe, has put an end to that condition of things. The Canadian House of Commons stands alone to-day among the representative bodies of the world were such a thing as I have described is possible. Some of our members think this is to the credit of Canada and the Canadian House of Commons. For myself I do not share that view. I must say that from what I have witnessed of what goes on session

after session, I am prepared to vote closure, and to stay there to put closure through, no matter how long that may take. . . . When a member stands up in the House and reads for over an hour from school books simply to the others, for no other purpose than to prevent a vote; when a member of Parliament so far forgets his responsibilities, his duty to his country and the people who sent him there; when he deliberately descends to the level of obstructing public business, he deserves to be gagged, and I am ready to do it.

Sir Allen Aylesworth followed up that statement on the 12th day of August, 1911, by using this language:

The Minister of Justice dealt briefly with the situation prior to dissolution. It cost the country some $5,000 per day to keep Parliament in session. For two weeks the Opposition had deliberately thrown this public money away. Unless the rules were changed, Parliament was no place for any man whose time was worth something. The Minister advocated a change in the rules of the House of Commons, under which such senseless waste of time could not take place. The Liberal party in England had to adopt such a course, and it would be necessary for Canadian Liberals to deal with obstruction which sought to impede the onward march of progress in Canada.

I am not absolutely sure that I have secured everything said by gentlemen who were members of the late Administration. I might add to what I have just placed before the House, a statement in the Ottawa Free Press of August 16, 1911, which is attributed to my hon. friend, the member for Russell (Mr. Murphy), who was then Secretary of State for Canada:

Under the rules of the House, as they exist, the majority was at the mercy of the minority. If the Opposition chose to abuse their power the Government is powerless to prevent it. Under these circumstances there was nothing left for the Government but to ask that the issue should be submitted to the people and let the people decide. Hon. Mr. Lemieux said at St. Hyacinthe that some measure of closure would be necessary in order to make it impossible for the Opposition to obstruct the business of the country, and, he (Mr. Murphy) was perfectly in accord with that proposition. The closure existed in Great Britain, in France and in the United States and it must come to Canada.

My hon. friend the member for Rouville (Mr. Lemieux), speaking at St. Hyacinthe on August 13, 1911, is reported as having used this language. It is doubtless his remarks on that occasion that were alluded to by the hon. member for Russell in the passage which I have just read:

In the regular order of things the present Parliament should not have been dissolved until 1913. The liberty of speech is one of our most prized conquests, but the abuse of this liberty, that is obstruction, is a vice and should be extirpated from our political life, and when returned to power Sir Wilfrid Laurier will introduce a law providing for the exercise of closure in Parliamentary debates.

I have not the slightest doubt that a further research into the speeches made by members of the late Administration during the campaign of 1911 would still further demonstrate that there was a determination on the part of that Administration to introduce closure rules in this House if they had been returned to power. If we are to realize that the gentlemen from whose speeches I have quoted were conscious of the responsibility which attached to their utterances, I venture to submit, that we have the plainest possible proof that such was the absolute and definite determination of the late Administration, and that they recognized, as we recognize to-day, that some reasonable limit must be placed upon debate in order that the public business may be transacted and that the will of the majority shall in the end prevail.

As all hon. gentlemen in this House know, the subject was dealt with in the United Kingdom many years ago. It was first effectively dealt with in 1882. It might not be amiss, in order that the view of so great a parliamentarian and statesman as Mr. Gladstone might be brought to the attention of the House, that I should make one or two brief extracts from speeches which he delivered in connection with this subject. As reported in the Parliamentary Debates, Volume 266, page 1138, he said:

You may tolerate excess from love of liberty of speech even when it descends into frivolity or into license, for fear of making some mistake dangerous to that liberty. But although on that account I do not grudge the enormous patience which the House has exhibited, the enormous suffering which it has been content to undergo—nay—the disparagement of its usefulness which it has witnessed without an effort to apply an effective remedy, yet I feel, on the other hand, that there is a point beyond which you cannot allow things to go, and I wish to urge upon the House that that limit has been reached.

Again, in the same volume, at page 1143, speaking of lengthened sittings, he said:

They are not merely most powerful means of obstruction; they are not merely most powerful means of inflicting suffering on the members of the House. They are totally incompatable with the dignity and credit of this House. Grievous as they are they are almost as ludicrous in the eyes of the community as they are grievous, the whole idea of the conversion of night into day, the disruption of the common order,—already hard pressed by our ordinary proceedings—in which time and business are distributed and the exhibition of a great and powerful assembly in such an attitude before the community, almost amounts to a degradation and depth of insult offered to the House such as I may say, we ought to endeavour to wipe out.

In the concluding part of his speech, on the 20th February, 1882, he said:

I trust that this House will always continue to appreciate—I would almost say worship—liberty of speech, and that it will continue to tolerate, for the sake of liberty of speech, the license of speech which mocks and counterfeits that liberty of speech. But, however large its fund of patience, and however wise that patience may be, I hope it will not carry that tolerance to such a point that it shall of itself become the grossest of all the vices of a legislative body, and that it shall reach a point where it will inflict upon the House of Commons an incapacity for the discharge of its duties.

And so, as we know, the closure was introduced in the Parliament of the United Kingdom, and it exists there to-day. The question of procedure in the British House of Commons has been lately under consideration in that body; and, after an experience of more than thirty years, we find the great statesman who is now Prime Minister of Great Britain expressing himself, on the 14th of March last, in this way with regard to the subject. I quote from the Parliamentary Debates, volume 50, No. 5, column 608, the remarks of Mr. Asquith:

We have adopted, as I have said, the closure and the guillotine. We have done so for reasons which are not peculiar to this House, but which have been found operative in almost every legislative assembly in the world. I believe I am right in saying that with the exception of the American Senate and the Canadian Parliament there is no legislative assembly in any free country that has not some machinery, not precisely identical or even similar, but some machinery of this kind for the purpose of preventing obstruction and facilitating the transaction of business. I am quite sure, though I say it not as any lover of these expedients, and as one who has denounced them in language as strong as anybody on those benches—I say with unaffected reluctance and regret that I am perfectly certain it would be perfectly impossible for any Government to conduct the affairs of the nation and carry through the legislation to which it is pledged without having recourse in the future as in the past to machinery of this kind.

So far as the testimony of the British Parliament goes, we have these facts before us. More than thirty years ago, in 1882, Mr. Gladstone, by reason of the absolute breakdown of the parliamentary machinery under the rules as they existed then—and they were precisely the rules under which we are working to-day—found it necessary to make important amendment in order that public business might be carried on, that parliamentary government might not be brought into discredit and disrepute and thta Parliament might not become incapable of exercising its true and natural functions. We find his great successor, the present Prime Minister of Great Britain, Mr. Asquith, stating, in language which I have quoted, and no further back than the 14th day of last month, that the Canadian Parliament and the Senate of the United States are the only two great legislative bodies in the world that are to-day attempting to carry on their business without some machinery of this kind; and that without such machinery, according to his judgment, founded upon an experience of thirty or forty years, it is absolutely impossible for Parliament to perform its duties, and more than that, it is absolutely impossible for any government to pass through Parliament the measures which it brings down and to the passage of which it is pledged. I have ventured to make these somewhat extensive quotations because it seems to me that it is a proper thing not only to touch upon our own experience in such a matter, but also to bring to the attention of the House and of the country the fact that the Parliament of Canada alone, with the exception of the Senate of the United States, is the one legislative body that is attempting to carry on public business under rules such as we have and which, in the experience of every hon. gentleman in this House, have proved absolutely ineffective for the purpose of enabling the Government or Parliament to make progress with public affairs. In Canada itself, in one legislature at least, that of the province of British Columbia, the English rules of closure, as they now exist, have been in force for many years. I am not sure about any other legislative body in Canada, but I do know, from having procured a copy of the rules of the legislature of British Columbia, that the English closure rules as they exist to-day, have been in full force in the province of British Columbia for some time.

Now, I come to the question of the amendments which we propose; and I would like to say, in the first place, that we have not thought it wise to make the proposed amendment as drastic as the rules which are in force in Great Britain.

Some hon. MEMBERS: Oh, oh.

Mr. PUGSLEY: More drastic.

Mr. BORDEN: More drastic?

Mr. PUGSLEY: Yes.

Mr. BORDEN: I have read them, and not only read them but re-read them many times, and that is not my appreciation of their effect. However, I would like to say that if we put these rules in force and hon. gentlemen opposite think them more drastic than the English rules, I would be prepared to adopt the English rules. And, further, if these rules bear the construction my hon.

friend puts upon them, certainly that was not the intention of those who framed them. Let us for a moment see what the rules are. The first amendment is proposed as a subsection to rule 17, in the following words:

(2) Every motion heretofore debatable made upon routine proceedings, except adjournment motions and every motion standing on the order of the proceedings for the day, or, for the concurrence in a report of a standing or a special committee, or for the previous question, or for the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption in Committee of the Whole, or for Supply, or of Ways and Means, or the resolution clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

The object of that rule was to give full opportunity for debate upon what I would call every substantial motion. What is the meaning of the expression: the order of the proceedings of the day? That is the technical description, given in the rules, of the document which I hold in my hand. It is alluded to in rule 61:

The Clerk of the House shall place on the Speaker's table, every morning, previous to the meeting of the House, the order of the proceedings for the day.

That seems to be the technical name for this document. Well, there you have, in the first place an opportunity for debate of every motion which appears on this Order Paper. Take the Order Paper for to-day: Government Notices of Motion; Government Orders; Notices of Motion; Public Bills and Orders. Every one of the motions which stand under these different headings is debatable under the rule we propose. Then, every motion that is made upon routine proceedings, for example a motion to adopt the report of a committee, a motion with respect to any matter of privilege—every motion that is ordinarily made upon routine procedure will continue to be debatable in the future as it has been debatable in the past.

Mr. MACLEAN (Halifax): What motions which it is now permissible to debate are to be excluded by this rule under the following words of the first part of the motion: Every motion heretofore debatable made upon routine proceedings?

Mr. BORDEN: Motions to adjourn a debate, motions to adjourn the House, or that the Chairman do leave the Chair, or that the committee rise, report progress and ask leave to sit again. Such motions which ought to be regarded as purely formal, are not under these rules to be debatable, and they are not debatable, so far as I know, under the rules of any important legislative body. But everything that raises a direct question with regard to any matter under the consideration of the House will be as fully debatable in the future as it has been in the past. We have been careful to preserve the rights of the members of the House in this respect, because we go on to use the words, 'for the concurrence in a report of a standing or a special committee,' in order that there may be no doubt about that matter. Motions for the previous question will continue to be debatable, although they are not debatable in Great Britain, Australia, the United States House of Representatives, or in most of the legislative bodies of the world. Then the words 'or for the third reading of a Bill' are inserted in the clause for the reason that, when a Bill comes out of committee without amendment, the third reading is sometimes called without its appearing on the Order Paper and, if we had not inserted those words, we might have cut out debate upon the third reading, which we certainly have no desire to do. We have, therefore, inserted these words as a safeguard to the minority in the House. It is also provided:

Or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means, of the resolution, clause, section, preamble or title under consideration, shall be debatable; but all other motions shall be decided without debate or amendment.

Mr. EMMERSON: In the event of an hon. member rising on a question of privilege with a view to making a motion, would debate be permissible?

Mr. BORDEN: Certainly.

Mr. PUGSLEY: Under what clause?

Mr. BORDEN: Under motions—routine proceedings.

Mr. PUGSLEY: Surely not under routine proceedings?

Mr. BORDEN: As I understand it, the proper place is upon motions. I remember that I had that matter under consideration very soon after I came into the House. I went to Sir John Bourinot, who was then the Clerk of the House, and who had had great experience, and he told me to make my motion as a question of privilege upon the calling of motions under routine proceedings, and that this was the proper course to take in such cases.

Mr. PUGSLEY. Take the motion made by the hon. member for St. Hyacinthe (Mr. Gauthier), who made a certain charge against a minister of the Crown, and moved that it be referred to the Committee on Privileges and Elections. I would ask my right hon. friend if, under clause one that

motion would not be prevented from being debated?

Mr. BORDEN: Not at all. I remember the occasion very well indeed. The hon. member for West Lambton (Mr. Pardee) came to me that afternoon, and I said to him: 'Is not the hon. member for St. Hyacinthe going on this afternoon'? We had passed the motions stage of the proceedings, and I had supposed that he was going to make his statement and his motion then and there; but the hon. member told me that he intended to make it upon the Orders of the Day. I think that the proper place to have made it would have been under motions; so far as I am concerned I so understand the rules. No objection will ever be raised on this side of the House to any question of privilege being brought up on such an occasion when a motion is proposed to be made. I would be the last one in the world to attempt any revision of the rules which would tend to take away any such right, and I can assure my hon. friends on the other side of the House that there is absolutely no desire or intention of doing anything of the kind.

Mr. PUGSLEY: The second clause does it.

Mr. BORDEN: I do not so understand it, and if a question is ever put to this House by way of an appeal from the ruling of the Speaker, I venture to say it will not be so decided.

Some hon. MEMBERS: Oh, oh.

Mr. CARVELL: He will not always be there.

Mr BORDEN: My hon. friends are very suspicious; I think they should be prepared to accept my word in the matter. If they can subsequently convince me that I have been wrong in that regard, I promise to amend the rules, although I have not received very much encouragement from my hon. friends on the other side of the House to deal with these matters by way of conciliation. I simply desire to say that these rules do not, in my opinion, bear the construction which hon. gentlemen have put upon them, and that, so long as I occupy the position which I do at the present time, the rules will not be construed in the sense attributed to them by the hon. member for St. John. There is no desire or intention to take away from any hon. gentleman on the other side of the House any legitimate right he now possesses to bring forward a matter of that kind, and it would be absolute folly on the part of this or any government to attempt to enforce rules designed to have such an effect. Nor do I propose to attempt to do this, and if an hon gentleman on the other side desires to bring to the attention of the House, with a view to making a motion upon it, a matter of privilege, I say to him now that if he will make this motion as I made it in 1898 or 1899--under motions—he will be regarded as being strictly in order.

Mr. OLIVER: Will debate on that motion, under the rule, be in order?

Mr. BORDEN: Certainly.

Mr. OLIVER: Why not say so in the rule?

Mr. BORDEN: We have said so in the rule. as I understand it. Motions are classed under routine proceedings, and it is upon motions that I understand any such statement might be made, or any motion founded upon it might be introduced.

Mr. BELAND: Are we to understand that only adjournment motions will not be debatable, or where does the exception stop?

Mr. MURPHY: Should there not be a comma after the words 'except adjournment motions'?

Mr. BORDEN: The exception stops there—'except adjournment motions.'

Mr. BELAND: All other motions are debatable?

Mr. BORDEN: All other motions.

Mr. PUGSLEY: What are the motions which are included in these words: 'all other motions shall be decided without debate or amendment'?

Mr. BORDEN: I have enumerated some of them to my hon. friend; if necessary, I can, before the debate closes, further enumerate them as they have been presented to me by the officers of the House. What we have sought to do is to provide that all substantial motions, which bring into question the propriety of passing any Bill, measure, or vote, shall be debatable in the future as they have been in the past, but that purely formal motions, which, under the existing rules, would be used only for dilatory purposes, shall not in future continue to be debatable. That has been our object, and we propose to carry it into effect in a reasonable way.

The second rule we propose is this:

Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment;

and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes in any such adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

The advantage which I think that proposal gives to the minority over the English rule is this, at least this was the intention we had in framing it in that way. I may frankly say that in debating the necessity for a change of rules there was some opinion that the English rules, just as they exist. had better be adopted but it seemed to us, on account of certain differences in the constitution of this Parliament from that of the British Parliament. that it would be fairer to give at least twenty-four hours' notice of the date at which the debate would be brought to a conclusion.

Mr. PUGSLEY: At which the guillotine would fall.

Mr. BORDEN: My hon. friend may phrase it in any way he sees fit. If this be a guillotine——

Mr. PUGSLEY: A guillotine of the worst kind.

Mr. BORDEN: —it is a guillotine which is in use in a much more aggravated form in every other important legislative body in the world. I shall give my hon. friend in a moment a quotation as to how it operates in the United States under certain conditions that we have adopted in this rule. In the first place, it seems to me that this rule may operate in Canada—and I speak to my hon. friends on the other side of the House with perfect frankness—as it has operated in many countries in the world, that is to say that the mere existence of the rule will itself prevent the necessity of its being brought into practice, at least very frequently.

Sir WILFRID LAURIER: Holding a terror above our heads.

Mr. BORDEN: Not at all; that is not the way in which I would desire to exercise a power of this kind. I would think that if this rule passes, things might go on in future just as they have in the past. I would always ask my right hon. friend what length of time he desired to conclude any particular debate, and I would hope that in the future we would be able, as we have been in the past, to come to some conclusion without invoking these rules. I would hope that would be the case. I am not disposed, as I think even my hon. friends on the other side of the House will admit, to use unfairly any power that I might possess.

I would think that any reasonable doubt as to the time within which a debate should be concluded ought to be resolved in favour of the minority. I will go so far as to say that. The object of bringing these rules into force is not for the purpose of repressing the minority or taking away the right of liberty of speech, but purely for the one overmastering reason, namely, that the Parliament of Canada may not become a byword and a reproach, and that it may be able to transact public business.

Mr. TURRIFF: Are the present rules under which we are working not the same rules that enabled my right hon. friend the present Prime Minister to compel the late Government to withdraw an amendment to the Manitoba Election Act and to compel the late Government to appeal to the people on the proposition of reciprocity?

Mr. BORDEN: As far as the Manitoba Election Act is concerned, I would invite my hon. friend to seek some information from his leader. So far as other matters are concerned, I can only say to my hon. friend that the rules which we have to-day were in force in 1911, and if he alludes to that time, there has not been any change since; but the very statements which I have quoted in such abundance, not only from the Liberal press but from the Liberal leaders, ought to be convincing to my hon. friend that some amendment of those rules is necessary, unless he is disposed to throw to one side altogether the weighty opinions which I have quoted at considerable length.

It is proposed that the power which is to be exercised under this section shall be exercised upon the responsibility of a minister of the Crown who, standing in his place, shall give notice at any sitting that he will, at a subsequent sitting, move that the debate shall not be further adjourned or that the consideration of any measure in committee shall not be further postponed. When that takes place what happens? Under the rules, as I understand, this will happen, that whether the House be sitting with the Speaker in the Chair or in Committee, no member shall thereafter speak in such adjourned debate or upon such further consideration more than once or for a longer period than twenty minutes; and it seems to me that the practice of reducing speeches to that length of time, upon notice to the minority of the House, ought to enable them to concentrate their fire more effectively than they are apt to do under the present rule, upon the exact portion of a Bill or measure to which they are opposed.

Mr. LEMIEUX: In measuring the length of time under this clause (3), has the right

hon. gentleman considered the case of a debate where the two languages might be used?

Mr. BORDEN: I do not quite appreciate the suggestion why that should either increase or diminish the length of time allowed. If the hon. member can bring any consideration of that kind to my attention, the rules might be amended at a subsequent date to guard against such difficulty but at present it is not comprehensible to me. The chief question, in my mind, is whether we have not made the period too long. In the House of Representatives in the United States the period is five minutes, and I will read what Mr. Bryce says as to the character of the five-minute speeches which are elicited by such a rule. In his work on 'The American Commonwealth' Mr. Bryce says:

> Most of the practical work is done in the standing committees, while much of the House's time is consumed in pointless discussions, where member after member delivers himself upon large questions not likely to be brought to a definite issue. Many of these speeches thus called forth have a value as repertoire of facts, but the debate as a whole is unprofitable and languid. On the other hand, the five minutes' debates which take place when the House imposes that limit of time, in committee of the whole on the consideration of a Bill reported from a standing committee are often lively, pointed and effective.

If hon. gentlemen will take the trouble to examine the debates in the House of Representatives in the United States when this five-minute rule is enforced, they will see that every member who speaks with only five minutes of time at his disposal, hits the question on the head at once without losing any time whatever in irrelevant remarks. My only doubt as to the period we have fixed in these rules is whether we have not made it too long.

The last rule which we propose is:

> On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

The idea is to enable the House to consider in Committee of Supply on two days of the week, at least, the estimates of the Government which, as we all know take a very long time. There have been suggestions in this House during the past sixteen years that some better procedure with regard to the estimates should be adopted. In the first place, I think both sides of the House have suggested that the estimates should be referred to a very large committee of the House, that the proceedings of that committee should be reported, and that the committee should report to the House those items which they think ought to be discussed in Committee of the Whole House. That is too large a question for us to take up at the present time, but it may require to be taken up in the future. As Mr. Bryce says with regard to the practice in the United States House of Representatives, most of the work is done in large standing committees. It may be possible, at some future date, so to amend the rules that a good deal of the work, which now occupies the attention of the House sitting in Committee of the Whole, might be done in some other and more effective way, without depriving the minority of the full privilege of criticism to which they are entitled. It is to the advantage of the Government, as well as of the Opposition of the country that there should be the most thorough criticism upon the estimates, or upon any other measure of the Government and we do not desire in the least to avoid it. As hon. members will notice, it is provided that no estimates can be taken up on Thursday or Friday until they have been first considered on some other day of the week.

Mr. GRAHAM: Unless by consent.

Mr. BORDEN: I think my hon. friend has mis-read it. It says:

> Provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

They must be taken up on some other day unless the House consents.

Mr. PUGSLEY: That means the majority.

Mr. BORDEN: I should think my hon. friends would want them taken up on some other day.

Sir WILFRID LAURIER: Hear, hear.

Mr. PUGSLEY: The majority could decline to do so.

Mr. BORDEN: Either I misunderstand it, or my hon. friend misunderstands it. You cannot take them up on Thursday or Friday in the first instance, you must take them first up on some other day of the week so that any motion can be moved in respect to the administration of the department.

Mr. GRAHAM: That would mean the unanimous consent.

Mr. BORDEN: I will change that to unanimous consent, if my hon. friends will agree.

Sir WILFRID LAURIER: We want to debate it first.

Mr. BORDEN: Then my right hon. friend does not agree to change it?

Sir WILFRID LAURIER: I want to debate it first, for there is room for discussion on that.

Mr. BORDEN: I offer to change it if my hon. friends desire it.

Mr. BELAND: We might do that in committee.

Mr. BORDEN: Very good, if my right hon. friend wants to debate it——

Mr. OLIVER: If the Prime Minister's intention is good, his drafting is bad.

Mr. BORDEN: As a very long debate would be involved in any motion for such consent, I do not think it would be very likely that the Government would embark on that course, even if my hon. friends were right in this construction of the proposed rule, which I do not admit. However, my hon. friends are not willing to accept what I have offered.

Sir WILFRID LAURIER: There are other objections. In my judgment, it is a very objectionable clause, the whole of it.

Mr. BORDEN: I think that, as it is, it means unanimous consent. However, I have already offered to phrase it in that way, and if my hon. friends on the other side of the House are not willing to accept that offer, we will let it stand as it is.

Now, I have gone over the rules as fully as I think is necessary at the present time. The rules that are to be put in force must of course be exercised prudently and fairly. It would not be to the interest of any government to exercise them unfairly, and I am sure that, so far as referring these rules to a committee is concerned, I would be very glad indeed to refer them to a committee of the House or to debate them in a committee of the whole House, if it were not for the very great loss of time and the indefinite delay which would apparently be involved in any such step. We think that the time has come when the rules of the House ought to be amended, and we are sincerely endeavouring to amend them in a way which will be fair to the minority of the House, and which at the same time will enable public business to be carried on in a reasonable and normal manner. I am willing, however, to say this, that if these rules pass, I shall be perfectly willing at the opening of another session to refer all the rules of the House to a committee of the House in order that in other respects, as well as in those to which I have alluded, there should be a thorough revision, which I think is very much needed.

In the meantime, I commend the rules to the consideration and approval of hon. gentlemen on both sides of the House in the full conviction that they have been drawn up in such a way, and with such provisos and safeguards, that hon. gentlemen on the other side of the House will be absolutely secured of their full rights of speech with regard to any public measure that may be presented for the consideration of this Parliament. But, consistently with that, it is eminently proper, as every one in this House and in this country will realize, that a parliament should not sit, as we have sat, for nearly five months since the 21st day of November last, and practically accomplish nothing at all in respect to the public business which is before it. If Parliament can be detained in that way for five months without making any substantial progress with the programme of the Government of the day, it can be detained for twelve months, or fifteen months, or eighteen months. Parliamentary institutions under such conditions would be practically useless; and all that we desire—and I speak in the most absolute sincerity to hon. gentlemen opposite—is to bring about such conditions as will permit to each and every one of them all reasonable freedom of debate, and at the same time permit the Government and the majority in this House to go on in a reasonable way with the public business of the country.

The Right Hon. Sir Wilfrid Laurier and the Hon. J. D. Hazen, Minister of Marine and Fisheries, having risen in their places:

Mr. SPEAKER: The hon. member for Quebec East (Sir Wilfrid Laurier) is accorded the floor.

Mr. W. B. NORTHRUP (Hastings East): I rise under rule 17, Mr. Speaker, which rule, if I may be allowed to read it to the House, is as follows:

When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place; but a motion may be made that any member who has risen 'be now heard' or 'do now speak,' which motion shall be forthwith put without debate.

Under that rule of the House, I beg to move, seconded by Mr. Blain, member for Peel:

That the Minister of Marine and Fisheries, being the member for the City and County of St. John, be now heard.

Some hon. MEMBERS: Shame!

Sir WILFRID LAURIER: When you have a majority in this House, that is what we have to expect from you—shame!

Mr. BELAND: Withdraw that motion.

Mr. OLIVER: What does the Prime Minister say?

Mr. SPEAKER: It is moved by Mr. Northrup, seconded by Mr. Blain, that the Minister of Marine and Fisheries, being the member for the City and County of St. John, be now heard.

Some hon. MEMBERS: He will never be heard.

The question having been put:

Some hon. MEMBERS: Read it in French.

The motion was then read in French.

Sir WILFRID LAURIER: I rise to a point of order. The motion should read:

That the member for Quebec East and the member for the City and County of St. John having risen at the same time, the member for the City and County of St. John be now heard.

The motion as it stands is not correct.

Mr. BORDEN: The motion is precisely in the form provided by rule 17.

Mr. SPEAKER: I did not feel that I had the responsibility of going beyond the motion put in my hand.

Sir WILFRID LAURIER: I am rising to a point of order. The motion as it stands is not complete.

Mr. PUGSLEY: Will you allow me to speak?

Mr. SPEAKER: No. After the members are all in, a point of order cannot be raised, because I have put the question to the House and we are taking the vote.

Mr. LEMIEUX: What becomes of the first ruling?

Mr. HENDERSON: It is over-ruled.

Mr. SPEAKER: My intention was to state to the House the position in which the matter stood, namely, that the two members rose to speak, and I decided that the member for Quebec East had the floor, and then the motion which I have read was put.

House divided on the motion of Mr. Northrup:

YEAS:

Messieurs:

Achim,	Maclean (York, O.),
Alguire,	McCurdy,
Ames,	McKay,
Armstrong (Lambton),	McLean (Queen's, P.E.I.),
Armstrong (York, O.),	Marshall,
Arthurs,	Meighen,
Ball,	Merner,
Barker,	Middlebro,
Beattie,	Morphy,
Bellemare,	Morrison,
Bennett (Simcoe),	Munson,
Best,	Nantel,
Blain,	Nicholson,
Blondin,	Nickle,
Borden,	Northrup,
Boulay,	Osler (Sir Edmund),
Boyce,	Paquet,
Boys,	Paul,
Brabazon,	Perley,
Bradbury,	Porter,
Broder,	Reid (Grenville),
Burnham,	Robidoux,
Burrell,	Rogers,
Clare,	Schaffner,
Clark (Bruce),	Sevigny,
Clarke (Wellington),	Sexsmith,
Clements,	Sharpe (Lisgar),
Cochrane,	Sharpe (Ontario),
Cockshutt,	Shepherd,
Coderre,	Smith,
Cromwell,	Smyth,
Crothers,	Stanfield,
Davidson,	Steele,
Doherty,	Stevens,
Donnelly,	Stewart (Hamilton),
Edwards,	Stewart (Lunenburg),
Elliot,	Sutherland,
Fisher,	Taylor,
Foster (King's, N.S.),	Thoburn,
Fripp,	Thompson (Yukon),
Garland,	Thornton,
Gauthier (Gaspé),	Tremain,
Green,	Walker,
Guilbault,	Wallace,
Hartt,	Webster,
Hazen,	Weichel,
Henderson,	White (Leeds),
Hepburn,	White (Renfrew),
Hughes (Victoria, O.)	Wilcox,
Jameson,	Wilson (Wentworth), and
Kemp,	Wright.—105.
Lalor,	
Lancaster,	
Macdonell,	

NAYS:

Messieurs:

Beland,	Law,
Boivin,	Loggie,
Bourassa,	Maclean (Halifax),
Boyer,	MacNutt,
Bureau,	McCraney,
Cardin,	McCoig,
Carroll,	McCrea,
Carvell,	McKenzie,
Champagne,	McMillan,
Charlton,	Marcil (Bonaventure),
Chisholm (Antigonish)	Marcile (Bagot),
Chisholm (Inverness),	Michaud,
Clark (Red Deer),	Molloy,
Cruise,	Murphy,
Delisle,	Nesbitt,
Devlin,	Neely,
Douglas,	Oliver,
Emmerson,	Pacaud,
Fortier,	Papineau,
Gauthier (St. Hyacinthe),	Pardee,
Gauvreau,	Proulx,
German,	Pugsley,
Graham,	Reid (Restigouche),
Guthrie,	Richards,
Hughes (King's, P.E.I.),	Robb,
Knowles,	Ross,
Kyte,	Sinclair,
Lachance,	Thomson (Qu'Appelle),
Lafortune,	Turgeon,
	Turriff,
	Verville,

Lanctot,	Warnock,
Lapointe	White (Victoria,
(Kamouraska),	Alta.), and
Laurier (Sir Wilfrid)	Wilson (Laval).—67.
Lavallee,	

PAIRS:

Messieurs:

Pelletier,	Lemieux,
Rhodes,	Macdonald,
Barrette,	Seguin,
Barnard,	Martin (Regina),
Bennett (Calgary),	Buchanan,
Bristol,	Bickerdike,
Fowler,	McLean,
Baker,	Kay,
Lesperance,	Power,
Elson,	Cash,
Foster (Toronto),	Clarke (Essex),
Monk,	Brouillard,
Chabot,	Lapointe (Montreal),
Crocket,	Gordon,
Bowman,	Brown,
Currie,	Lovell,
Lamarche,	Tobin,
Lewis,	Martin (Montreal),
Forget,	Etheir,
Roche,	Demers,

Motion agreed to.

Mr. HAZEN: Mr. Speaker—

Some hon. MEMBERS: Oh, oh.

Other hon. MEMBERS: Sit down.

Mr. HAZEN: I move, seconded by Mr. Cochrane—

Some hon. MEMBERS: Oh, oh.

Some hon. MEMBERS: Sit down, sit down.

Mr. HAZEN:—that this question be now put.

Some hon. MEMBERS: Oh, oh.

Other hon. MEMBERS: Order.

Mr SPEAKER: I would like to call the attention of hon. members to rule 3, which says that when a member is speaking no member shall interrupt him except on a point of order. That is a plain and specific rule, which hon. members, I think, should observe fairly.

Mr. PUGSLEY: I rise to a point of order. The point is that the motion of the previous question—that the question be now put—is not in order when it is moved upon a motion relating to the transaction of public business. The resolution moved by the right hon. the Prime Minister relates to the transaction of public business, the business of this House, and it is laid down by May that on such a motion the previous question cannot be put. I refer Your Honour to May's Parliamentary Practice, Eleventh Edition, page 283:

Mr. SPEAKER

The previous question has been moved upon the various stages of a Bill, but it cannot be moved upon an amendment; though, after an amendment has been agreed to, the previous question can be put on the main question, as amended. Nor can the previous question be moved upon a motion relating to the transaction of public business or the meeting of the House, nor in any committee.

That is the statement made by Sir Erskine May, who was in his lifetime, for forty or fifty years, one of the greatest parliamentary authorities in the world, being practically the advisor of successive speakers during that long period of time.

I think your honour will agree that the resolution moved by my right hon. friend is one distinctly relating to the transaction of public business. It is now nearly six o'clock.

Some hon. MEMBERS: Go on.

Mr. PUGSLEY: I do not know whether there are any more authorities bearing on the question; but the question is one of very great importance, and, as you will see, the object and effect of the resolution is to prevent any amendment of the resolution of the Prime Minister. If the question were resolved in the affirmative, even the Prime Minister himself could not ask this House to adopt the amendment, which he himself admits is absolutely essential to the——

Mr. BORDEN: I am sure the hon. gentleman does not wish to misquote me. What I said—and I have the most distinct authority—is that, as it stands, it means what my hon. friend said it should be; but I was willing, in order to leave no room for question, that the word 'unanimous' should be inserted. I said I thought it had that meaning already.

Mr. PUGSLEY: As the matter is one of such great importance and one which requires the consideration of the members of this House, I am sure there are many members on this side who would like to examine the authorities, and would like to address Your Honour on this question. As I have said, it is of great importance, because the previous question has been moved by my hon. friend the Minister of Marine and Fisheries, for the very purpose of preventing any amendment of this resolution. That is the reason why, although Your Honour first saw the leader of the Opposition and called upon him, the hon. member for East Hastings (Mr. Northrup) has moved, in the nature of an appeal from Your Honour's decision, that the hon. gentleman who rose second should be given precedence in this discussion in order that he might have the opportunity to move the previous question and shut off debate. As the question is important and hon. gentlemen on this side desire to look up the authorities on this question, I would suggest that Your Honour call it six o'clock.

Mr. SPEAKER: I have several times looked into this question since the commencement of the present session, and, according to my judgement, it is a point which is not well taken. I have gone into the matter very carefully many times, and I do not think that a review of it at this stage would change my mind in any way.

Mr. PUGSLEY: Mr. Speaker, I desire to move the adjournment of the House for the purpose of considering some matters which are of considerable importance, and with regard to which I am sure the House will desire to hear from me as well as from other hon. gentlemen. There can be no question as to my right to make this motion, Sir; it is a right which every member of the House, has at any stage of the discussion; it is a motion which is always in order.

Mr. SPEAKER: Am I to understand that this is challenging the ruling of the Chair, or that it is merely an independent motion?

Mr. PUGSLEY: It is an independent motion, and I desire to avail myself of the privilege of making it, because, under the present circumstances, and in view of the conditions which are now facing us in this House, I think it is desirable that the House should adjourn, especially in order that hon. gentlemen may pause to consider the situation in which we are placed to-day in regard to the attention of this House being devoted, not to the consideration of important public measures, but to the discussion of a resolution calculated to prevent the free expression of the views of members of this House. I think that an opportunity should be afforded to the hon. gentlemen opposite to consider these important questions, instead of allowing their attention to continue to be diverted by a resolution which simply seeks, as I have said, to interfere with free discussion, and which has no bearing upon the general interests of the country.

There is one thing to which, upon this motion, I desire especially to refer. There is a feeling among the people of this country—and, I am sure, on the part of hon. members of this House—that we ought to have some explanation, and the people of this country ought to have some explanation, of the present situation so far as the composition of the Government of this country is concerned. We want to obtain some information with regard to the resignation from this Government of the hon. member for Jacques Cartier (Mr. Monk). In the year 1891, opportunity was taken, upon a motion such as this, to discuss the position of the Government and the claims of various sections of the country represented by certain gentlemen who were prominent in the public eye, and that motion, which led to a most important discussion, was participated in by the then Minister of Justice, the late Hon. Sir John Thompson, by Sir Hector Langevin and other prominent gentlemen, including the hon. gentleman who now occupies the position of Minster of Marine and Fisheries (Mr. Hazen) and who was at that time a member of this House. We know that prior to the last general election the hon. member for Jacques Cartier was the leader of the Conservative party in the province of Quebec. He became the leader of the Nationalist party in that province; he enjoyed the confidence of my right hon. friend, who is now the Prime Minister, and he made certain statements to the people of the province of Quebec as to what was the policy of the party of which in that province he had become the trusted leader. If I can read aright the statements made in the public press, he pledged the faith of my right hon. friend, now the Prime Minister, that if the Conservative party were returned to power the Canadian Naval Law would be repealed; that there would be no Canadian navy, and that no contributions would be made by this country to Imperial armaments unless the people of Canada were first consulted. In my judgment, it is a matter of great importance that, before this discussion comes to an end, we should be informed by my right hon. friend the Prime Minister as to whether the hon. member for Jacques Cartier, the late Minister of Public Works, and the trusted leader of the Conservative party in the province of Quebec, had the authority of my right hon. friend to make that pledge to a certain portion of the people of the province of Quebec. After the lapse of the five months during which this Parliament has been sitting, we are confronted to-day with the fact that we have received in respect of this matter no ministerial explanations such as ministers have been in the habit in the past of giving to Parliament, and such as Parliament is entitled to receive. But, Sir, there has been placed before us a letter from the hon. member for Jacques Cartier, in which he makes the statement that he feels he should resign his seat because of the determination of the Government to ask Parliament to make an appropriation of $35,000,000 for the purpose of assisting the Imperial navy. The hon. member for Jacques Cartier says he was constrained to take that course by reason of the pledges which he gave to the people of his own province, and, in view of that most important statement, we have a right to know from the Prime Minister whether the hon. member for Jacques Cartier made that pledge to the people of Quebec with the authority and

with his knowledge and approval. Let me tell my right hon. friend the Prime Minister that this question is of much more importance to the people of this country than the application of the guillotine in order to shut off this discussion. I desire to know whether my right hon. friend the Prime Minister has, through the hon. member for Jacques Cartier (Mr. Monk) been guilty of a breach of faith with a portion of the people of Canada. Our people are more deeply interested in the keeping of faith by our public men than they are in the consideration of these small and comparatively unimportant questions with which we are called on to deal.

Another reason why this House should adjourn is that the Government may be enabled to give a little more thought than they have been able to give to the consideration of other important measures which are pressing for solution by this House. Take the case of the West. Not long ago I received a communication from one of the farmers of western Saskatchewan in which he stated that the people in his section of the country were in a deplorable situation, there was an embargo on a large portion of their crops so far as the railways were concerned and they were not able to get their crops to the market. He mentioned particularly his crop of flax, a large crop, worth a considerable sum of money from which, if he could send it to market, he could get good returns. He mentioned his case as one out of hundreds and thousands in the province of Saskatchewan. The condition of affairs in our great and fertile western land to-day is, I would venture to say, something deplorable and this is largely owing to the lack of attention to the affairs of this country on the part of the Government. So anxious are they to press through one measure that they seem prepared to neglect others in which the people of this country are more vitally interested, and proper attention to which would add greatly to the progress and prosperity and development of this country.

There are other questions: there is the completion of the reciprocal arrangement between the Dominion and the British West Indies, a question of very great importance. We see in the public press that some of the members of this House, the Opposition, are obstructing the completion of that arrangement and that we are obstructing other public business. The Government are under an entire misapprehension as to that. Those of us who are on this side of the House will be happy at all times to facilitate in every way possible the consideration not only of that measure but of all other public measures to which the Government may be pleased to invite our attention. The Opposition press make out that there is a great deal of important business which ought to be carried forward, business which is almost vital to the prosperity of this country; but the press do not seem to understand who is responsible for the delay in bringing forward such important measures.

As indicating our desire to facilitate public business, let me point out that we passed, after very short consideration, all the supplementary estimates of last year, although some of the members on this side thought that we were too kind to the Government and assisted them to too great an extent to carry forward public business. We felt that the business should be carried forward and we were willing to facilitate its transaction in every way. Of course, we did not expect when we did that that we would get such a return as we have now received. Perhaps we trusted too strongly to the spirit of fair play which ought to animate the governing party in this House, but at all events we did that. Then, in addition to that, we have consented, with perhaps less discussion than we ought to have given, to the passing of one-sixth of the total estimates, thus giving a vote of $25,000,000 in order to enable the Government to carry on the public business so that everything possible might be done to prevent any embarrassment among the people of the country, particularly among contractors and civil servants and others who have financial relations with the Government.

These are reasons why I think the Government ought to be informed as to what they can do. They talk about our obstructing public business. The Minister of Finance seems to have conjured up in his mind the fear that we would in some way obstruct the third reading of the West Indian Treaty Bill. I wish to disabuse his mind of that. The Government seem to think that we would obstruct the Highways Bill. Let me tell the Minister of Railways and Canals that if the Highways Bill is to be brought into force this year, now is the time to bring it into force. The roads of this country, in many provinces, in my own province, the province of New Brunswick especially, are in a deplorable condition, worse than at any time in the last quarter of a century. The spring of the year is the time when arrangements ought to be made for the building up of the roads and if this highway measure is going to be passed at all and to be of any benefit to the people of this country during the present year it ought to be taken up without any further delay. Let me tell the Minister of Railways and Canals that if he brings forward that measure, perhaps with some slight amendments to make the Bill more workable and what it ought to be, he will be assisted in every way to carry it to a conclusion. I do not want to anticipate

what might be said by my hon. friend from Westmorland (Mr. Emmerson), if he should speak upon this motion; but surely he would be able to urge the Minister of Railways to bring forward the resolution which has been long standing on the Order Paper to enable the Government to take over the branch lines of railways which are feeders to the Intercolonial. Do not let the idea go forth to this country, as it has been circulated broadcast in the public press, that in some way or other the Opposition is keeping back the consideration of this important question. Let me tell my hon. friend that if he brings up that resolution, in which the people of Canada are even more deeply interested than in whether the guillotine is to be applied on 24 hours' notice—and we on this side of the House are committed to the principle of the Government taking over the branch lines railways—I am sure we will do everything possible to facilitate its speedy discussion and its speedy passage by the House of Commons.

But, Mr. Speaker, there are many other subjects. There is another question which I do think ought to set aside this motion of closure and set aside the consideration of this attempt which the Minister of Marine and Fisheries is making to prevent any amendment or betterment of this resolution, and that is the question of doing what is right by the women of this country by giving them the right of franchise. Has it come to this that, in this Parliament, representing 8,000,000 people, the whole time of the members is to be devoted simply to the consideration of one or two questions, such as the sending of $35,000,000 out of the country, or the application of the guillotine to members in this House, and that the members of the Administration will take no time to give consideration to such an important subject as that of giving to women the right of franchise to which they are entitled as well as men?

At six o'clock the House took recess.

After Recess.

The House resumed at eight o'clock.

Mr. PUGSLEY: I do not intend to take up very much of the time of the House, because, although the majority of the members of this House, exercising the power which a majority can exercise—and which if the incident had not taken place in this Parliament I would describe as the exercise of brute force—compelled the right hon. the leader of the Opposition, to whom Your Honour had given the right of speech, to give way to the Minister of Marine and Fisheries who moved to prevent any amendment to the resolution now before this House; although that was done I am sure that every hon. member of this House on both sides is waiting anxiously to hear what my right hon. friend the leader of the Opposition has to say. I shall now present other reasons than those already given why this motion to adjourn the House should be adopted, and I trust that should I digress at any time from what may be deemed the rules of the House, Your Honour will call my attention to the transgression, so that I may keep within these rules. I am a little at a loss to learn from the authorities—and particularly in view of the rulings of one or more of the Chairmen in the last few weeks—whether or not a member on a motion to adjourn the House may discuss the main question before the House. One of the Chairmen of the Committee thought that on a motion that the Chairman do leave the Chair, that could not be done, although under the authorities I believe it can, and a motion to adjourn the House is similar in its results to a motion that the Chairman leave the Chair.

There is no necessity for this resolution proposed by the leader of the Government; it is not required in the public interest. There has been every effort to facilitate the carrying on of the public business during this session, consistent with fair and reasonable discussion. It is not necessary that I should recall that on a certain Monday night we were told, without opportunity for discussion, that we would have to pass clause 2 of that Bill.

The Prime Minister quoted an article having reference to the Polish legislature from which it would appear that away back in 1630 there was a rule under which a member of the legislature would have the right to prevent a motion from passing, and the right hon. gentleman read from the author which he was quoting, that in order to get rid of the tactics of the member who exercised that extraordinary right, it was frequently the cause that the dagger was applied to that member, and his obstruction ceased. Let me say, Sir, that in the interests of the people of this country and in the interests of the minority, it would be better to apply the dagger than to strangle free speech. If this resolution should pass and we have an attempt made to apply the guillotine, I do not know that the guillotine is any more agreeable than the dagger.

I have stated this afternoon and I repeat that this resolution is infinitely worse in its provisions than the British system of closure. To begin with, we have to bow to the majority as to the amount of discussion which shall take place, and as to when the guillotine shall drop; we have the minority placed absolutely under the control of the majority. The Prime Minister says that as long as he is leader of the

House there will always be fair-play; but will he say, in view of the fact that this afternoon, after the Speaker had called upon the right hon. the leader of the Opposition as having first risen in his place and entitled to the floor, and when the hon. member for Hastings (Mr. Northrup) put that motion—a motion I venture to say prepared before hand and carrying out a programme which was all cut and dried;—will the Prime Minister say that the minority in this House can always rely upon fair play from him, when he rises in his place and votes for that resolution which gives precedence to another man who in the vision of the Speaker was not entitled to the floor? If the Prime Minister calls that fair-play, and if that is the kind of fair-play the minority are to have meeted out to them when these resolutions are adopted, then God help the minority, and God help the people of Canada.

This closure proposition is not new. It is new so far as its being agreed to by any parliament is concerned, but the gentlemen who drafted it got it from a proposition which was made forty or fifty years ago by Mr. May to the Speaker and a committee of the British Parliament, and which he suggested they should adopt. But no committee of the British House was ever found ready to adopt such a proposition. Is it right for this Government, upon this 9th day of April, in the year 1913, to adopt what no British Parliament has ever been willing to adopt. The first clause provides that:

> Every motion heretofore debatable made upon routine proceedings, except adjournment motions and every motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or special committee, or for the previous question, or for the third reading of a Bill, for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means of the resolution clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

That is all. Motions to adjourn will not be debatable. Motions which are made upon routine proceedings will be debatable. There are, however, many other motions, motions of grave importance, motions in regard to which the people of this country would like to have an opportunity of learning what their representatives have to say, but they are not motions upon routine proceedings, and they do not come within the description given in clause 2 of the resolution. Therefore they are to be decided without debate or amendment.

Take the question of privilege, one which will readily appeal to hon. members. It is the right of any member of this House, not during routine proceedings at all, but at any time, to raise a question of privilege, relating either to this House or to any hon. member. Raising that question of privilege, he has the right to move that any charges which he may make or any matters which he may bring before the House shall be referred either to a special committee or to the Committee on Privileges. Under this clause, that motion would have to go without any debate. My right hon friend the Prime Minister says: Oh, I would never take advantage of the rules in that respect. After what we have seen this afternoon, can we trust him or the gentlemen who sit behind him?

Some hon. MEMBERS: No.

Mr. PUGSLEY: I think our experience shows that we cannot.

Mr. MEIGHEN: Will the hon. member tell us what is to prevent such a motion as he refers to from being made upon routine proceedings and consequently debated?

Some hon. MEMBERS: The gag.

Mr. PUGSLEY: To begin with, it is not a matter of routine proceedings. That is the clear answer.

Mr. MEIGHEN: That is not the question.

Mr. PUGSLEY: Any member of this House, at any time, at any stage of the proceedings, has the right to raise a question of privilege. If he does it under those circumstances and exercises the right which every hon. member has, then he will be prevented from discussing the matter under this clause, if it should become a rule of the House.

Take the next clause which is the most unique presented to any parliament. Consider for a moment what its result would be to-day upon the discussion of any matter. No matter how long a matter is discussed, whether for five or ten minutes or for five hours, if it is in Committee of Supply, whether it is one resolution or fifty, whether it is one item of supply, or the whole of the items, a minister—not the Prime Minister—any minister, may rise and give notice that upon the next day, the day to which the debate is adjourned. the debate shall not be further adjourned. When that time arrives, every member, although he may have had no opportunity before of speaking upon the question, is limited to twenty minutes for discussion. The very fact that the minister has given that notice enables him to stop the discussion. If it happens that by reason of members of the Government or its supporters taking up a little time on other questions brought before the House or the committee, the question is not again reached before two o'clock in the

morning, there is to be no discussion at all, but the question is to be put, no matter how great may be its importance and no matter how deeply interested the people of this country may be in it. I ask my right hon. friend if that is fair? Bear in mind, Mr. Speaker, that we are called upon to pass a proceeding by guillotine in reference even to supply, while it is a well known fact that during this session we have facilitated in every possible way the voting of supply.

Some hon. MEMBERS: Oh, oh.

Mr. PUGSLEY: I challenge anyone to contradict that statement. I repeat that, during this session, we have facilitated in every possible way the passage of supply. What are the facts? The Government did not ask this House for supply, except for a few items which were taken in detail. It asked us for supplementaries. We put them through as quickly as it was possible to do so. Then when my right hon. friend the leader of the Government came to the leader of the Opposition and asked him to consent to one-sixth of the total items, which amount to some $170,000,000, being granted, my right hon. friend, with a desire which has always animated him in no way to obstruct the business of the country, at once acceded to the Prime Minister's request. That was done, notwithstanding the fact that there are many matters, such as the Richelieu election proceedings, the proceedings down in Nova Scotia, the Antigonish election, the Macdonald election, which it is necessary in the public interest to discuss, and which according to ordinary parliamentary practice are discussed on motions to go into supply. In order to facilitate the Government in getting supply, we waived our rights to discuss these important questions. Notwithstanding that, my right hon. friend the Prime Minister comes before us to-day and asks us to support a proceeding by guillotine under which items of supply can be passed almost absolutely without any discussion. and indeed under which it is absolutely certain that the Government could pass many important items without hon. gentlemen on this side of the House or on the other having an opportunity of saying anything whatever with reference to them. Let me read it:

(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting——

Even though it might be only yesterday.

—of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles——

Not merely one, but, if you like, all the clauses of a Bill or all the items in Supply.

—shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes in any such adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

So, if for any reason, the members on the Government side of the House or the Government themselves, find it necessary to take up time until two o'clock, then at once the guillotine falls and their resolutions are carried, as I said, absolutely without opportunity for discussion on this side of the House. I cannot conceive how it would be possible to frame rules which would place the minority of this House more completely, more absolutely, in the hands of the ministers of the Crown than the resolution which is now before us. Then take the next:

(4) On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday and Friday.

In other words, whenever Supply is to be taken up on either Thursday or Friday there shall be no opportunity afforded for discussion of public Bills. You know, Mr. Speaker, how according to the long-established rules of Parliament, it is the right of members, upon a motion to go into Committee of Supply, to discuss all matters of public interest, to ventilate the grievances of the people and endeavour to get redress, but, under this rule, if the estimates are taken up either on Thursday or Friday, you are to leave the Chair without motion, and there is to be no opportunity for discussion or ventilation of any grievance. On the motion to go into Supply on other days there would be an opportunity to ventilate grievances; but even that privilege can be denied to the minority by the vote of the House. My hon. friend the Minister of Public Works (Mr. Rogers) if he were bringing up his estimates, would only have to move that the House consent to go into Supply on either Thursday or Friday as the case might be, and if the majority of the House consented to the proposition, you would leave the Chair with-

out motion and there would be no opportunity to ventilate either the Macdonald election or any other scandal. And yet my right hon. friend the leader of the Government says that these are not drastic changes in the rules—he says they are changes of a very moderate nature. I cannot imagine, as I have said how any proceedings of a guillotine character could be made more drastic or more subversive of the rights of the minority. What is the rule in England with regard to the guillotine? A member of the Government, usually the Prime Minister, before entering upon the discussion of a Bill, gives notice of how many days will be allowed for the introduction of the Bill, how many for the second reading, how many for the committee stage, how many for the third reading and that question is discussed before a conclusion is formally come to and suggestions are made by the Opposition as to the time which should be given. That is called the taking up of Bills by compartments, or, colloquially, 'the guillotine.' When the time arrives fixed under a motion of that character, the discussion comes to a close. But under the rule here proposed, as I have said, the minister gives notice, and if the majority of the House support him, then even at the next sitting after he has made the notice, and even though there has been no opportunity for discussion, the guillotine is to be applied and discussion limited to speeches of twenty minutes and when two o'clock is reached all further discussion is shut off and the question is put and carried and as I have said there is no opportunity for discussion.

Now, just a word and I am done. I want to call attention to the report of the committee of the British House of Commons of 1861 in which this question came up and was carefully considered. After carefully considering suggestions, the committee made a report, from which I take the following, quoting from page 441 of this volume of the report of the debates of 1861:

> Your committee, like preceding committees on the same subject, have passed in review many suggested alterations, but like them have come to the conclusion that the old rules and orders, when carefully considered and narrowly investigated, are found to be the safeguard of freedom of debate, and a sure defence against the oppression of overpowering majorities. Extreme caution, therefore, in recommending or introducing changes is dictated by prudence. These rules and orders are the fruit of long experience; a day may break down the prescription of centuries. It is easy to destroy, it is difficult to reconstruct. But if changes be thus dangerous, and if the excellence of the existing rules be thus constantly recognized it is the first duty of the House to maintain these rules inviolate, and to resist every attempt to encroach on them. The Speaker is their appointed guardian; he is entitled to the unanimous support of the House in his effort to enforce them. Common consent is the best security for their maintenance. Order is their sole object; and without order, freedom of debate and prompt despatch of business cannot long exist.

The suggestion was made to adopt a rule almost in the very words of the second clause of this resolution; and the committee refused to adopt it, because, as they said, it would be better to have business protracted and have even some considerable delay in carrying on the business than to destroy the freedom of debate. To quote their own words, 'It is easy to destroy, it is difficult to reconstruct.' The Government is to-day taking a course which I am sure will not meet with the approval of the people of this country. At the time of Confederation, in order that no member of any political party which might happen to be in the minority should have reason to entertain the fear that there would be an attempt to encroach on the rights of the minority, the fathers of Confederation were careful to provide that no powers should be given to any member of the House exceeding those then enjoyed in the British House of Commons and, in framing the rules of this House, it was provided:

> In all cases not provided for hereinafter or by sessional or other orders, the rules, usages and forms of proceedings of the House of Commons of the United Kingdom of Great Britain and Ireland in force on the first day of July 1867, shall be followed.

I wish it to be understood that, in making the remarks which I have made upon this resolution, I do not feel that I shall be precluded from later on taking the point that to pass this resolution would be contrary to the rules of the House. I do not feel that I shall be precluded from taking the point that the principle which governs this House as to the amendment of the rules is that a special committee of the House shall be appointed to assist Mr. Speaker in framing the rules to be adopted; that their report shall be presented to the House, that this report shall then be referred to a Committee of the Whole House for consideration, and, when that committee reports to you, Mr. Speaker, through its Chairman, the rules shall be adopted as the rules of the House. As I have said, by the first rule of this House, the rules, usages and forms of procedure of the British House of Commons as they existed on the first day of July, 1867, are to prevail. Under the English usage, no amendment to the rules, up to the year 1867, so far as I have been able to ascertain, was made except upon the report of a special committee of the House. It will be seen from the reports of the committees in 1848, 1854, and 1861—six years before Confederation—

that was the established procedure of the British House of Commons, and, in the very first rule adopted by this House in 1867, it was declared that that usage, as well as all other usages of the British House of Commons, should prevail in and be the first and foremost rule of this House. The practice in the Canadian House of Commons since Confederation has been to carry out that procedure. It was done in 1867; it was done in 1878, it was done, I think, upon another occasion later on, and it was done again in 1910—the same principle was always followed. Therefore you have it as the usage of the British House of Commons down to 1867; you have it as the established usage of this House of Commons from the days of Confederation down to the present time, and yet, contrary to the rules, contrary to the usage of Parliament and to the established practice of this House, we are asked to-night to take a new departure and do what we have no right to do. I do not relinquish the right to take if I feel called upon to do so, this point of order, which I think can be well established. I regret that I have taken up so much of the time of the House, but I have felt the question to be one of great importance, because involved in it is the question of the right of the minority to participate in a fair and reasonable discussion of public questions in this House. I object to the resolution because the rules which have prevailed for centuries have been established for the purpose of protecting the rights of minorities and ensuring the priceless liberty of free speech in Parliament; I am opposed to it, Sir, because I believe this is an attempt to place the minority of this House absolutely under the control of the majority.

Motion (Mr. Pugsley), for adjournment of the House, negatived.

Sir WILFRID LAURIER: The spectacle of which we were witnesses when the right hon. Prime Minister concluded his remarks and placed in your hands, Mr. Speaker, the motion now before the House, was a very apposite commentary upon the speech of my right hon. friend. All through that speech the right hon. gentleman stated and reiterated that the object of the Government in proposing this new resolution was not to impede in any way the freedom of debate or to prevent free discussion, but simply to avoid the abuse of it. My right hon. friend was profuse of declarations that the minority, when these rules have been adopted, can always rely upon fair play; but the words were scarcely out of his lips when we were brought to realize how much fair play we may expect at the hands of hon. gentlemen opposite. By the unwritten law of Parliament, not to speak of the courtesy which generally prevails between the two sides of the House, it is expected that when the Prime Minister brings an important measure to the consideration of the House, the Opposition, by its leader shall be allowed to present the views which are entertained on the other side. Firmly entertaining that impression, I rose to my feet; but great was my surprise when I saw that the Minister of Marine and Fisheries (Mr. Hazen) had risen at the same time. You saw him, Mr. Speaker, and you saw me, and, in the exercise of that authority which belongs to your office, in the exercise of that fair play which had been promised us not five minutes before, you called on me, as leader of the Opposition to take the floor. And, I presume, still exercising that fair play which we were promised by the leader of the Government in introducing these rules, the hon. member for East Hastings (Mr. Northrup) asked the House to take from me the privilege which was mine by constitutional right, and to give it to a member of the Government. And, Sir, every member of the House on that side, including the right hon. gentleman who had only a few moments before promised fair play, rose to impose a gag upon me, and to prevent me from expressing the views of the Opposition with regard to this very important question. When I saw my hon. friend the Minister of Marine and Fisheries rising and insisting upon his right to speak, I concluded that he had some great announcement or some important deliverance to make upon this question. But no; he had not a word to say, but to apply closure in anticipation by moving the previous question. What does this mean? What is the conclusion?

Some hon. MEMBERS. Oh, oh.

Other hon. MEMBERS: Laugh, laugh.

Sir WILFRID LAURIER: Sir, it means this: closure in anticipation. I had a motion ready to move in amendment; I cannot move it now——

Some hon. MEMBERS. Oh, oh.

Sir WILFRID LAURIER: —and, by the cheers of the gentlemen who know that I am precluded from moving that motion, I see what measure of fair play we have henceforth to expect. Sir, my right hon. friend when he rose to speak, was tumultuously cheered by his friends. These plaudits I thought a tribute of the loyalty of his followers to their leader, and so I thought they were quite in order; but, I reflected that, considering the motion which he had to make and the mission which he had imposed upon himself, perhaps it would have been better taste if he had been allowed to proceed in silence. I

understand these plaudits better now after beholding the spectacle which closed his speech. There is some reason to believe that my right hon. friend had no particular relish for the task which he has set upon himself, the task of gagging free speech. But my right hon. friend must proceed, whether he relishes it or not. He is like the person in the French novel who said: 'I must follow them, since I am their leader'? I understand now that the plaudits and cheers were meant to urge him upon a most uncongenial task. Because the task which my right hon. friend imposed upon himself this day was not to improve the rules of the Polish Diet. The task which he set himself to accomplish, and which the majority will accomplish, I have no doubt, was simply to put a gag upon the rules which we in this House have looked upon almost as sacred, and which have come to us from the Mother of Parliaments. These rules were not made in a day; they are the embodiment of the wisdom of many generations of statesmen and the result of the experience of men, whose whole life was devoted to the public welfare, and who brought British institutions to the degree of excellency which they had reached at the time Confederation was established.

We have heard it stated that these rules are antiquated. I do not admit that at all. These rules are not antiquated. They were not made for a day or for a period; they were made for the ages. It can be said of them, as has been said of the maxims of civil law which have come to us from the Roman jurists and which are the basis of the civil law of most of the nations of Europe, and they are reason crystallized into writing. The maxims of the civil law have been applied to the relations of the people in daily life, and the maxims of our parliamentary procedure have been accepted as the duties of the transaction of business in all deliberative assemblies.

Sir, these rules are to be swept away, they are to be ridden over rough shod; they are to be put aside, and we are to have the gag substituted for them. And what is the pretence? The pretence is that there has been obstruction in the House. Sir, if obstruction be a fault, if obstruction be an offence, I call upon the man on that side of the House who is without guilt to cast the first stone. I read in some Conservative newspapers that obstruction was the murderer of parliamentary government. I do not here now challenge the statement; but if obstruction be the murderer of parliamentary government, the murderers are on that sde of the House, and not on this. My right hon. friend has experience, and he will experience still more that as you sow so shall you reap; and, Sir, it does not lie in his mouth or in the mouth of his followers to say that there has been obstruction in this House by the parliamentary minority.

My right hon. friend, as usual, has attempted to justify his course by opinions of Liberal newspapers and Liberal members of Parliament. True it is that in the party to which I belong there are men who were in favour of closure, just as in the party of my right hon. friend there are men who were opposed to closure. My right hon. friend has quoted with great relish the opinions of the Toronto Globe and the Manitoba Free Press. I do not observe that he has quoted the opinion of the Ottawa Citizen. If he had prolonged his investigations and pursued them in the press of his own friends, he would have found something which perhaps would have induced him to act differently, because in the Citizen of to-day I find in the course of an article of one column in length directed against closure, these words:

> **The closure will not better matters in the least, it will pass the Bill, but a Bill which will represent $35,000,000 plus bitterness, plus protest, plus division.**

It is true that in these matters there may be divided opinions. My right hon. friend has quoted the opinions of some friends of myself, but Sir, I also have the honour to belong to the great Liberal party of Canada. I have occupied a position of some importance in it; nay, I may say that for twenty years and more I have been entrusted with its chief command. During the fifteen years I was in office it sometimes happened that friends came to me and told me that I was not doing justice to myself or to the party, but that I should impose closure, as had been done in many other parliaments. Sir, I am a Liberal of the old school; I have been brought up in the school of Fox and of the old leaders of the Liberal party; and I could not bring myself to the point of depriving a minority in Parliament of such a valuable weapon as it would be deprived of by the introduction of closure. Perhaps I was wrong; perhaps I was too generous. Nay, I was not; I would rather stand here to-day, having refused, after the fifteen years of my administration, to impose closure, and having decided to abide by the old rules. The rules of the House are intended to apply to the discharge of the duties which the House owes to the country, and to the Sovereign. The first business of the Government, the first business of Parliament, the first business of every member of this House, whether he sits on this side of the Speaker's Chair, or on the other side, is to carry on the King's Government.

It has been charged against us that we have delayed the business of the House,

that we have prevented it from going on. Sir, I deny the charge altogether; there is not a word of foundation for it. If the business of the House is not more advanced than it is, the fault cannot be laid at our door, but at a door of the other side. It is quite true that when we came to the first of April, Supply had not been voted, and the financial year was at an end; but if Supply had not been voted before that, whose fault was it? Was it that Supply was demanded and was refused?

Some hon. MEMBERS: No.

Sir WILFRID LAURIER: Everybody knows that each time Supply was demanded, we granted it without hesitation. Everybody knows that when my right hon. friend came to me and asked for a vote on account, I agreed without any hesitation and with unstinted hand, perhaps too unstinted indeed. Everybody knows that whenever a measure of public importance was brought to our attention we gave it our best consideration, and it was passed. When the Bill for the renewal of the bank charters was brought to our attention, there was not a word said on our side to oppose it. We discussed it fairly; we discussed it completely, but we offered no obstruction to it. When the Bill to ratify the Japanese treaty was introduced, there was not a word on our side which went to oppose the passage of that Bill. And so it has been with every measure. It is true, Sir, that we opposed a certain measure. It is true that we opposed the Bill for naval aid. We did that with all the might at our command; we did it with all the means at our command under the rules of the House. Am I to be told that in the exercise of this power of strenuous opposition we did anything which is not in accordance with the best traditions of parliamentary government? Sir, at all times in this House, at all times in the mother of parliaments, there have been questions upon which the minority thought it owed it to itself to offer the most vigorous opposition possible. Under the rules of the House it is expected that the two sides of the House shall carry on the business, as was stated by my right hon. friend to-day, and so it is generally; but there are occasions, I repeat, when an opposition or a minority owes it to itself, on account of the strong views it holds upon some public measure, to oppose that measure with all the force at its command.

This is not a modern doctrine. This doctrine has been in force at all times in the British House of Commons. It goes back to the days of Charles I; the books are full of references to it. The leaders of the House in the time of Charles I, in the struggle against the King to uphold the constitutional rights of the people of England, presented to the King what they called the Grand Remonstrance, and the presentation of the Grand Remonstrance was opposed all night by some members until, it is stated in the books, the House looked like a starved jury. That was an occasion when obstruction failed of its purpose. On another occasion, in 1771, the majority of the House did not want to allow the publication of the debates. That strange position was opposed by a minority headed by no less a man than Edmund Burke, and Burke by whole days of obstruction succeeded in defeating the object of the majority, and, as he himself said afterwards, 'posterity will bless the pertinacity of that day.' On that occasion the obstruction was successful. Later on, in 1831, at the time of the passage of the first Reform Bill, the Tories of that day, the strong and unbending Tories of that day opposed the Bill with all the vigor that they could command, but they had to succumb; on that occasion obstruction did not succeed. Later on, in 1833, Daniel O'Connell availed himself

On the very day of the introduction of the Bill——

That was, Earl Grey's Irish Coercion Bill——

—of the antiquated expedient of a call of the House, with the intention of delaying the proceedings. The first reading of the Bill occupied seven sittings, the Irish members having threatened to take refuge in repeated formal motions for adjournment if any attempt was made to close the discussion prematurely.

This was repeated in 1843. Then, we come to the year 1881, when, as we know, the Irish members resorted to obstruction under the direction of Parnell, in order to obtain long-sought satisfaction for Ireland. Sir, there is no man in this House, I am sure—nay, the man who is most devoted to British interests, the greatest admirer of England, must admit that if there is a page in British history which he would like to have erased, it would be the dealing of England with Ireland. That has been the only black page in modern history. But it is to the credit of the Liberals of the present day and of the last generation that at last they have staked their political existence upon he task of giving some redress for the grievances of Ireland.

In 1881, as was stated by my right hon. friend, Mr. Gladstone, after the deliberate obstruction of the Irish members, introduced the closure. But, Sir, Mr. Gladstone was too great a man to be satisfied with such a method of dealing with the woes of Ireland. On the contrary, he was induced afterwards to study the case of Ireland; he did study it, and he came to the conclusion that the best and only manner of redressing the long-endured woes of Ireland was at least to try to give to Ire-

land self-government according to the will and constitutional character of the Irish people. There are two pages in the life of Mr. Gladstone. There is the page in which he introduced the closure, and there is the page in which he sought by conciliation to give justice to Ireland. Our friends opposite select the first page; we select the last.

As I have said, there are some occasions on which there is a cleavage between the majority and the minority, and then there is an easy remedy, an easy solution. The remedy is not closure; it is not the application of brute force. The remedy is an appeal to the people. The people, after all, are the judge and the jury. The people, after all, are the parties to pass judgment as between the Government and the Opposition, as between the majority and the minority; and, Sir, the most I would have expected on such an occasion as this was that the Government of the day would have adopted that remedy, and not have resorted to closure. I am sure it was not a pleasant task that my right hon. friend performed to-day; and, for my part, when I compare my conduct with his conduct, I am proud that I resisted all applications for closure, and that when the time came I appealed to the people, as I did on reciprocity. My right hon. friend stated, not to-day but the last time when he spoke upon that question, that the remedy which I suggested was absurd, because, he said, if upon every occasion on which there was obstruction the Government were obliged to go to the country, we might every year have a general election. Let me tell my right hon. friend that there is no sense in such an objection, because obstruction cannot be of any avail unless it is backed up by a strong expression of public opinion, and unless it be on some most important question. If there were at any time in this House a political party so oblivious to the respect it owes to itself and to the country as to obstruct upon a trivial question, that party would lose all the confidence it might have in the country and any chance of ever again creating an impression upon the people. But, Sir, there is a better reason than that. When we come to discuss these constitutional questions, these questions of public policy, the best authority after all is the authority of history. Confederation will have been in existence forty-six years next July, and how many times has there been obstruction during these forty-five years? Just four times before this year. Let me recall them. There was obstruction in 1885, in 1896, in 1908, and in 1911, and after I have mentioned the causes for the obstruction on these several occasions, I shall have furnished the most complete justification for the attitude we have taken upon the present occasion.

There was obstruction in 1885. In that year the Government of Sir John A. Macdonald introduced a uniform franchise Bill for the Dominion. Up to that date the franchise had been under the control of the several provinces, each province having its own franchise. While in two or three provinces there was manhood suffrage, in the others there was a diverse franchise, and we of the Liberal party thought this system was the best. After all, the franchise is a question of education; it is a question which interests the people themselves directly, and we thought it better to leave it directly in the hands of the people through their provincial legislatures. We fought the Dominion Franchise Bill night and day. True, we did not defeat the Bill; but our tactics resulted in the embodiment of important amendments which otherwise we could not have obtained. We compelled Sir John Macdonald to accept many of our proposals. While the list is too long to name them all, let me say that by our attitude we obtained the right to appeal from the decisions of the revising officers, and that alone was worth all the fight we made for it.

There was obstruction in 1896, and what was the occasion of that? The Government of that day undertook to deal with the Manitoba school question, which had been for six long years before them, and had been debated and debated again. The Government did not dare to give a decision on the question until at last in 1896, in the dying days of a moribund parliament, it introduced a measure for the purpose of giving satisfaction to the minority; in which there was not enough to give justice to the minority, but in which there was enough and more than enough to irritate the majority and to make them feel that a grievous wrong had been perpetrated on them. We fought that measure and we obtained what we were asking for. We were asking that that measure should be referred to the people. It was in the dying days of a moribund parliament, and justice demanded that the people should pronounce upon it. If the resolution which my right hon. friend the Prime Minister has to-day introduced had been in existence then, Parliament would have been gagged, and that great wrong would have been inflicted not only on the people of one province but upon the whole people of the Dominion, with consequences which it would be impossible to estimate. These are some of the reasons which make me say that the position taken by the Prime Minister to-day, and which he says he is taking on behalf of parliamentary government, is opposed to the very essence of a fair system of parliamentary government.

There was obstruction again in 1908, and what was the occasion? The Government of which I was the head had introduced an election measure providing for voters' lists for British Columbia. Manitoba, and the unorganized portions of Ontario; and the minority, the Conservative party, took issue with us. I am bound to say that the appeal they made to us impressed me. I thought there was fairness in some of the points taken by the Opposition of the day, and the consequence was that, having consulted my colleagues, we offered a compromise, which was accepted. The obstruction on that occasion, as we know, came from the Conservative party. I found no fault with it; I never whined. I thought it consistent with my dignity as a man and as the head of the Government, feeling we might be to some extent in the wrong, to hold out the olive branch to the other side and to end the difficulty by compromise. After all, is not that better than closure? The other occasion on which there was obstruction was in 1911.

Some hon. MEMBERS: Hear, hear.

Sir WILFRID LAURIER: I see that some hon. gentlemen on the other side of the House remember that; so do I. We introduced the reciprocity measure on the 26th of January, and on the 28th of July we had not yet been able to obtain even a preliminary vote upon it. We had been met at every step by obstruction from the Conservatives, then in opposition; dilatory motions of every kind were made, speech after speech was delivered day in and day out, even in the dog days of summer. I did not complain; I did not whine. Two courses were open to me. I could have done as is done to-day by the Prime Minister; I could have introduced the closure and have said that we must carry on the business of the Government and that, consistently with our dignity, we could not allow obstruction. But there was another course open to me, and that was an appeal to the people; and I advised my colleagues to give the hon. gentlemen of the Opposition the opportunity of appealing to the people. We appealed to the people and we were defeated. Heaven is my witness that I would rather stand here to-day, defeated and in opposition by that appeal to the people than stand over there in office by the power of the gag.

Some hon. MEMBERS: Hear, hear.

Sir WILFRID LAURIER: Here is the position——

Mr. SPEAKER: Order. I would appeal to the House to keep some semblance of order, and to allow the business of the House to go on.

Sir WILFRID LAURIER: Here is the position of the two parties. For my part I desire nothing more than that the people shall pronounce once more. I do not envy the position which my right hon. friend takes to-day. This is the first introduction in Canada of machine politics. My hon. friend the Minister of Public Works (Mr. Rogers) told us recently that he knows how to win elections. He did not tell us the methods, however.

Some hon. MEMBERS: We know them.

Sir WILFRID LAURIER: We know some of these methods. If an election takes place in British Columbia, or in Nova Scotia, lavish promises for public works are made. It may not be a federal election; it may be a provincial election. But my hon. friend has tried his hand in provincial elections also, not always with complete success. If there is an election in Antigonish a letter is sent by the Ministers with abundant promises of public works. If there is an election in Richelieu, it is not a letter which is sent there, but an emissary with his hands full of promises. If it is an election in Macdonald, there is a warning sent out that all those who stand for freedom shall be put in jail. We have not yet come to that in this House, I admit. We are not threatened with durance vile. It is not alleged that we shall be sent to jail. I do not know but that we may not be thankful for so much. After all, what is proposed is that we shall be treated just as men in Macdonald were treated, we shall be gagged and shall speak no more, or, if allowed to speak, we shall be allowed to speak twenty minutes. My right hon. friend did not know whether he had not been too generous in giving us twenty minutes. He thought we should do better in five minutes than in twenty. I do not know but we should be thankful to him for that much; but we know what we are to expect from these new rules. I had proposed to move this amendment, if the action of my hon. friend the Minister of Marine and Fisheries had not cut the ground from under my feet:

That the House do not proceed with the consideration of the resolution, but that it be referred to a special committee to assist Mr. Speaker in the examination of the same, and to report upon it, according to the established and binding rules of this House.

In 1867, when Parliament was first organized after Confederation, the first thing it had to do was to establish rules for its guidance. How was that done? By resolution moved in the House? No. The rules were prepared by a special committee. After this committee had reported, they were referred to the Committee of the Whole, and again discussed. You will find the record in the Journals of the House of the 20th of December, 1867:

Resolved that this House will immediately, resolve itself into a committee on the

report of the Select Committee appointed to assist Mr. Speaker in framing rules and regulations for the Government of this House. The House accordingly resolved itself into the said committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Macdonald (Glengarry) reported, that the committee had gone through the rules and regulations, and made amendments thereunto.

This procedure has always been followed afterwards when the rules have been amended. This would have been the proper method to follow; but my right hon. friend to-day had resolved to gag the House and not to allow free discussion in Committee of the Whole or in a special committee. There are many reasons why the rules which we are now discussing should be discussed in the Committee of the Whole. Nobody can contend that they are complete. Indeed, it is not possible to pass them as they are, because in some points they do not convey the meaning of those who framed them. That point has been taken up by my hon. friend who sits by my side (Mr. Pugsley). For instance, what is the meaning of this rule:

Every motion heretofore debatable made upon routine proceedings, except adjournment motions and every motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or a special committee, or for the previous question, or for the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means of the resolution clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

My right hon. friend tells us that a motion for a committee of investigation upon the conduct of a member, such as was moved recently by my hon. friend from St. Hyacinthe (Mr. Gauthier), would come under routine proceedings. Is any man serious in telling me that a motion of that character, impeaching the conduct of a member of the House, is a routine motion? What an absurdity that is. Routine motions are motions which are made every day for the conduct of the business of the House. To tell us that a motion which is made perhaps once in twenty years, or once in five or ten years is a routine motion is too much for the intelligence or the common sense of any man. The only comment which we heard upon this point by my right hon. friend the Prime Minister was this, that so long as he is in the place which he now occupies we have nothing to fear—that such a motion will always be treated as a routine motion. My right hon. friend is not immortal, unfortunately. There is always a possibility of accidents. What would happen, for instance, if his place were to be taken by his neighbour (Mr. Rogers)? If we are to trust to the good will of my hon. friend, Heaven help us! We want the rules framed so as to convey the true meaning of the gentlemen who frame them. In this case the proposed rules should be referred to the Committee of the Whole, there to be thoroughly discussed and canvassed. Clause (4) of the resolution reads in this way:

On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

My hon. friend beside me took the point that this rule will put it in the power of the majority to have the Committee of Supply sit only on Thursdays and Fridays. The Prime Minister took at once a different interpretation. He said it meant unanimous consent, and to make it sure he offered to put in the word 'unanimous.' I was a little surprised, I must say, at that; but it is not hard to understand what he was after. He knew that the Minister of Marine and Fisheries was to move immediately thereafter the previous question, and that therefore this could not be amended. But I am too old a bird to be caught in that trap. I thought something might be coming. I would not accept it because I had another amendment to move to that proposed rule. I wanted to move the excision of the whole of this clause 4. I asked it of the fair play of gentlemen on the other side, if their fair play is not all a mockery; why should this clause be here at all? It has been said that this motion of closure is necessary in order to pass the Naval Bill. But this clause has nothing to do with the naval question at all; it is simply intended to deprive the minority of the most valued weapon that a British subject has had from the days when parliamentary government began, that is to say, to demand the redress of grievances before Supply is voted. Here it is in plain words:

On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply or Ways and Means, Mr. Speaker shall leave the Chair without putting any question.

Why should Mr. Speaker on Thursday and Friday leave the Chair without putting a question? To prevent the Opposition from moving motions concerning the conduct of the Government of the day. Parliamentary government in England goes back many ages. England, up to the time

of the French revolution, was the only country in the world in which the people were taxed only with their own consent, and in which the people, when giving their consent to be taxed, presented their grievances to the King. In every other country of Europe, even the most civilized, the people were taxed by the Sovereign without reference to their means to pay taxes. They had not the power to declare that they would not be taxed but by their own consent. But in England the subject would not pay a penny of taxation except by his own free will; and when he was asked to tax himself, then he had his opportunity to present grievances to the King. That most valuable right of the British subject has been in existence for six hundred years; and it is proposed to-day to deprive us of it. This is applying the gag with a vengeance. Let me repeat to my right hon. friend: As you sow, so shall you reap; as you are fair so shall you meet with fairness; as you are unjust, so shall you meet with injustice. My right hon. friend two years ago took a certain attitude on the Reciprocity Bill; he has no right to complain if the same method that he made use of is applied to him in the present case. My right hon. friend has not forgotten the words of Shakespeare:

> —this even handed justice
> Commends th' ingredients of our poison'd chalice
> To our own lips.

The poison that he offers to us to-day will come to his own lips at some future day. We are in the minority; we can be gagged; we can be prevented from expressing our opinions; they can trample upon our rights. But, Sir, the day of reckoning will come, and it will come as soon as we have a dissolution of the present Parliament.

Hon. C. J. DOHERTY (Minister of Justice): Mr. Speaker, I have followed the speech of the right hon. gentleman (Sir Wilfrid Laurier) with the interest which any utterance of his always evokes in me. Will he pardon me if I begin by expressing the disappointment I feel when I consider the manner in which he has dealt with this important question? The right hon. gentleman throughout his speech was full of eloquent references to his 'never whining'—that is not an expression that I would have chosen, but he has chosen to boast that he never whines. And yet what was the opening of his speech, if it was not a complaint—as I would call it, whining as he would call it—because the rules of this House as they now stand were applied to him this afternoon? And yet, strange to say, almost in the same breath he lauded these very rules as the perfection of wisdom. He compared them with the old Civil law that somebody has described as 'reason reduced to writing'; and yet when this 'reason reduced to writing' which he considers our present existing rules to be so perfect that no one should lay a desecrating hand upon them—when these rules in their simplest and clearest meaning were applied to himself, he complained that he was gagged, he complained of a lack of fairness on the part of the right hon. leader of the House and on the part of members on this side. While I was disappointed in the manner in which the right hon. gentleman has handled this question as a whole, I was amazed when I heard him express surprise, heard him complain that any steps should have been taken by any hon. member on this side of the House to preclude to the making of amendment after amendment to the simple proposition to amend the rules of this House in a manner which, I venture to say, the common sense of this House, the common sense of hon. gentlemen on the other side of the House, if they could for even a few moments free themselves from the blindness induced by party feeling would recognize as having become an absolute necessity; an amendment which I am thoroughly satisfied the commonsense of the people will recognize as being absolutely called for at this moment, if we are to continue to enjoy in this country the blessings and privileges of British parliamentary government as it was handed down to us by our forefathers. I was amazed that, after what we have witnessed in this House, the right hon. gentleman would suppose that we upon this side of the House would not be alive to the fact that it is our bounden duty to take every legitimate step permitted and provided for under the rules of this House to ensure that the representatives of the majority of the people should govern this country.

The right hon. gentleman said that he had been deprived of his rights—that he had been gagged. Have we not heard the right hon. gentleman express, as freely and as fully as he could possibly desire, his opinions upon the proposition that is now before the House? What is his constitutional right—to propose an amendment to this motion? The rules of this House, in providing for the moving of the previous question as it has been moved to-day, have foreseen occasions upon which that rule may properly be applied and when that motion may properly be made, and, if when those rules were enacted there could be foreseen an occasion imperiously and imperatively calling for their application, surely this is one of them. Since the 5th of December last, we have been engaged in this House in the discussion of a measure,

the importance of which I do not desire to minimize, but, at the same time, with a measure which intelligent men should have been able to seize and grasp and grapple with, and discuss from its different standpoints, without difficulty,—assuming there existed no desire but that of threshing it out with a view to arriving at a sound conclusion—in the period—let us put it at the outside—of one month. That measure stands to-day undisposed of, and we have sat in this House and witnessed the determination of the minority that the House should not have an opportunity of expressing its opinion by a vote upon that measure, and of disposing of it. I do not wish to deny that the freedom of speech of every individual member sitting in this House is a precious thing, but how much more precious, how much more to be valued, is the freedom of the majority of the people of this country to express their voice through their elected representatives, and, by that voice, to determine how this country shall be governed, what measures this country shall adopt, and what measures the executive government, under the direction of this House, composed of the elected representatives of the people, shall carry out and give effect to? Yes, it is important that each and every one of the hon. members sitting on the other side of the House should have freedom of speech, but surely they have had it amply and in a measure full and overflowing; and now has come the time when we must recognize the right of the great majority of the people, through their representatives, to express the voice of Parliament.

I venture to say that it is at least of as great moment to the people of this country that the voice of Parliament should obtain expression as it is that even the right hon. gentleman should have a chance to move an amendment.

The right hon. gentleman referred to the right hon. leader of this House, and was good enough to suggest that, in making the proposition that he made this afternoon, he was doing something that was distasteful to him, which was done only under the pressure of his followers. He said that the right hon. leader of this House no doubt felt that he must follow those behind him, because he was their leader. I could not help wondering whether it was out of the abundance of his own experience that he made that statement. I have no doubt that if the right hon. leader of this House had felt that he could do his duty to this country, and to the people who gave him a mandate to govern it, without bringing down this measure, he would have preferred not to have introduced it. There is no doubt that none of us desire to effect a curtailment of the most absolute freedom of expression in this House, so long as it is consistent with the maintenance and the carrying out of parliamentary government in a constitutional way. But are we so blind, are we so deaf, are we so obtuse and so incapable of perceiving the purposes and objects of what has been going on in this House for a time now all too long, that we would be justified in sitting back and seeing hon. gentlemen opposite carry out a system of obstruction? There can be no objection to my now calling it obstruction, for the right hon. gentleman has told us that there has been obstruction in this country four times before this time; so that, whatever else there may be any doubt about, there is absolutely no doubt that there has been obstruction in the present instance. As a matter of fact, hon. gentlemen on the other side of the House—one at least—not many hours ago told us that it was going to begin all over again.

The right hon. gentleman also said that somebody had described obstruction as the murder of parliamentary Government, and if I understood him rightly, he said that he did not quarrel with that description but that the murderers were on this side of the House. Parliamentary Government is not dead yet and the hon. gentleman does not pretend that the obstruction this time was on this side of the House; so the very worst charge that could possibly be suggested against any hon. members on this side was that they might have attempted that so-called murder, but they certainly did not succeed. But here we have had obstruction until to-day, and, were it not that the Government are taking the means which the people of this country have for some time been clamouring, we should take to make it evident that parliamentary Government is not dead in this country, that obstruction would be still going on, and we are reproached because we have used the existing rules of the House to prevent that. We have had reference, more or less relevant and more or less pertinent, by the right hon. gentleman, to cases when obstruction had taken place in other parliaments and in this. He referred more particularly at the outset to that obstruction which had taken place in the parliament of the United Kingdom of Great Britain and Ireland previous to and up to 1881, and which had been carried on by the representatives of the Irish people, the Nationalist Irish party in that Parliament. In that connection he found that he suddenly had to switch the subject because he ran right up against the fact that the man who was his hero of the other day, a great man of whom I wish to speak with the most profound respect, had introduced the first closure measure into the parliament of the United Kingdom. The right hon. gentleman used to boast that he was a Liberal of the Gladstone school. He finds now that

he has got to go further back. The right hon. gentleman is a Liberal of a school dating further and further back into the past and so to find rules for his conduct to-night he goes back to the time of Fox. I suppose he did not find that quite satisfactory because he went all the way back to the time of Charles the First to find a justification for obstruction and a condemnation of any suggestion of a closure. Time was when the struggle in parliament was to assure and protect the rights of the people as against any encroachment on the part of the Crown in the exercise of its prerogative; but we all know, if the right hon. gentleman has not learned it, that those days have changed and that the business and the proper business of parliament is to assist in carrying on of the Government of the country by the representatives of the majority of the people of the country. No doubt it is the proper function of an opposition to criticize where they may think that those who for the time being have the charge and control of the Government are making mistakes but we are years, we are centuries away from the time when Parliament had to stand on guard as the asserter of the rights of the people as against encroachment on the part of the Crown, and what may have been needed in those days and may have been proper at that time is no longer called for to-day when, after all, the Government of this country is carried on by what is practically a Committee of this House chosen from the majority of the members of this House who themselves are the representatives of the majority of the people of Canada. The right hon. gentleman has to go very far back indeed in order to find in the old country Liberals who will agree with him in his view of what is desirable upon this question.

With regard to the first instance mentioned, I do not feel called upon to discuss the propriety or impropriety of the obstruction which gave rise to the first introduction of closure in the Parliament of the United Kingdom. The right hon. gentleman has said that obstruction was the murder of parliamentary government. I think, I might correctly describe it as the negation of the fundamental principle of parliamentary government. That fundamental principle is that the majority has the right to govern through those whom the constitution provides to perform that office on the selection, or by reason of their enjoyment of the confidence of the representatives of the majority of the people. I am not going to discuss whether or not the obstruction in that particular instance and Parliament was justified. There is perhaps this to be said upon the subject that the men who carried it on, I am not questioning whether they were right or wrong, were honest enough to say that they did not balk at the negation of the right of that particular Parliament, and of the principle that the majority of that Parliament should govern in the matters in which they were specially interested. I ask the right hon. gentleman is he prepared to say that he does not balk at the negation of the fundamental principle of parliamentary government as applied in this country. And yet that obstruction was met by closure, a closure that has gone on growing ever since—and that closure was introduced by a Liberal Government under the leadership of the man whom the right hon. gentleman but yesterday used to hold up to us as his model. That form of closure has been developed until to-day, notwithstanding what the hon. member for St. John (Mr. Pugsley) says, everybody knows that its provisions are vastly more drastic than anything suggested in this rule and if I were to follow the right hon. gentleman in all of the irrelevant things that he has said I might perhaps point out to him that that very closure has played no unimportant part in that legislation in the way of remedying the evil things complained of in Ireland for which he gives such great credit to the Liberal party. I am not saying it by way of criticism of the closure and I am not referring to this at all for the purpose of discussing the merits or demerits of the position of people upon the other side of the Atlantic. It is hardly necessary that I should do so upon this question, my views in that regard are known to all, but I do want to point out to him that these great measures which he looks upon with so much admiration, an admiration which I am free to say I share myself, that the successful passing of those measures has been largely attributable to the instrument of parliamentary government provided by the rules of closure.

The right hon. gentleman having given us this dissertation, having delved so far into the past, gave us some instances of obstruction in this House, and I understood him to conclude that in all the cases the obstruction was justified. He spoke of obstruction in 1885, on the Franchise Bill introduced by the then Conservative Government, and claimed that it had produced some modifications in that Bill. I am a little surprised that the right hon. gentleman, who took so active a part in the opposition to that Bill, should attribute such success as he had exclusively to his obstructive tactics. With my knowledge of his eloquence, his power, his force of reasoning and of argument, I should have been inclined to suppose that such improvement, from his point of view, as he might have brought about in that measure, was attributable to those distinguished qualities of himself and his fol-

lowers. I am amazed that he should have attributed it to nothing but his obstructive tactics.

Then the right hon. gentleman referred to another instance of what he considered successful obstruction. I would have thought that the right hon. hon. gentleman would not have spoken with pride of that obstruction. We remember the obstruction in 1896 to which he referred, and we remember how, throughout it all, this right hon. gentleman, who to-night boasts that by means of that obstruction he saved the whole of the people of this country from a great wrong, did not dare himself, even in the days of that moribund parliament, to tell the people of Canada what his own position was upon the question in regard to which he practiced that obstruction of which he is so proud to-night. The expression has become historic in Canada, as previously it was historic in a very different connection with regard to a very much greater man on the other side of the Atlantic. When we want to describe the attitude of a statesman seeking to take both sides on a question and to benefit by creating the impression that he shares two diametrically opposite views, we say that he is behind the lines of Torres Vedras; and the right hon. gentleman is proud of his action on that occasion as one of the achievements of his new idol, obstruction. Then he tells us that there was another instance of obstruction in 1908, on which occasion the obstruction came from the Conservative party. He tells us that they obstructed a measure which he had introduced, the franchise measure with regard to Manitoba. He tells us that before they finished obstructing he thought they were right, and so he made concessions to them; and there again was a triumph for obstruction. Again, I would ask, are we to understand that the right hon. gentleman is not open to conviction by argument or by reasoning, but that he gave in on that occasion and found that his adversaries were right because they obstructed? Mr. Speaker, on this side of the House we have listened to or have read what has been said with painful reiteration, with tedious repetition throughout—what up to the present they have denied was obstruction, but what stands out to-night as completely confessed obstruction, and we have not been able to hear a whisper of anything that seemed like the faintest indication that the hon. gentlemen on the other side of the House were right. The obstruction of this year cannot look for justification to the obstruction of 1908.

Then the right hon. gentleman says: we had obstruction in 1911. We had obstruction, because the measure referred to was introduced on the 26th of January, and was not passed up to the 20th of July. It will not be disputed that that was a measure involving a many-sided question, a very important and grave measure as regards its effect upon this country's fiscal independence, and more than her fiscal independence. Above all, it was a measure that presented the whole question of the effect of a change of duties in respect to a very large number of items. Now, that measure was discussed, and speeches were made; but I venture to say that the right hon gentleman or those who sit behind him, cannot point out an instance of a member who at the same stage of that measure made two or three or four or five speeches in which he merely repeated himself. Many members spoke and many did not speak. That matter was closed by the dissolution of the House before many members on the Opposition side had opened their lips upon the subject; and during that period, from January until July, the House dealt with many other matters, and no one suggested that upon them members were obstructing. Then we had about two months of an adjournment, and properly so, while the right hon. gentleman (Sir Wilfrid Laurier) represented this country on the occasion of the coronation of the Sovereign. For my part, I am not prepared to admit that there was any obstruction on that occasion; but it has been pointed out that men who were not actually leading the party then in opposition, but men of great weight and influence—and I would say of some of them, certainly men not of the least wisdom among those who led the party—when they did believe that there was obstruction on that occasion, likewise believed that the proper remedy for obstruction was the remedy proposed to-night; only if they had applied the remedy suggested in many of their speeches, it would have been much more drastic than this.

Now, we are told that admitted obstruction is to be met and suppressed by the application of the gag, and the right hon. gentleman poses before the public as a hero because he did not resort to the gag but appealed to the people. Well, he may be proud he went to the people, but I hardly think he is glad.

What is this, which hon. gentlemen opposite call the 'gag,' and which we are blamed for proposing? Let us see. The great thing we value in the British constitution is the right to have parliamentary government, and not a new-fangled system of government by referendum, or government by running to the people every day to tell us what to do. The people who handed us down this British constitution were people who trusted themselves to choose their rulers, and the system they handed down to us is parliamentary government carried on by the men

to whom that charge is entrusted. And now we are asked to sacrifice that and to substitute a course of running back to the people about it, every time the minority in this House may get together and exhaust its ingenuity—I will not say exhaust, because on the other side there seems to be an exhaustible fund of ingenuity when it is a question of making the rules work to prevent the government of the country being carried on—we are asked to abandon that system of government by the chosen representatives of the people in Parliament, and to substitute for it a system, under which, every time the minority in this House shall get together and say: By every means within our power we will prevent the voice of the majority being expressed, we must go back to the people. Mr. Speaker, I would ask the right hon. gentleman whether he seriously makes that proposition. Here is a House that is comparatively new. People may say what they like about it, but you have only to look at the manifesto which the right hon. the Prime Minister addressed to the people of Canada during the last election to see that here is a House that was elected on the announcement that if the right hon. gentleman were returned to power he would do precisely the thing that the measure that has given rise to obstruction proposes to do. And we are told, because we seek to provide the means whereby the mandate of the people so unmistakably given shall be put in effect, that we are to be held up, that we are to be pointed to with scorn and our conduct contrasted with the magnificent action of the right hon. gentleman who, with a Parliament three years old, and after he had introduced a measure which, if we are to believe his friends and representatives and his papers of that day was going to sweep him into power for another five years, went to the people. Mr. Speaker, we who happen for the time being to have our share in the responsibility of the Government of this country, by reason of the confidence reposed in us by the people—we have duties to perform, and we have a sense of our responsibility, and we are not going to be frightened away from discharging our duties by shouts of 'shame'; because we will not allow the minority to over-rule the will of the people confided to us to execute. I say 'shame'; a thousand times shame upon us if with the trust that has been confided to us we should prove ourselves unworthy of it, and incapable of rising to the exigencies created by this extraordinary system, that up to to-night we were told by gentlemen opposite was not obstruction, but that now we know is admitted to be obstruction. Are we to be prevented from carrying out the will of the people; are we to be prevented from administering the Government in accordance with the constitution of this country, simply because the right hon. gentleman and his followers are able to make long speeches, are able to wave their arms, are able to shout, and are able to stand out in the middle of the floor in this House, and create a situation, which I do not think parliamentary words can describe. I do not think, Sir, that I need endeavour to follow the right hon. gentleman further in the details of his speech. I perhaps have dwelt upon this subject at too great length already, but let me say just one or two words with regard to some other observations of his.

The right hon. gentleman boasted to us that he was opposed to closure. With all respect, it does seem to me that we have had evidence that upon that matter it might have been well had he been wise enough to realize that being the leader of some of the wise men whose opinions we heard to-night, it might have behooved him to follow them. And then, he referred to the citations made by the right hon. the leader of the House from the Toronto Globe, and reproached us because we did not quote the Ottawa Citizen. I wonder since when the Ottawa Citizen has become the source of inspiration to the right hon. gentleman; since when has the Globe ceased to speak to him as the inspired voice of the prophet; since when did the mantle of Macdonald fall on the shoulders of the Citizen? Might I say to the right hon. gentleman that on this side of the House we do not find it necessary to look for inspired prophets and oracles in the columns of any newspaper, and we are able to judge these questions for ourselves. Might I say, in parentheses, that perhaps all of us would hesitate to undertake the acrobatic feats that would be constantly required if we felt called upon to keep ourselves constantly in an attitude that would correspond with that of the Ottawa Citizen.

We have had as another justification for this obstruction, that the right hon. gentleman and the gentlemen behind him have strong convictions. I do not question at all that they have convictions in the plural number, but I must confess that I was surprised to hear them described as 'strong convictions,' seeing that they varied so readily.

When we started out on this debate, the right hon. gentleman and the gentlemen behind him had a strong conviction that it was absolutely necessary that right here and now and during this session we should take $35,000,000 and spend it in giving effect to the naval policy of 1910 and the building of two fleet units. We were to devote $35,000,000 to do work that would cost $100,000,000 or over, and we must proceed to do it right in this session. A very strong conviction—they pressed it on to the extreme of obstruction. They had not got to

a vote on that strong conviction when they thought they had better wait and ask the people what they thought about it. The strength of that conviction seemed to go on dwindling because, whereas at the outset they only proposed to ask the people what they thought about it, when they gave another thought to the matter, they thought they had better have a redistribution and then ask the people. The hurry was getting less and less all the time. To-day, what is the strong conviction? Is it that we should build the fleet units and spend this hundred or hundred and fifty millions of dollars, or is it that we should do nothing at all? I appeal to hon. gentlemen who have sat through the weary days and the wearier nights of this discussion, and I ask them if they can tell us what the strong conviction is that impels them on to these heights and summits of obstruction. If ever there was an occasion when it seems to me there was little if any pretext which might seem to justify obstruction, it is in this particular case. I am not going to enter into a discussion of this question, to point out the nature of the objections made to the measure obstructed and to show how utterly flimsy they are. I leave that to the judgment of the members of this House who have heard the objections and can weigh them. As a justification for obstruction, their excuse or their defence seems to me a graver offence than the original obstruction. We were told of the strenuous obstruction of Edmund Burke as a justification for this performance. During a whole day, during one whole sitting—just imagine—Edmund Burke obstructed a certain measure. Therefore, the action of the right hon. gentleman and his followers for months is more than justified. During seven whole sittings—think of the length of seven entire sittings—Daniel O'Connell once obstructed a measure. Therefore the performance that has put this Parliament in a position of abject humiliation before the people of this country is justifiable.

As I said at the outset, I must confess that I felt a very serious disappointment at the manner in which the right hon. gentleman handled this very serious question. He was eloquent. He is always eloquent and he is sometimes convincing, but this time he was not convincing. I do not impute the blame to him, bnt this time he had not the case that would carry conviction and he certainly was not convincing I shall not follow the right hon. gentleman into his discussion as to how elections are carried on in this country. Might I just point out one thing to him? He says that the one remedy, when a minority in the House obstructs, is an appeal to the people. He has hardly told us of that one remedy when he turns around and conveys to us the idea that elections in this country are carried by corruption, lavish promises and all sorts of irregular and illegal methods. I do not believe the last statement; but surely, if I did believe it, as the right hon. gentleman does, I would not suggest that an appeal to the people was the proper remedy and cure.

The right hon. gentleman devoted a very short time to an attempt to a criticism of the rules suggested. He claimed, as has been claimed before, that these rules were vastly more drastic than the rules of the English House. I could not help wondering whether he had read the rules of the English House and whether particularly he had read rule 133 and the following rules, that provide, not as here for a notice of twenty-four hours and a motion by a minister of the Crown, and then a further period of debate during which members may make twenty minute speeches, but rules that permit any member to rise in his place—I am reading rule 133:

> After a question has been proposed, a member rising in his place may claim to move, 'that the question be now put, and unless it appears to the Chair that the motion is an abuse of the rules of the House, or an infringement of the rights of the minority, the question, 'that, the question be now put,' must be put forthwith.

No continuance of the debate! No twenty minute speeches! No notice of twenty-four hours! No restriction of the making of the motion to a minister of the Crown! Yet our rule is more drastic. Then it goes on:

> When the motion, 'that the question be now put,' has been carried, and the question consequent thereon has been decided, any further motion may be made (the assent of the Chair as aforesaid not having been withheld) which may be requisite to bring to a decision any question already proposed from the Chair.

You see how vastly more drastic our rule is. It is as clear as daylight! I shall not trouble the House by reading the other rules. Perhaps the right hon. the leader of the Opposition and hon. gentlemen, who think our rules more drastic, will take the pains to read these English rules. This is the Mother of Parliaments. The right hon. gentleman waxed eloquent on these rules of 1867 that had been handed down to us by the Mother of Parliaments. If we have profited by the wisdom of the Mother of Parliaments in the days of old, ask, in the name of everything that is liberal and progressive, if we are not to be allowed to learn of her increasing wisdom as she goes on in years. The right hon. gentleman found particular fault because our rule provided that:

> On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair

without putting any question, provided that, except by the consent of the House, the Estimates of each department shall be first taken up on a day other than Thursday or Friday.

I pass over what he said about requirement of the consent of the House. I think the right hon. the Premier has done admirable justice to that point. The complaint was that on Thursdays and Fridays the members of the House were going to be deprived of the immemorial right and privilege to discuss any grievance, real, imaginary or imaginable before going into Supply. This was held forth to us as a curtailment of our liberties in this country, as depriving us of a most valuable right which every British subject should insist on maintaining. And yet, what do we find? We find that in Great Britain what under our proposed rule may happen on Thursday or on Friday under rule 231 is to happen at any time:

Whenever the Committee of Supply stands as an Order of the Day, the Speaker, on the order being read, leaves the Chair without question put unless on first going into supply on the army, navy or civil service estimates respectively, or on any vote of credit, an amendment is moved or question raised relating to the estimates proposed to be taken in Committee of Supply.

So, while under our rule in this House for every day on which the House is to go into Committee of Supply other than Thursdays and Fridays, and for a certain one other day with regard to every class of estimates, the right to discuss grievances on going into Supply is to be protected, they have struggled along in England and have not discovered the condition of abject slavery into which they have been reduced for years under a rule by which, whenever Supply is proposed, the Speaker shall do what he is to do here on Thursdays and Fridays. When it comes to criticism of this suggested rule and an endeavour to present it as drastic and tyrannical and as going far beyond the rules of the Parliament of Britain, the attack is at least as weak as the defence of obstruction.

I am sure the House will be glad to hear me say that I have finished. I have spoken at greater length, I feel confident, than was necessary, and at greater length than I would have been disposed to do but that I have spoken under the influence of the amazement with which I was inspired by the nature of the attack that was made upon this rule. I feel that nothing was necessary on my part to bring home to the members of the House the absolutely unconvincing nature of the argument made in support of that attack; and I am sure that after the speech making that attack was over, without one word of mine the great majority of the members of this House sat in their places as convinced as they were at the close of the calm statement made by the right hon. leader of the House in proposing this motion, that in proposing it he was but doing the duty that devolves upon him in the high position he occupies, and that in carrying it as this House will carry it, the members of the House will be but fulfilling their clear, simple, manifest, absolutely indisputable duty to the people who have confided to them the mandate to preserve and maintain in this country intact and inviolate the right to be ruled under the British system of parliamentary government.

Mr. G. W. KYTE (Richmond, N.S.): Mr. Speaker, when the Minister of Justice rose to reply to the criticism which the right hon. the leader of the Opposition directed against the proposed resolution now before the House, I expected, as other hon. members must have expected, that the hon. minister would direct his efforts to a discussion of the constitutional principles involved in the proposal of the Prime Minister. The Minister of Justice is the member of the Government whose special duty it is to direct Parliament upon the consequences of great constitutional changes that are proposed on either side of the House. But the Minister of Justice was not as happy as he has been on former occasions. By the clock he spoke less than an hour; and that is a record for the hon. minister. I can recall instances when subjects very much less worthy of the deep consideration of Parliament took up the attention of the Minister of Justice for an hour and a half or two hours. To-night, the Minister of Justice skated around the constitutional changes involved in the resolution before the House. And I think I know the reason why. When hon. members on this side speak of coercion, of the guillotine, and of the gag, the Minister of Justice's Irish heart and Irish mind must turn to the condition of affairs in the Old Country against which he has railed time and again. There has not been an occasion during the last twenty years, when the Minister of Justice then occupying a foremost position in the judiciary of the city of Montreal, was called upon to address a gathering to consider the agitation of Home rule in the land of his ancestors, when he was not on hand either to move a resolution or support a resolution having in view the speedy accomplishment of home rule, for which his compatriots in the Old Land have striven for a hundred years. Why has not Home Rule been granted to the people of Ireland before now? Because they were prevented from discussing these questions dear to their hearts by means of the gag and the guillotine such as the Prime Minister is now proposing. The minister talks about a precedent being established in the mother of Parliaments. He does not tell the whole truth when he says

that we ought to go there for our example and precedent on this occasion. If he had told the whole truth, he would have told the House that coercion, the gag, the guillotine, was never directed against the constitutional opposition in the British Parliament, never in the whole history of parliamentary Government in England was the gag attempted to be employed against the Conservative party when the Liberals were in power, or against the Liberal party when the Conservatives were in power. It was only in 1877, when Charles Stuart Parnell first won his seat in the British Parliament and surrounded himself, not with an army of opponents of the Government, not with the regular and constitutional opposition to the British Government, but by five Nationalists only, and when, by the support which he received from these Nationalists, he was able to tie up the proceedings of the British Parliament in order that the attention of the British people should be directed to the wrongs that had been worked against the Irish people for so long a period. I say this was intolerable; it was an intolerable condition, when one man backed by five followers only, in a House of six hundred and seventy members, was able to tie up the business of Parliament in such a manner as made the whole Government of Great Britain helpless. Thus it was that both of the great political parties joined for the purpose of devising some means whereby that intolerable condition of affairs could be brought to an end. The reason and justification for the attitude taken by the Irish Nationalists—and it found a response in many hearts including that of the Minister of Justice—was that whenever a Bill was proposed in the British Parliament for the purpose of ameliorating the condition of the Irish people, it was not brought up by reason of the Orders of the Day as disposed by the Government until a late hour, until three or four o'clock in the morning, and then it was proposed it was discussed for a short time by the Irish members, then the great majority of the House voted it down and that was the last that was heard of it. Mr. Parnell decided that he would draw the attention of the British people to the condition of affairs in Ireland, and he said: 'If we are not permitted to pass legislation to ameliorate the condition of the Irish people, I will so conduct myself as to prevent the British Parliament from legislating on matters pertaining to the welfare of the British people.' I shall not at the present moment dilate at further length upon that aspect of the question, but before I close my observations I will perhaps be able to convince hon. Minister of Justice that he undertook a rather difficult case when, with his record behind him, he undertook to justify the use of the gag and the guillotine in the Canadian Parliament.

The question of the amendment of the rules of the British Parliament is not a new one. Away back in 1837 it was deemed desirable to bring about such a condition in the rules of parliament as to facilitate the business of the country. The rules had not been amended for a great many years, and the consequence was that the procedure of parliament became obsolete, and from time to time efforts were made to improve these conditions. From 1837 up to 1906, fifteen different committees were appointed for the purpose of amending the rules of parliament. In the years 1837, 1848, 1854, 1861, 1869, 1871, 1878, 1886, 1888, 1890 and 1906, committees were appointed for the purpose of drawing up recommendations with a view to improving the conditions and facilitating the business of the Imperial Parliament. But the amendments proposed on each of these occasions, up to the year 1887, were recommended by a committee of the British Parliament, and not by the House of Commons itself. The hon. Minister of Justice dilated upon the fact that it was Mr. Gladstone, whom the right hon. leader of the Opposition is so proud to follow, who first instituted the gag and the guillotine in the British House of Commons. I pointed out a few moments ago that from 1877 to 1881 the methods of obstruction adopted by the Irish parliamentary party, which consisted only of a mere handful of members of the House of Commons, were so extreme that it was decided by both parties to put an end to such a condition of affairs. But the moment the Liberal party became convinced that the wrongs of Ireland ought to be righted, and that the injustice that had been done the Irish people for one hundred years ought to be removed, there was no longer any necessity for applying the gag and the guillotine to the Irish parliamentary party, so that in 1882, after the object which the Irish party had in view was accomplished, and Mr. Gladstone himself accepted the view that the Irish people were entitled to home rule, he abandoned the gag and the guillotine and was no longer a party to its enforcement. But, Sir, the gag and guillotine did not become a permanent institution in the British Parliament until the political friends of the hon. Minister of Justice—the Tory Unionist party in Ireland—obtained power in 1887, and then it became a permanent institution. Mr. W. H. Smith, who was the leader of the House of Comin the Salisbury Government, was the first premier to make it a permanent institution, so that, if there is any permanency about the method of procedure at the present time in the British House of Commons, the Tory and not the Liberal party is responsible for it, and I am

astonished that the Minister of Justice should go to the Unionist Tory party in the British Parliament for the purpose of obtaining a precedent for his conduct in this House.

The Minister of Justice stated that he did not propose to get his inspiration from the newspapers of this country as to what his conduct ought to be in this regard. But the hon. Minister of Justice is not so destitute of inspiration as the right hon. Prime Minister, because the right hon. gentleman did not hesitate to go to the newspapers for that purpose, and if you eliminate from his speech this afternoon his quotations from the press, there would have been very little indeed for the reporters to have taken down. When the Prime Minister read these extracts from the press, referring to the condition of affairs that existed when the Conservative party sat in opposition, and when he read the uncomplimentary and unfriendly references to the tongue-flappers on the other side, and the freak Opposition, hon. gentlemen opposite were the loudest to vociferate and applaud. Was it not extraordinary that when the right hon. Prime Minister read from the newspapers these selections in which the Conservative party of that day were castigated for the nonsensical position, there was no one who seemed to see the fitness of the description better than hon. gentlemen opposite, and no one applauded it more than trey did? I have a few selections from the Ottawa Citizen which have not been read this evening, and which I propose to put on 'Hansard.' On the 5th day of this month, the Ottawa Citizen had the following article in regard to this question of closure.

Mr. SPEAKER: Might I remind the hon. member that it would be a violation of the rules of the House to quote from a paper any article dealing with questions before the House at the present time. What may have appeared in the newspapers in past years in reference to what has taken place would be in order, but any criticism of what is taking place in the House at the present session would not.

Mr. KYTE: What I propose to read is the comment of the Ottawa Citizen on the closure as it is applied in Great Britain.

Mr. SPEAKER: That would be quite in order.

Mr. KYTE: The Ottawa Citizen says:

> When the closure first insinuated itself into the British Parliament, it was supposed to be purely a temporary expedient to deal with Irish obstruction. But machine politicians soon perceived the power of the weapon to force through measures to suit their own purpose.

I read that for the purpose of supporting my contention that the closure was adopted by Mr. W. E. Gladstone only as a temporary expedient, and it was abandoned the moment its object had been accomplished. (Reading):

> Finally the government appointed a committee to revise the whole measure of closure, but the country had experienced enough of such so-called Liberal legislation; the government met defeat and the Conservatives were returned to power in 1887. The principle of government by the representatives of the people now passed from the frying pan into the fire with a vengeance. The Tories made closure a permanent institution, giving any member the liberty to propose the termination of a debate.

It is scarcely necessary for me to furnish any additional proof in support of the argument I used a few moments ago in reply to my hon. friend the Minister of Justice, that if closure exists in the British Parliament to-day it is not due to the Liberal party, but to the Tory party, who made it a permanent institution for their own purposes. Again, the Citizen says:

> But if the Liberals continue to obstruct, after a clause to refer is inserted in the Bill, closure is absolutely justified as the only possible expedient.
>
> There is no reasonable ground for a general election upon this question. There is no clamour of public demand for a change of government, except that which has been manufactured by the tom-toms of the Liberal party press. The only demand there is was born of Liberal desire, fathered by defeat. There is even reason to believe that it was still-born, and the only noise is that of the political doctors talking.
>
> Yet there is every reason to believe that the people's voice should be heard. If the Naval Bill is put through now by closure methods, it will have little Imperial value.

Mr. SPEAKER: I would remind the hon. member that he is now dealing distinctly and directly with a question that is before this Parliament at the present session.

Mr. KYTE: I am discussing the sentiments of the newspapers on this great and important question. They were dealing with the subject of closure in the abstract, and could have no reference to the question of closure now before the House.

Mr. SPEAKER: The hon. member must not forget that this article deals directly with the naval question which is now before this House, if I understood aright the wording of the extract which he read.

Mr. KYTE: I think it is pretty well understood that up to a comparatively short time ago the Prime Minister had not made up his mind to take the plunge on the closure question and I assume that any criticism that may have been made in the last two or three days on that question would

be only with a view to voicing the sentiments of people outside without reference to the views of members of this House. I desire to yield to your ruling and shall desist from reading any further extracts on that particular question. I stated some time ago that the question of change in procedure in the British House of Commons took a long time to develop. From 1837 until 1906 there had been frequent changes in the procedure regarding parliamentary matters. One particular means of delaying the business of Parliament before the rules were amended was the moving of motions to adjourn which were regular weapons of the Opposition. In this particular instance the right hon. the Prime Minister has endeavoured to level his closure against the conduct of the Opposition on the particular Bill before Parliament. No contention has been made that the Opposition met the efforts of the Government to put through their Bill by any obstructive methods further than those adopted in the regular course of discussion. The Opposition did not meet the Bill with any obstructive methods in the way of moving dilatory amendments or motions that you do now leave the Chair or in any other respect take advantage of any rights they had other than the right of discussion to which every member is entitled. But in the British Parliament there were occasions when the business was obstructed not by prolonging discussion on the second reading of Bills or in committee, but rather by the moving of dilatory motions. The rules were changed in that respect and on many occasions down to 1867. In 1867, after Confederation had become an accomplished fact in Canada, we were given the benefit of the experience which the British Parliament gave to all constitutional countries inasmuch as the rules then in force in the British Parliament were adopted by the Canadian federated Parliament. When hon. gentlemen opposite speak of antiquated proceedings of the House of Commons they do not use a very happy expression. It is quite true that in 1877 and in 1878, when it was proposed to amend the rules in the British Parliament they had reference to antiquated methods which had been applicable in Parliament for 500 years. We have had no such experience but, as I said, the rules adopted by this Parliament were comparatively new and hon. gentlemen in speaking of them as antiquated are not speaking according to the facts. We have had all the benefit of the improvements brought about by the frequent committees of the British House of Commons in respect to changing of rules up to 1867. In 1861 there was a report of a committee appointed for the purpose of changing the rules in the British House. That report reads in part as follows:

We have treated with respect the written and unwritten law of Parliament, which for ages has secured a good system of legislation, perfect freedom of debate and a due regard for the rights of minorities, this respect for tradition and this caution in making changes have proceeded in the principle that no change is justifiable which experience has not found necessary, and that the maintenance of the old rules is preferable to new but speculative amendments.

I submit that the Prime Minister has not made out such a case as would justify him in abandoning the old rules which have been in force in this Parliament and to resort to speculative amendments by way of experiment.

Another reason why it was necessary to amend the rules in the British Parliament was owing to uncertainty as to what particular business would be taken up by the Government from day to day. The Government might draw up its routine proceedings as we have them here but instead of the House proceeding the following day to discuss what was set on the Order Paper, other things would be interjected by reason of dilatory motions and motions for adjournment brought up from time to time. In the English Parliament at that time and until a short time ago members of Parliament were not paid any indemnity. There are 670 members in the British House, they live within comparatively short distances of the Houses of Parliament and as they were paid no remuneration it was necessary for them to frequently leave the precincts of Parliament in order to attend to their personal and private business. Railway trains would carry them from the House of Parliament to their homes in, at most, fifteen or twenty hours and therefore the attendance in the British House of Commons was not very regular or continuous. On that account it was necessary that members should know what business would come up so that they might be present for the discussion of any question in which they were interested. Owing to uncertainties as to the Government business to be transacted it was necessary to have some definite programme carried out and so it was decided to abolish the right of members to move dilatory amendments, such as to adjourn the House, when Government business should have attention. In this Parliament that condition of affairs does not exist. The indemnity to members has been increased from time to time for the purpose of enabling them, without too great sacrifice of their personal interests, to give their time to Parliament. Canada is a large country, members cannot so conveniently go from Ottawa to their homes to transact private business as in England and therefore we have a more regular attendance than it is possible to have in Great

Britain. One argument in favour of increasing the indemnity was that the business of the country had become of larger volume and the sessions had become of longer duration and that it was necessary to compensate members with some reasonable indemnity for the sacrifice of their personal interests to public affairs. Therefore, assuming that the Prime Minister was putting the change of rules now proposed on this ground, the argument would not have any precedent in the condition of affairs at the time the rules there were first amended.

On the other hand, it must be remembered that the statement and consideration of grievances before Supply are among the most ancient and important privileges of the Commons, and this opportunity of obtaining full explanation from the ministers of the Crown is the surest and the best.

To this Bourinot adds:

The committee did not recommend a departure from the established rules.

The proposal made by the First Minister has reference not only to a protracted period of debate on Bills that may be submitted by the Government to Parliament but has a more far-reaching effect than that involved in the curtailment of the debate on any Bill, no matter how important. So far as the proposal of the right hon. the Prime Minister is concerned in the curtailment of debate on the introduction or second reading of Bills, I would not be disposed to offer so much criticism; but the Prime Minister has not stopped at that, he has introduced an amendment to the rules which involves the absolute denial to members of the Opposition of the right to discuss matters of serious moment and to discuss grievances before the granting of Supply. That is a right which has always been maintained to the British people and to members of the Opposition in the British House of Commons. From 1837 down to the present time when the agitation for an amendment to the rules was proposed, it was always conceded that the right of discussion of grievances on Supply must be adhered to. It was proposed on one occasion that, on two days in the week, the Government would have a right to put the House into Committee of Supply without a formal motion but that objected to on the ground of the curtailment of the privilege to which I have referred. For a time the rules held that on two days in the week the Government could have that right but subsequently the two days were reduced to one day and finally it is only upon conditions that on going into Supply on certain estimates, even on Mondays and Thursdays, the privilege of members to discuss matters on going into Committee of Supply was conceded. The Minister of Justice now endeavours to draw a favourable parallel for the resolution now before the House as compared with the present resolution in force in the British House of Commons. I submit that upon reading the rules and studying the debates that took place at the time the rule was so amended, it must inevitably be seen and it must irresistibly be driven home to every hon. member in the House, that the change made by the right hon. Prime Minister is far more drastic and far more comprehensive than the proposal made in the British House of Commons. It is conceivable that under certain circumstances which may be of the utmost importance to the public, members of the Opposition should have the right to discuss grievances before going into Supply on any day of the week and no restriction should be placed on that right. It is conceivable that a Minister of Public Works —and I have no reference to anything that has taken place up to the present time— but it is quite possible that a Minister of Public Works from say the province of Manitoba would so conduct himself in the discharge of his duties and the expenditure of public money as to make it absolutely necessary that the Opposition should have the right to discuss his conduct in regard to the administration of his department, and the only occasion that right could be exercised is upon the motion that the House resolve itself into Committee of Supply.

It is quite possible that a member of some future Administration might so conduct himself in the carrying on of elections, either provincial or federal, as to make it absolutely necessary that the Opposition in this Parliament and the people of this country, should find out to what extent violation of his duty and obligation to the Governor General had been involved in his conduct in such election.

It is possible that in the future a Secretary of State might so conduct himself in the matter of carrying on an election, in which his own seat in Parliament is involved, as to become guilty of a conspiracy with friends in his constituency, so as to reflect seriously upon his conduct as a member of Parliament and an adviser of the Crown, and that conduct could not be inquired into except under the right which the Opposition now have to discuss it on going into Supply. I could enumerate many instances where that right may be necessary. I need scarcely remind the House that from 1891 to 1896 a condition of affairs was disclosed in respect to the expenditure of public money such as shocked the whole civilized world. Great Britain, in which is situated the mother of parliaments, and whence we draw our in-

spirations and precedents, was shocked to its very centre by reason of the disclosures brought about by the investigation that took place in the House of Commons in respect to the administration of certain departments of the Government during the period from 1891 to 1896. I wonder if these disclosures would have been made if the closure, which is now proposed, were in force in the Canadian House of Commons at that period. Would this country have known to what extent the public treasury was filched by reason of the construction of the Curran bridge which cost hundreds of thousands of dollars more than it should have cost, and the difference between the actual cost of which and the money paid for it went into the pockets of some supporters of the Government then in power? Would the late Hon. J. I. Tarte have been able to make his motion in the House of Commons in 1891 which impeached the then Minister of Public Works and which brought about the disclosures that shocked not only the people of Canada but the people of Great Britain as well, if the right to move an amendment on going into Supply were denied to the Opposition. If you go through the history of Canada from 1867 to 1896 you will find instances where the rights of the minority would have been seriously trenched on and where the interests of the public generally would have been sacrificed if the closure now proposed by the Prime Minister had been enforced by the Government in power. It is unnecessary for me to dilate upon this aspect of the question, but I desire to register as emphatically as I can my protest against the acceptance of the resolution now before us.

Mr. MEIGHEN: Does the hon. gentleman say that the conduct of the Minister of Public Works in 1891 was brought before the attention of Parliament on a motion in amendment to Supply?

Mr. KYTE: I say that if the present closure resolution was in force, as one of the rules of order and procedure at that time, it would be impossible to have brought the matter before Parliament. I intend to continue my remarks for half an hour or an hour longer and I would ask the leader of the House to grant an adjournment. I move the adjournment of the debate.

Motion agreed to, and debate adjourned.

On the motion of Mr. Rogers, the House adjourned at 11.10 p.m.

HOUSE OF COMMONS.

THURSDAY, April 10, 1913.

The SPEAKER took the Chair at three o'clock

Mr. KYTE.

THE ROYAL ASSENT.

Mr. SPEAKER read to the House a communication from the Assistant Governor General's Secretary announcing that His Excellency the Administrator would proceed to the Senate Chamber this afternoon at five o'clock for the purpose of giving the Royal Assent to certain Bills.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

AID TO AGRICULTURE.

*Mr. LEMIEUX:

1. Has the Minister of Agriculture received the following resolution, adopted on March 19, 1913, of the Council of Agriculture of the province of Quebec:

Extract of the official report of a sitting of the Council of Agriculture of the province of Quebec, held at the Legislative Buildings, Room No. 54, in the city of Quebec, at 10 a.m., Wednesday, the nineteenth day of March, 1913.

Proposed by Mr. J. B. Carbonneau, seconded by Mr. A. J. Dawes and the Hon. N. Garneau, and resolved: That, whereas the Council highly approves of the employment which has been made by the provincial Government of the federal subsidy voted for the year 1912-13, in the interest of agriculture;

And whereas the method of employment has given entire satisfaction to the agriculture class and contributed to the improvement of agriculture and the development of several important agricultural industries;

And whereas the subsidies granted out of this subsidy for drainage, fruit arboriculture, the dairy industry, the culture of birds, the growth of pulse, the breeding of cattle, the production of smoked meats, the culture and preparation of tobacco, the manufacture of preserves, and schools of agriculture, have given the best results, and will give still better ones if these grants are continued for several years;

And whereas the method of employment adopted this year in accordance with the contract entered into between the two governments, lends itself with advantage to the different needs of the provinces more than if the subsidy is destined to one sole object, determined by the federal legislature;

The Council prays the federal Government to pass a law to permit the division of the $10,000,000, which it is proposed to grant to the provinces in the interests of agriculture, so as to continue the agriculture policy adopted at the last federal session.

The secretary of the Council is asked to transmit a copy of this resolution to the Hon. Martin Burrell, Minister of Agriculture of the federal Government at Ottawa.

(Signed) Oscar Lessard,
Secretary of the Council of Agriculture.

2. What decision and action does the Government intend to take in this matter?

Mr. BURRELL:

1. Yes.

2. The Bill dealing with this matter is now before the House.

OYSTER PONDS PREVENTIVE OFFICER.

*Mr. SINCLAIR:

1. Has a preventive officer been appointed at Oyster Ponds, Guysborough county, N.S., to take the place of S. M. Ferguson, dismissed?

2. If so, what is the name, salary, and post office address of the appointee?

Mr. REID (Minister of Customs): No.

DEPARTMENT OF JUSTICE—LAWYERS AT QUEBEC.

*Mr. LEMIEUX:

1. Who are the agents of the Department of Justice for the city of Quebec?

2. What are the names of the barristers who have been employed as such during the last fiscal year in Quebec?

Mr. DOHERTY:

1. The Minister of Justice has no standing agents at the city of Quebec. Lawyers are retained in the several cases as they occur.

2. The following were retained direct by the Department of Justice: Hon. E. J. Flynn, Messrs. Eusebe Belleau, Lucien Moraud, Gus. Stuart, H. Grenier, E. L. Fiset, Drouin, Drouin and Drouin.

By direction of the Department of Justice, the following advocates in Quebec were employed by the commissioners of the Transcontinental railway in the following expropriation cases:

Case.	Plaintiff's Solicitor.
The King vs. Louis Topping	Honoré Grenier.
The King vs. Abraham Cantin	Sainte-Foye Belleau.
The King vs. Joseph Cantin et al	Charles Smith.
The King vs. Joseph Jacob Cantin	Gibsone & Dobell.
The King vs. Victor Filteau	Hubert Cimon.
The King vs. Israel Couture	Jean Gosselin.
The King vs. Quebec Improvement Co., Ltd	Aimé Dion.
The King vs. Dr. Joseph T. Dussault	L. O. Beaubien.
The King vs. Canadian Electric Light Co	E. L. Fiset.
The King vs. Francis Higgins, junior	Bernier & Bernier.
The King vs. Francis Higgins, senior	Drouin, Drouin & Drouin.
The King vs. Joseph Boutin Bourassa	Bédard, Chaloult, Lavergne & Prévost.
The King vs. Michael Patrick Davis	L. Moraud.
The King vs. Alfred Dombrowski	Gagné & Gagné.
The King vs. André Olivier Falardeau	J. E. Chapleau.
The King vs. John McMahon	Louis LaRue.
The King vs. Ross McCabe	Win. LaRue.
The King vs. Trudel & Paquin	Alfred Desy.
The King vs. Léon Crete	Alfred Desy.
The King vs. Dr. Joseph A. Jutras	Alfred Desy.
The King vs. Wm. Power	Eusèbe Belleau.
The King vs. Frank Ross	Eusèbe Belleau.
The King vs. Le Séminaire de Québec	Eusèbe Belleau.

PRESCOTT PROPERTY PURCHASE.

*Mr. KYTE:

Referring to the following item appearing in the Ottawa Citizen of April 7, 1913: 'The news published three weeks ago in the Citizen concerning the Government purchase of the abandoned starch works at Prescott, is repeated from an inspired source in the local party organ. It is stated 'the big deal' has been negotiated by the Hon. J. D. Reid, member for the constituency. Such an extension to the Government marine works affords Prescott the opportunity to go ahead and rival Sorel shipyards.'

1. Has the starch works referred to been purchased by the Government?

2. If so, what was the price paid?

3. Who were the directors of the company owning the said property at the date of the purchase?

4. Is Hon. J. D. Reid, Minister of Customs, a director or stockholder in the said company?

5. If not, when did he cease to be a director or stockholder?

Mr. HAZEN:

1 and 2. After having given the matter full consideration, the technical officers of the department reported in favour of enlarging the workshops and ship-repairing plant at Prescott, with a view to manufacturing there lighthouse apparatus, &c., now being imported in considerable quantities and at high prices. This policy was approved by the Minister of Marine and Fisheries, and in order to carry it into effect it became necessary to secure additional land, wharf accommodation and buildings at Prescott. Accordingly an option was obtained from the Canada Starch Company, Limited, of Montreal, on property at Prescott immediately adjoining that owned and occupied by the department. The chief engineer of the department, after a careful examination of the property, reported it as admirably suited for the purpose in view. He also reported that the price named in the option, $47,500, was substantially below its actual

value. On the strength of the report, a copy of which is hereto attached, it was decided to purchase the property, and the Department of Justice was instructed to complete the same by securing a proper title. The Department of Justice has completed the purchase, and the title to the property is now vested in His Majesty.

3, 4 and 5. The department has no information.

Mr. REID: As the hon. member appears to be anxious for information about my private business, I may further inform him that I am not now and never have been a director of this company, neither was I ever in any way connected with its management. Further, I may add that I am not a stockholder, having ceased to be a stockholder on January 31 last.

ALBERTA LAND SALE.

Mr. WARNOCK:

1. Does John T. Cooper hold the east half of section 28, 15, 28, 4, Alberta? If so, how did he obtain title thereto?
2. Does John T. Cooper hold a part of section 2, 15, 26, 4 in said province? If so, what part and by what right or title?
3. Does John T. Cooper hold three quarters of section 34, 14, 26, 4 in said province? If so, which quarter and by what right or title?

Mr. CROTHERS:

1. The department is not in a position to state who the present owner is. The land was purchased under the irrigation system by Sydney Cooper, to whom patent was issued on 12th February, 1910.

2. The department is not in a position to state who the present owner is. John Thomas Cooper purchased the west half under the irrigation system. The northwest quarter was patented to him on the 3rd September, 1909, and the south west half on the 19th April, 1909. His homestead, the southeast quarter was patented to him on the 3rd November, 1909.

3. The department is not in a position to state who the present owner is. The north half and southeast quarter of this section was purchased by John Thomas Cooper under the irrigation system, and patent therefor was issued to him on the 6th May, 1909.

CLOCKS FOR PUBLIC BUILDINGS.

*Mr. LEMIEUX:

1. How many clocks have been purchased for public buildings by the Public Works Department since 1st December, 1911, up to 31st March, 1913?
2. At what cost?

Mr. ROGERS:

1. Six purchased and paid for; a number ordered but not delivered.

2. Regina, Sask., $863.83; Oshawa, Ont., $747.03; Nanaimo, B.C., $727.57; Vernon, B.C., $705.67; Uxbridge, Ont., $727.57; Mitchell, Ont., $727.57; total, $4,499.24.

DREDGING AT TITTLE PASSAGE.

Mr. SINCLAIR:

1. How much was expended in dredging at the Tittle Passage, Canso, during the year 1912?
2. If the work was carried on by day work, who was foreman?
3. What are the names of the employees and the amount paid to each?
4. If by contract, what is the name of the contractor and amount of contract?
5. Is the work completed? If not, is it the intention of the Government to complete the work this year?

Mr. ROGERS:

1. $1,477.81.

2 and 4. Day's labour. John Kennedy, conductor.

3. John Kennedy, conductor, $171.84; John Parker, labourer, $54; Moses Cohoon, labourer, $82.50; William Carey, labourer, $70.50; John Ryan, labourer, $66; John Sampson, diver, $675; John Rogers, labourer, $64.50; Martin Kennedy, labourer, $16.50; total, $1,200.84.

5. Yes, completed.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Consideration of the proposed resolution of Mr. Borden, to amend rule 17 of the House of Commons, and the proposed motion of Mr. Hazen, that this question be now put, resumed from April 9.

Mr. G. W. KYTE (Richmond, N. S.): Before I moved the adjournment of the debate last night, I referred to the circumstances under which it was deemed necessary to change the rules of procedure in the British House of Commons, and I purpose to add some further observations on this matter before I proceed to discuss other features of the resolution. I pointed out that from 1837 to 1882 various efforts had been made to amend the procedure in the British House of Commons with a view to facilitating the transaction of Government business. From two to twelve notices of motion were set down on every supply night during the session of 1854, and the whole course of business as appointed by the Government had been disarranged. This would indicate the great necessity for a change in the rules. When the number of motions on going into supply amounted to the number reported in the records of the British Parliament, it would appear that there existed some necessity for putting an end to motions of that kind. But, nothwithstanding this, Sir Thomas Erskine

May, who at that time was clerk of the British House of Commons and who was an expert on all matters pertaining to Parliamentary procedure, expressed his unwillingness to make any change in the rules in this regard, and his desire to maintain intact the old constitutional maxim that the discussion of grievances should precede consideration of supply. The hon. Minister of Justice, who discussed this resolution last evening, did not point out any such justification for an amendment to the rules of this Parliament such as I have quoted in respect to the condition of affairs existing in the British Parliament. For ten years previous to 1871 the average number of amendments moved on going into supply was thirty-three per annum, in addition to an equal number of discussions not ending in obstruction. Upon this point, Sir Thomas Erskine May stated:

> This points to the fact that the House of Commons is altogether more active and vigilant than it formerly was, and takes part in examining and discussing every imaginable question not only with regard to the estimates but every Bill and subject of the session.

This reveals the attitude of that great parliamentary expert upon the question of curtailing the right of members of the Opposition to bring up important questions on motions to go into supply. Amendments were proposed in the year 1871, and a committee specially appointed for the purpose of drawing up changes in the rules of procedure, recommended, among other things, the following rule:

> Rule 1. Whenever notice has been given that estimates will be moved in Committee of Supply, and the committee stands as the first Order of the Day, upon any day, except Thursday and Friday on which government orders have precedence, the Speaker shall, when the order of the committee has been read, forthwith leave the Chair, without putting any question, and the House shall forthwith resolve itself into such committee. (This may be shortly described as the extension to Committee of Supply of the Rule of Progress which had long been adopted for Committees of the Whole House upon Bills).

This proposal was not accepted by the House of Commons, and the reasons were as follows:

> The only step in advance which an immediate result of the committee of 1871 was the acceptance, with certain modifications, of the important principle laid down in the first resolution. We have seen that in spite of the recommendations of the committees of 1848, 1854 and 1861 it had not hitherto been possible to induce the House to accept it. Beyond all question it was a serious limitation of the scope of private members' rights in favour of the Government and the daily programme framed by them.
>
> The House resolved, on the 26th of February 1872, that the rule of progress should be extended to Committee of Supply; that is to say, that amendments on the occasion of going into such committee should not be allowed on a day when a new division of the estimates was being taken, nor at subsequent sittings.
>
> The right of delaying committee of Supply on the introduction of Supplementary Estimates was not affected nor was the right to move amendments on going into Committee of Ways and Means or upon the report of Supply. In the last-mentioned case amendments had for years been confined to matters relevant to the resolutions reported.

Therefore the committee especially appointed in 1871 to suggest changes in the rules of the House of Commons for restricting the right of members to move amendments to the motion for the House to go into Supply, recommended that the restrictions which heretofore had existed should be reduced and the rights of the Opposition to full discussion of matters that should properly come up on a motion of that kind were restored to members sitting to the left of the Speaker. In 1878 the matter was again taken up by a special committee. The House then accepted a report that on one day in the week, that is on Monday, the House should go into Committee of Supply without question put and consequently without giving any opportunity to move an amendment. The suggestion that the rule should extend to the second Government day was not accepted.

We have here a proposal of the right hon. the First Minister that on Thursday and Friday, when going into Supply, the Speaker shall leave the Chair without any motion put and thus deprive members of the Opposition of the opportunity of moving any important or necessary resolution that might affect the public interest. As late as 1878, and notwithstanding the great necessity that existed for curtailing an abuse which prevailed in the British Parliament, that rule was not amended and in view of the circumstances in this House no such justification has been shown for amending the rules. Except in case of any unnecessary or dilatory motions being made by members sitting in Opposition, there certainly is no justification at this period in our history and at this date in the history of the Canadian Parliament, for restricting the rules of debate in the manner proposed by the resolution moved by the Prime Minister yesterday afternoon.

In 1879 a special committee appointed for that purpose proposed that whenever the Committee of Supply or Committee of Ways and Means stands on the first Order of the Day on Monday Mr. Speaker shall leave the Chair without putting any question. The House accepted this with an amendment providing that amendments could be moved on Army, Navy and Civil Service estimates, so that while a previous committee had recommended that on Monday the Speaker do leave the Chair without giving any member of the Opposition an opportunity to move

an amendment in respect of any important matter, in 1879 that restriction was removed and even on Monday on the House going into Supply, members of the Opposition were given the right to move amendments relating to Army, Navy and Civil Service estimates. In 1882 the following standing rule was adopted as rule 17:

> Whenever the Committee of Supply stands as an order of the day, Mr. Speaker shall leave the Chair without putting any question unless when first going into Supply on the Army, Navy or Civil Service estimates respectively or on any vote of credit an amendment be moved or question raised relating to the estimates proposed to be taken in Supply.

That was as far as the House of Commons was prepared to go up to 1882. I pointed out last night the reasons that influenced both the great political parties in the British House of Commons to accept this amendment. I pointed out that the obstruction complained of by the Government of that time was not the obstruction of the regular Opposition party in the House of Commons, but was obstruction brought about and persisted in by a small coterie of Irish Nationalists who adopted that course for the purpose of bringing before the notice of the British Parliament and the British people those grievances which the people of Ireland had laboured under for so many years. It was, as I stated, a notable circumstance that seven or eight members of the House could persistently and successfully hold up Government business to the exclusion of every other important matter that could engage the attention of the British House of Commons. It is not necessary for me to point out to you that the scope of jurisdiction of the British House of Commons as respects legislation far exceeds that which obtains in this Parliament. In Canada every province has its legislature and its government and matters that are not appointed under the British North America Act to be legislated on by the federal Parliament are legislated on and disposed of by the provincial parliaments; nothing but important matters assigned to our jurisdiction ever can come up for discussion in this Parliament. In the British Parliament it is entirely different; they have there no local legislatures, there is no division of legislative or executive authority in Great Britain to reduce the labours that must necessarily fall upon that House. The members of the British Parliament must deal with every proposal from the building of a road, up to the large and important questions of the conduct of the Government in declaring peace or war, or the partition of Turkey or any other great question of world politics. Then too there are 670 members of Parliament in Great Britain, all of whom are more or less interested in the discussion of questions that necessarily come before that Parliament for their decision and the consequence must inevitably be that protracted discussion would prevent that speedy and proper disposal of the Government programme which is essential and necessary in the Government of such an important country. Here in Canada we have no such condition of affairs. The scope of our legislation is limited to a comparatively few subjects, the number of our members is only 220 and a comparatively small proportion of these members participate in debate. Therefore, as I said, the conditions which arose in the British Parliament and which resulted in both political parties agreeing to the adoption of rule 17, which I have just quoted to the House do not exist in this Parliament and no justification exists for following the precedent established in the British House of Commons under the circumstances to which I have referred. The amendment to the procedure was from beginning to end treated without party spirit and not as an issue between the two parties, but as a problem of the House of Commons as a whole.

That, Sir, completes the proof of the proposition which I have endeavoured to place before the House, that the amendment of the rules in England was not directed against either of the political parties, but against a very small coterie of representatives which was known as the Nationalist party at that time. Both political parties united for the purpose of coming to some agreement by which the unnecessary and intolerable obstruction that then prevailed could be put an end to. If my right hon. friend the First Minister desired to have the amendment to the rules which he now proposes to Parliament receive the support of both sides, the proper step for him to have taken was to have referred these resolutions for the amendment of the rules to a committee of members from both sides of this House in order that amendments such as would likely be considered reasonable and necessary under present conditions might be made. But the right hon. Prime Minister must have been satisfied in his own mind that the proposals which he made to Parliament were not reasonable and were not such as could reasonably be expected to receive the support of the Opposition. Therefore, he prefers to depend upon his majority to force through legislation amendments to the rules which would not be accepted under any other circumstances.

Protection of the minority is, therefore, in the British Parliament no mere privilege of the minority for the time being; it is a vitally important institution developed in the highest interests of a nation ruled by Parliament.

The majority for the time being has no true interest in weakening the principle; for it has always to expect the day when it will in turn be the minority and will need this palladium as a means of advocating its own party conception of the interests of the state.

That is the observation made by Mr. Redlich, the latest authority on parliamentary government in Great Britain, and that is a principle that I expect would appeal to the majority in this House, but that an appeal made in the language which I have quoted would receive a generous hearing on the part of hon. gentlemen who sit behind the Government, I have some doubt in view of the spectacle we saw yesterday afternoon when, with the words of the right hon. Prime Minister as to his disposition to be fair in the enforcement of these new rules still echoing through these halls, we had the most outrageous attempt that was ever made in any self-respecting parliament to apply the gag. And, to whom? Was it to some insignificant back-bencher who had not won the respect of hon. gentlemen opposite? Was it to a member who had no following in the House or in the country? No, Mr. Speaker, it was an attempt to apply the gag to the nestor of Imperial statesmen, the Right Hon. Sir Wilfrid Laurier. Mr. Speaker Brand, discussing the question of improving the rules and procedure in the British House of Commons, stated that·

The distinctive mark of obstruction lies in the indiscriminating and incessant resistance of an extremely small minority to proposals of the most diverse kinds.

There you have the justification for the amendment of the rules which was brought about in the British House of Commons in 1882. It was not the obstruction of one of the regularly constituted parties in the British House of Commons, but the obstruction of an extremely small minority to proposals of the most diverse kinds.

The alleged obstruction which the amendment of the right hon. Prime Minister is aimed at here is what he is pleased to call the obstruction of one of the two great political parties in this country. It is a party comprising eighty-seven members out of a total House of 220 and, Mr. Speaker, is it obstruction against proposals of the most diverse kind? No, according to the testimony given by the right hon. Prime Minister himself yesterday afternoon, the amendment of these rules is aimed at what he is pleased to call the obstruction of one specific piece of legislation which is now being considered by the House. There is no attempt made to argue that the conduct of the Liberal Opposition in the House has been of such a character as to bring about a paralysis of the regular business of the country that the Government ought to be devoting its attention to at the present time. It was pointed out yesterday by my right hon. leader as respects the West Indian Bill, the Japanese treaty and the estimates which it was proposed the House should vote to carry on the government of the country, there had been absolutely no obstruction and no delay. Every attention was given by the Opposition to every item on the Government programme for the purpose of expediting it and crystalizing it into legislation in so far as such was necessary to carry out the proposals of the Government.

There is no justification by precedent, or experience, for an amendment of the rules which is calculated to apply the gag, or the guillotine to all investigation into the public affairs of the country and to prevent all attempts at criticism of matters in which the public are vitally interested.

There was obstruction of the Irish Coercion Bill in 1881. It was of such a serious character that the business of the British House of Commons was completely paralyzed and, to show how seriously the business of the House was interfered with, I will mention to the House the suggestion made by Lord Redesdale on that occasion as the only means that he could conceive of that would relieve the situation. Lord Redesdale recommended the Cabinet to declare the state of Ireland to be one of revolution, to introduce a Bill for the suspension of the Habeas Corpus Act in both houses at the same time and to act as if the Bill had passed as soon as the first reading was had. That sheds some light upon the extraordinary condition of affairs that existed in the British House of Commons in 1881. The Government felt that it would be impossible for them to pass their Coercion Bill whereby they desired to improve conditions, according to their ideas, as regards the observance of law in Ireland. When it was found that they could not succeed in getting that through, they were equally convinced that they could not succeed in getting a Bill to suspend the Habeas Corpus Act in Ireland through the House of Commons owing to obstruction, so that it was seriously proposed that a Bill to suspend the Habeas Corpus Act in Ireland should be introduced into the House of Commons and House of Lords and on the first reading of the Bill it was to be declared that the Bill should be in force in Ireland. As that suggestion could not receive the approval of the Government of the day, they had to resort to other measures. There was a Bill introduced for the protection of public property in Ireland. On a motion to suspend the standing orders and give the Bill precedence the sitting lasted twenty-two hours. For twenty-two hours the Irish Nationalists succeeded in obstructing the passage of the measure of

the Government, and when the division was taken the vote stood 251 for the motion and 33 against it. Thirty-three was the full strength of the Nationalist party in the British House of Commons on that occasion out of a total membership of 670 and those thirty-three members were able to hold up the business of the country in such a manner as to suggest the radical step which was put forth by Lord Redesdale to which I have just made reference. On Monday, January 31, the sitting lasted forty-two and one-half hours, and the debate was closed by the coup d'etat of the Speaker. That coup d'etat is well known to every student of parliamentary government in Great Britain and I shall not further describe it. The Government and both parties united in self-defence to break the power of obstruction A motion was made to suspend Mr. Parnell, who was the leader of the Nationalist party and the vote stood 405 for to 7 against. Seven members only were able to tie up the business of the British House of Commons for forty-two and a half hours. We find in this fact some justification for the amending of the rules of the British House of Commons so that the business of the House could be carried on in an orderly manner and so that the voice of the majority could be heard in parliament. A motion to suspend twenty-eight members for refusing to vote was carried by 410 to 6. Is there any such disparity as that existing in this Parliament, assuming that the conduct of the Opposition might properly be described as obstruction? Is there any justification for saying that the regularly constituted Opposition in this House, representing one of the great political parties in Canada and which, I think I can successfully show, represents a majority of the electors, has not the right to criticize the legislation brought before Parliament even though that criticism should extend beyond the time when hon. gentlemen opposite think that it ought to be terminated? Practically the whole House with the exception of the Irish Nationalists supported the Government in their effort to put an end to this obstruction. It was not then a question between the Liberals and Conservatives in the British House of Commons, but both great political parties united to amend the rules of procedure, and they certainly had some justification for assuming that public opinion would support them in breaking the deadlock caused by such an insignificant minority. The Irish Coercion Bill was carried by a vote of 281 to 36.

When I speak of closure such as was introduced in the British House of Commons in 1882, I do not refer to a permanent condition that was intended for all time to be the guidance and regulation of parliamentary action there. After a couple of years when the voice of Ireland was recognized by the great Liberal party in England, they felt that their coercive measures were unjust and unjustifiable, and the rules which were amended in 1882 for the purpose of forcing business through Parliament were practically abandoned and were not revived under the then Liberal Government. Notwithstanding the extraordinary circumstances existing in the British Parliament both political parties felt they were not justified in depriving the small and insignificant minority which made up the Irish party of every right and every claim to fair play, and so it was specially provided in the closure resolutions that the enforcement of closure would be restricted to the regular Chairman of committees. We have in this House a Deputy Speaker who takes the place of Mr. Speaker in his absence, and who is presumed to be at all times the chairman of committees. We had instances in the last three or four weeks which would go to show how unfair it would be to place this large power of closure in the hands not only of the regular chairman of committees but in the hands of hon. members who may be called from time to time to discharge the duty in the absence of the regular Chairman.

I do not desire to utter any sentiment that may in the slightest degree be construed to reflect on the fairness and integrity of any hon. gentleman sitting on the other side of the House, but I do say that the First Minister should at least make some effort to preserve to the minority here some reasonable assurance that if this closure is adopted it shall not be applied without due cause and will not be enforced unless backed up by the responsibility which the regular chairman of committees in this House would lend to it. But, the First Minister is willing not only to place that power of closure in the hands of the regular chairman of committees but to put that power in the hands of any hon. member who may for the time being be suggested to preside over a committee of this House.

There is another thing I desire to point out which shows the very vast difference between the conditions existing in Great Britain, and those which exist in this country at present. The Speaker of the British House of Commons is not an appointee of any political party, and a Speaker is selected only upon the retirement or death of his predecessor. When a new Speaker is appointed he remains Speaker of the British House of Commons throughout successive governments and through all the vicissitudes of party

success and party defeat. There is no such thing as electing a new Speaker when a new government comes into power; once a Speaker always a Speaker, is the maxim of the British House of Commons. That gives a further assurance that the application of closure in the hands of the Speaker so appointed would only be with a view of preserving the rights of minorities, because in England they do recognize that minorities have some rights. Far be it from me, Mr. Speaker to say a word that would reflect in any way upon the impartial manner in which you desire to carry on the affairs of Parliament, but I can imagine that some future Speaker, who would be imbued perhaps with more desire for the advancement of the party that selected him for the high position, than for maintaining the dignity of his office, might occupy your seat, and then what would happen if the power of closure which is being placed in your hands by the First Minister was to be exercised by such a Speaker without having that regard for the rights of minorities which the Speaker of the British House of Commons observes, no matter whether it is the Conservative party or the Liberal party that sits on his right.

In the session of the British House of Commons in 1882 an attempt was made to amend the rules by adopting closure, but the motion was not brought to a conclusion and the attempt was abandoned. The government of that day did not think that such an important matter as the amendment of the rules so as to apply closure upon minorities should be passed upon at a regular sitting of Parliament. Mr. Gladstone felt that matters which were to be considered at that time as part of the Government programme, ought not to be helped through Parliament by a closure which was adopted for the special purpose of forcing a particular species of legislation through Parliament. He therefore decided to deal with that important matter at a special session of Parliament and consequently on October 24, 1882, a special session of Parliament was called for that purpose. It does seem to me very extraordinary that hon. gentlemen opposite who profess to be good sports and to believe in fair play, should, when the battle has begun and they find they are getting the worst of it, ask to suspend the battle for the purpose of enabling them to amend the rules so as to take an unfair advantage of the other party to the conflict. What would we think of one of the great champions of the fistic arena, who having challenged an opponent, should, when the fight had progressed somewhat and he saw he was getting the worst of it, propose to the referee that the fight should be discontinued so as to enable him to amend the rules in order to get an advantage. What would the public say of such sportsmanship as that? What would public opinion be as to that? And, hon. gentlemen opposite must not forget that we on this side of the House are fighting a legislative battle in this Dominion according to the best traditions of the game and according to the best sentiments and instincts of sportsmanship. I say that by their conduct in suspending discussion on the Naval Bill for the purpose of forcing through rules which will give them an unfair advantage over their opponents, they have sacrificed every right to be thought honourable and straightforward by right-thinking people in the Dominion of Canada.

Mr. SPEAKER: I think it is a little extreme to speak of members as having acted so as to abandon any right to be called honourable; the language is hardly parliamentary.

Mr. KYTE: Many of the provisions that were passed in 1882 for the purpose of bringing about the closure in the British House of Commons were passed against a strong resistance and without any enthusiastic support from the Liberals. Consequently in the next sessions, the House tacitly abandoned many parts of the new procedure and it was never really put into force. That supports the statement which I made last night in reply to my hon. friend the Minister of Justice when he hurled across the floor of the House the insinuation that Mr. Gladstone, whom the right hon. the leader of the Opposition was so proud to follow, was responsible for the closure as it exists in the British Parliament to-day. That is not the fact. The closure, which was adopted for the purpose of meeting the exigencies of the situation which existed in 1882, was abandoned by the Liberal Government of that day, but it remained for the Unionist Government under the leadership of Hon. W. H. Smith in the British House of Commons to make the closure a permanent institution in British parliamentary practice.

Mr. BURNHAM: Does not the closure apply to Government members as well as to members of the Opposition?

Mr. BELAND: Oh, no! No doubt about that!

Mr. KYTE: In 1886 the closure was again discussed and the leaders of both parties joined in the discussion. It was referred to a committee, but the report of that committee was never adopted by the House and consequently its recommendations were never crystallized into rules of procedure. The Unionist Government, led by the Hon. W. H. Smith, proposed what is known as the guillotine in 1887, and that is the form of execution in vogue in the British House of Commons to-day. It was stated that the proposal to adopt the

closure in the British House of Commons placed the business of Parliament entirely in the hands of the Government and that that was not consonant with the idea of parliamentary government in which the people of Great Britain believed and that was the reason why Mr. Gladstone did not carry into effect the recommendations made by the various committees.

What is the reason for this closure at the present time? I pointed out that no justification exists for it except in the weakness and the want of leadership of hon. gentlemen opposite. When it was proposed to amend the rules in the British House of Commons, an Irish member maintained that it was the government members who were wasting the time of the House on account of bad leadership and that their incompetence was the cause of their having continually to make fresh claims upon the patience of the House. I do not desire to be personal or to make reflections upon any hon. member; but it might be well for hon. members sitting behind the Government benches to take to heart the sentiment uttered by the Irish member and to consider well whether the crisis, if we have a crisis, is brought about by bad leadership on the other side of the House, or by obstruction my members of the Opposition? Minorities have rights and always must have rights in this country. We are situated somewhat peculiarly in this country. We have diversions of race and of religion? We have a diversity of interests scattered all over this great Dominion. From time to time questions may arise in which some sections of the people, who do not constitute a majority in the House of Commons, may be affected. If this closure, as proposed by the right hon. the Prime Minister goes through, who knows what interest, what race, what section of our population will be the first to feel the injustice of it. There are hon. gentlemen sitting behind the Government benches, who are probably giving an enthusiastic support to the proposal to amend the rules; but I would ask them to consider what position they might find themselves in if a question arose as between their rights and the rights of the majority, and if the rights of the majority were enforced by reason of the closure. No person knows to what extent this closure may be applied against any interest in the Dominion of Canada.

I regret to say that I am not carried away by the assurance given by the right hon. the Prime Minister yesterday afternoon, when he asserted that while he was leader of the Government the rules would be enforced fairly and that no hon. member sitting in opposition would have his rights as a member of the Opposition taken away from him. We have no assurance that the right hon. the Prime Minister will be in a position for any length of time to carry out that fair promise, should he be disposed so to do. In view of the incident which took place almost immediately after he uttered that fair sentiment yesterday afternoon, I think I will be pardoned if I refuse to accept his assurance. I believe that a minority will never have any more rights in this House than what it can wrest from a majority under the disadvantage of this closure. A number of hon. members were elected upon the distinct pledge that they would oppose the particular legislation in support of which this closure is being put through. That is well known. That statement has been made time and again in this House, and there is no necessity for me to quote proof or authority for it. If the hon. gentlemen, who were elected under a pledge to oppose the Navy Bill, had taken their proper places in the division on the second reading of this Bill, the Government that claims a majority would not have a majority either in this House or in the country. Therefore, inasmuch as closure is directed for the purpose of supporting the passage of the Naval Bill through Parliament, that closure is supported by a minority of this House and not by a majority. The extraordinary condition of affairs exists here that a minority proposes by closure and guillotine to destroy the rights of the majority.

What is this closure for? For the purpose of enforcing the passage of a Bill to give $35,000,000 as a free and loyal gift to Great Britain. The British people are not unaware of the situation that exists in Canada at the present moment. Yesterday, the London Times, that great organ of public opinion in Great Britain, asserted that the Canadian Naval Bill was in jeopardy. It is stated in the papers this morning that dreadnoughts are to be given to Great Britain by virtue of a closure. Assuming that the right hon. the Prime Minister succeeds in getting this Bill through Parliament, and that he takes his $35,000,000 over to England, to present it to the Mother Country; he will say:

'This is a gift from Canada to you for the purpose of assisting you in carrying on the naval defence of the Empire.'

Great Britain will reply to him:

'That is extremely interesting; tell me the circumstances under which you procured that gift.'

'The Prime Minister will answer: 'We gagged and bound Canada, the fairest of your daughter dominions; we hit her with a club, and while she lay insensible we rifled her pockets and found $35,000,000. This I present to you as her free and loyal gift.'

Do hon. gentlemen opposite realize the condition of affairs? Do they realize the position in which they are? It is contrary to the Criminal Code to be found with stolen goods in one's pocket; and goods extracted by robbery are stolen goods. So, when the right hon. gentleman goes across to the Mother Country with his thirty-five millions, he will be politely told: You had better take back that money and bring us nothing but what you have obtained by the free consent of the people; and unless you can get the money by the consent of the people of Canada, we prefer to receive no such contribution.

It is a matter of some regret to me as a Nova Scotian that the first attempt made in this Parliament to deprive the minority of their rights, to gag free speech, has been made by a Nova Scotian. The great question of free speech is not a new one in the province of Nova Scotia. The rights of the minority were fought for and secured to the people of that province by that great champion of free speech and of free parliaments, Hon. Joseph Howe, whom the right hon. Prime Minister, during the first years of his mature life, was proud and pleased to follow. There was a time in the life of the right hon. Prime Minister when he would have disavowed any attempt to impose upon Parliament the gag or any other agency which would deprive even the smallest minority of the right of free speech. But a change came over the right hon. gentleman when he entered into association with Toryism; and twenty years of that association has at last deprived him of every instinct of fair play. He has turned his back upon the ideals of his younger days, and now is as far removed from the ideals of Joseph Howe, that great Nova Scotian whose name is revered throughout the British Empire as the poles are asunder.

Mr J. A. M. AIKINS (Brandon): Mr. Speaker, during the last few days, and even now, hon. gentlemen opposite appear to be possessed by delusions. The hon. member for Richmond (Mr. Kyte) seems to have the idea that the floor of this House is a boxing ring, and that the members who come here are sluggers. In the speech he has just delivered he has shown that delusion and acted that part fairly well. Another delusion is that in the earlier months of the year 1911 obstruction was adopted by the then Opposition, and that under that delusion it is their duty to most sedulously practise perverse obstructive tactics. This they have been doing for the past few months. They have also the delusion that by virtue of that obstruction they will compel tre governmental party to go to the country and thus oblige us to leave unfulfilled the duties which we came here to perform, of looking after the business of the constituencies, the business of the Dominion, and also the business of the Empire. Let me assure hon. gentlemen opposite that every man belonging to the governmental party in this House has made up his mind to pass all necessary legislation, perform these duties faithfully and to continue to do so until dissolution happens in the regular way, notwithstanding the obstruction and the resistance of hon. gentlemen opposite. These hon. gentlemen also appear to be affected by the delusion that they can persuade the people of Canada that the reason they went to the country in 1911 was because of the obstruction which they allege had been adopted by the then Opposition, notwithstanding that they stated on public platforms, and in this House, that the reason was that they believed they had an attractive policy, a reciprocity agreement which would sweep the country. They had the delusion that they had got the better of the United States and had induced the United States to make a compact to the detriment of that country. The people of the United States have recently shown them that their idea that they got the better of the bargain was a mistake; and the people of Canada have shown them that the policy of reciprocity which they attempted to persuade the people of Canada to adopt was a hallucination. Consequently they are relegated to the Opposition side of this House. They have also this further idea—I do not think a delusion—that the longer this Government is in power the less chance the members of the Opposition will have of returning to the treasury benches. For these hon. gentlemen know that every day the business of the country is properly performed by the present Administration, and the policy that was announced by the supporters of that Administration on the platforms in the last election is carried out, as it will be, the less opportunity they will have of ever getting back to power.

Mr. GUTHRIE: Is the hon. gentleman trying to obstruct this measure? This is no reciprocity debate.

Mr. AIKINS: I have mentioned the fact that the reason why hon. gentlemen opposite went to the country was not that which they now declare, viz., obstruction, and that they would rather go to the country than introduce such resolutions as have been introduced to limit debate; but they went to the country for distinctly other reasons. For the grounds stated I am not at all surprised at the hostility which hon. gentlemen opposite have exhibited to this resolution; because, although it is comparatively mild in form, it will do away with the perverse obstruction, the improper blockade that these hon. gentlemen have introduced, in order if possible to send the Government to the country. Obstruction is the straw at which they have been clutching like drown-

ing men ever since they were thrown into the dead sea of opposition by the electorate at the last election. Obstruction is the last ray of hope by whose feeble light they are attempting to grope their way out of the gloom and darkness back to the treasury benches. It is quite evident that, having tasted the sweets of office, the lust of office is still upon them, and as they wander in the wilderness they hunger for the fleshpots of Egypt. They intended, as was quite apparent from the statements read by the right hon. leader of the Government yesterday to introduce, if they were returned successfully, such restrictions in debate as have been introduced by the present Government, and the statements of the Hon. Sydney Fisher, Sir Allen Aylesworth, Hon. Mr. Paterson, editor of the Toronto Globe, and others, go to show that such a course was proposed. Consequently, as obstruction is their only hope, is it any wonder that they hug it closely, and that they hate the resolution now before the House which will destroy it? If they have, as they declare, a faith that their policy is the correct one, and are confident that it would be adopted by the people of Canada, they would be willing patiently to wait until the next election in order that, if returned to power, they would have and enjoy the benefit of the provisions which are now proposed to be adopted, and in the future, be enabled to prevent any obstruction. But, because they have not that faith, because they know that their chances are disappearing every day, they are opposed to this resolution, which is so necessary in the public interest and for the transaction of the business of Parliament in a proper and efficient manner.

The recent obstruction which has taken place in this House has been the occasion of the introduction of this resolution, but not its sole cause, as I will mention later. In order to show that the tactics pursued by the hon. gentlemen opposite have been those of obstruction, I would refer to the speech of the hon. member for Welland (Mr. German) as reported in 'Hansard' of March, 1913, column 5746, during the course of which he declared:

> If to do our duty is to be obstructionists, then we are willing to be classed among the obstructionists.

The hon. member for Bonaventure (Mr. Marcil), speaking on March 10, as reported in column 5510 of 'Hansard,' said:

> If we, on this side, are compelled—

Mr. SPEAKER: I think it is not permissible to refer to 'Hansard' of the present session except in connection with the question immediately before the House.

Mr. AIKINS: I am referring to these statements solely in connection with the matter before the House, to show that the reason for the introduction of these resolutions was admitted obstruction.

Mr. CARVELL: We will give you unanimous consent.

Mr. AIKINS: I shall not read them; they are numerous and may be found in 'Hansard'—statements proving that hon. gentlemen opposite were designedly pursuing a policy of obstruction. I have taken considerable trouble to obtain a statement of the time occupied by hon. gentlemen in their recent obstruction tactics in connection with the debate which has taken place on the naval policy. The right hon. leader of the Opposition, speaking on the resolution, occupied twenty-two columns of 'Hansard'; on the second reading, twenty columns; and in Committee of the Whole, twenty-three, making a total of sixty-five columns. The hon. member for the city of St. John (Mr. Pugsley) occupied twenty-five columns on the resolution and eighty-three in Committee of the Whole, a total of one hundred and eight columns. But the record is held by the hon. member for Red Deer (Mr. Clark). On the resolution he occupied twenty-six columns, on the second reading twenty-six, and in Committee of the Whole ninety-eight, a total of one hundered and fifty columns. The hon. member for Pictou (Mr. Macdonald), speaking on the resolution occupied fifty columns, and in committee, eighty-one, making a total of one hundred and thirty-one columns. The hon. member for Carleton, N.B. (Mr. Carvell), did not uphold his reputation, for on the second reading he occupied forty-eight columns, and in committee, ninety. The hon. member for Westmorland (Mr. Emmerson), on the second reading and in committee occupied eighty columns; the hon. member for Russell (Mr. Murphy), seventy-three; the hon. member for Rouville (Mr. Lemieux), seventy-five; the hon. member for Bonaventure (Mr. Marcil), sixty-four; the hon. member for Montcalm (Mr. Lafortune), forty-three. Hon. gentlemen opposite should not be disappointed with their record in that regard, because it is well known that a full report in 'Hansard' was not made of all the speeches made in Committee of the Whole on that Bill. A summary of these facts shows that, on the resolution, hon. gentlemen speaking from the Government side occupied four hundred and two columns of 'Hansard,' and the Opposition, six hundred and ten. In committee members on this side of the House occupied ninety-four columns and the Opposition 1,743, and in that debate on resolution and Bill the speeches of hon. members of the Opposition have taken up 2,791 columns of 'Hansard.'

Mr. CARVELL: How many columns are credited to the hon. member for Brandon (Mr. Aikins)?

Mr. AIKINS: If the hon. member will look at 'Hansard' he will find out. The record which I have just shown makes manifest the fact that there was deliberate obstruction to the business of Parliament and of the country by hon. gentlemen opposite. Such obstructive conduct was the occasion of the introduction of this resolution. Mr. Walpole, in his House of Commons procedure, on page 43, says:

When the minority has carried the protection afforded it by the rules beyond all legitimate use to an attempt to thwart the legislation of a responsible majority, the line is reached and crossed which separates legitimate opposition from obstruction.

The line which separated legitimate opposition from obstruction was long ago crossed by hon. gentlemen opposite in the recent debate. Mr. Gladstone, in introducing his procedure resolutions in 1881, said:

It is not a very easy matter to define obstruction; and I will not attempt to define it for anyone but myself. I will only give my description of it. To me it appears to be the disposition either of the minority of the House or of individuals, to resist the prevailing will of the House otherwise than by argument.

Again, he said:

Generally then I think obstruction, as it has been spoken so much of in late years, may be considered the disposition of the minority or of individuals to resist the will of the House otherwise than by argument.

Certainly the description of obstruction here given clearly applies to hon. gentlemen opposite. They attempted to resist the will of the majority, not by argument but by the length of their speeches. That they did not attempt to do it by argument is clearly shown in this that when the resolution on the naval question was introduced it had attached to it the very Bill which was submitted to the House and that resolution was passed by the House. These principles were then decided upon and therefore it did not require any further discussion or debate. Again the second reading of the Bill was passed and thereby the House reaffirmed the principle of the Bill, and again the debate was entirely unnecessary on the principle. But for several weeks the hon. gentlemen opposite kept this House engaged day and night while they were unnecessarily discussing the principle of the Bill. For what? In order to convince the hon. gentlemen of this House by argument? Certainly not. The principle had been decided. It was simply to take up and waste the time of the House, which they succeeded in doing. Then what, under the circumstances, is the only course that is to be adopted? The Hon. Mr. Gladstone in introducing his closure resolution in 1882, as will be seen in the Parliamentary debates, volume 264, page 1144, speaking of lengthy sittings, said:

They are not merely most powerful means of obstruction; they are not merely most powerful means of inflicting suffering on the members of the House. They are totally incompatible with the dignity and credit of this House. Grievous as they are they are almost as ludicrous in the eyes of the community as they are grievous. The whole idea of the conversion of might into day, the description of the common order—already hard pressed by our ordinary proceedings—in which time and business are distributed, and the exhibition of a great and powerful assembly in such an attitude before the community, almost amounts to a degradation and depth of insult offered to the House such as I may say, we ought to endeavour to wipe out.

The very same statement might be applied to what has occurred in this House, and it might be said that this House has been reduced to a depth of degradation and insult such as we ought to endeavour to wipe out. A little further on Mr. Gladstone says, at page 1150:

My life is in the past, and not in the future; but I should be sorry if at its close, at a moment when we see the House of Commons in great part paralyzed in the discharge of its noble duties, and almost in the condition of some noble animal upon whom artificial restraints are imposed, so that it is unable freely to move its limbs, I did not do my best to restore it to its free power of action.

He also said in the same debate:

But although on that account I do not grudge the enormous patience which the House has exhibited, the enormous suffering which it has been content to undergo may—the disparagement of its usefulness which it has witnesses without an effort to apply an effective remedy. Yet I feel on the other hand, that there is a point beyond which you cannot allow things to go, and I wish to urge upon the House that that limit has been reached.

He further says on the same subject:

However wise that patience may be, I hope it will not carry that tolerance to such a point that it shall of itself become the grossest of all the vices of a legislative body, and that it shall reach a point where it will inflict upon the House of Commons an incapacity for the discharge of its duties.

As I have said, the recent debate and the recent obstruction was the occasion for the introducing of this resolution. Perhaps the real cause of it is the need of such a limitation in modern deliberative bodies. Democratic assemblies or congregations or conventions have become so numerous that it is absolutely necessary in their procedure

to have some rule limiting the length of debate and of speeches. This is believed to be the proper course to pursue in almost all countries which have deliberative assemblies and Parliaments. We have only to turn to the regulations of other countries to ascertain what they have done to prevent such a situation as we have had in this House. I shall quote to the House the provisions made in a number of European parliaments, as set forth in Dickinson's 'Summary of the Rules and Procedure of Foreign Parliaments.' They are as follows:

Austria-Hungary, page 404: Motions for the closing of the debate are to be at once put to the vote by the President without any question. If the majority decides for the closing of the debate, the members whose names are put down to speak for or against the motion may choose from amongst them one speaker on each side, and only the speaker so chosen, the reporter and (if there was no preliminary discussion) the mover will be allowed to speak.

Austria, page 409: A motion to close the debate may be put to the vote at any time in both Houses, and a simple majority suffices to carry it. This must be done, however, without interruption to any speech in actual course of delivery. When a vote to close the debate is passed, each party, for and against the proposition under discussion, chooses one member to make a final speech upon it.

Belgium, page 420: In the lower House the close of the debate is demanded in the following manner: when it is evident that the debate has been sufficiently protracted, and that the majority are getting tired, or that the minority are merely obstructing the course of business, the Prime Minister and the President of the Chamber are consulted by the whip of the majority as to the advisability of demanding the 'clôture.' If they are both of opinion that the proper moment has arrived for exercising this right, a hint is given to some of the members near to raise the cry of 'La clôture' after a member of the Opposition has concluded his speech. These first cries are merely intended as a warning that the clôture will be demanded immediately. When two more speeches have been delivered, one on each side, and a member of the Opposition always speaking last, it is by custom, not by written rule, that a member of the Opposition always has the last word. In no case does a member of the Government speak last. The President, on the cry of 'La clôture' being energetically renewed, inquires if the motion is supported by ten members, and on these rising in their places, puts the question to the vote, which is taken by rising and sitting.

Denmark, page 422: If the President considers that a debate is improperly prolonged, he can propose the clôture, which is decided by the Chamber without debate. In the same way, any fifteen (in the Landsthing twelve) members whose names must be read out, may demand that the clôture be put to the vote.

Germany, page 440: A motion, in writing, for an adjournment or close of the debate, may be handed in at any time during the debate, but requires the support of thirty members. The President then puts the question 'that the debate be closed,' and the House, without requiring the mover to defend his motion by argument, and without further discussion, proceeds to vote by show of hands.

Italy, page 451: On the close of the debate being demanded, if ten deputies support the motion, the President puts it to the vote; should there be any opposition, one member on each side is allowed to speak. In the Senate the clôture must be supported by eight senators.

The Netherlands, Second Chamber, page 461: Every motion of order for the closing of the debate must, before the President can put it to the vote, be supported by at least five members. The motion for the clôture must not be accompanied by reasons. In this and all other cases, the members show their support by standing up, and the names of those members are called over by the President. No debate can take place on the motion for the clôture, but the President asks, before putting it to the vote, whether the ministers or commissaries of the King, or the proposers, desire to speak further on the question under discussion.

Switzerland, page 484: The clôture of the debate can be decided upon if two-thirds of the members present demand it; but it cannot be pronounced so long as a member who has not yet spoken desires to make a motion and to explain it. When no other person demands permission to speak, the President declares the debate closed, and after its close no one has any right to request leave to address the Chair. Although no mention is made of the existence of the clôture in the Conseil des Etats, in point of fact it does exist there and on the same conditions as in the Conseil National.

In France the following is the way in which the clôture is moved in the Chamber of Deputies:

When the House is becoming tired of the debate, or it is desired to interrupt the member who is speaking, one or more members cry out 'la clôture!' la clôture!' The President immediately puts the question, and if a member of the minority wishes to speak, he is allowed to assign his reasons against the close of the debate; but no one can speak in support of the motion, and only one member against it. The question is then put by the President: 'Shall the debate be closed?' and if it is resolved in the affirmative, the debate is closed and the main question put to the vote.

There are similar provisions in Australia:

In speaking to a motion for the adjournmen of the House for the purpose of discussing a definite matter of urgent public importance, the mover shall not exceed thirty minutes, and any other member shall not exceed fifteen minutes, and at the expiry of two hours from the meeting of the House, the debate shall, if it has not previously ended, be closed and the next business proceeded with, unless the House shall then, on motion duly moved and seconded, without debate allow some specified further time before it be closed.

After any question has been proposed, either in the House or in any Committee of

the Whole, a motion may be made by any member rising in his place, and without notice, and whether any other member is addressing the Chair or not, 'that the question be now put,' and the motion shall be put forthwith and decided without amendment or debate.

In New Zealand there is a provision that:

No member shall speak for more than half an hour at a time in any debate in the House, except in the debate on the address in reply, or on the financial statement, or in debate on a motion of 'no confidence,' or in moving the second reading of a Bill, or on the debate on the Appropriation Bill, when a member shall be at liberty to speak for one hour.

The United States Senate and the Canadian Parliament are the only two legislative bodies where there is no restriction on debate:

In the House of Representatives speeches are restricted in length and debates are severely closured. In the Senate there are practically no such rules. The rules formed for a body of twenty-six senators continue to govern the deliberations of eighty-eight, and contain no method of limiting debate. They are based on courtesy, and by courtesy of the Senate any senator can speak at any length and at any time.

Therefore, they are governed by a courtesy in the United States Senate that does not apply in this House. The only deliberative assembly in the world that I know of where there is no such restriction on debate or on the length of speeches is therefore the Parliament of Canada. There is a closure, as you are aware, Mr. Gladstone, in England, introduced in 1882 and modified in 1887. The Hon. John Bright, speaking in the British House of Commons, as reported in the British Hansard, vol. 268, page 317, said:

Hon. members opposite, when they are speaking to their constituents, taunt the Liberal Government with having done nothing, and the Liberal Government, when it is not a government, but is the party in Opposition, taunt the right hon. gentleman opposite and his friends with having done nothing. I do not say that either party does its duty as well as it might do it; but we are all conscious that no ministry in this House, with our present rules, with our present habits, and under recent circumstances with which we are all familiar, can do what the constituencies expect from the Administration which it has placed in office. The main question before us, therefore, is whether what has been proposed is likely to be effectual or not in relieving us from our difficulties—I refer to the resolution which has been brought before us by the First Minister with regard to what is called the clôture, and which in fact, proposes that we shall adopt something like it. For my own part, if I were not on this bench, I should say openly what I now say privately—that I think that the measure so proposed, if it has any failing at all, falls short in this, that it is not sufficiently comprehensive and sufficiently stringent. I think that I shall be able to convince some hon. members of the truth of what I say before I have done.

That great Liberal, the Right Hon. John Bright, than whom there has been no greater Liberal, not even excepting Mr. Gladstone, has declared that the rules which were introduced in the English House of Commons were not drastic enough for the purpose; and yet, if you compare them with the resolution now proposed in this House, it will be seen that the latter are very much more lenient, very much milder, than the closure adopted by the Imperial House. Yet hon. gentlemen opposite, when they were given their choice between the resolutions now introduced by my right hon. friend the leader of the Government and the resolutions as adopted by the English House of Commons, preferred to express no opinion concerning them. They wish neither.

Mr. DEVLIN: I would like to ask the hon. gentlemen if, when Mr. Gladstone introduced the new rules into the British House of Commons, he allowed any amendment to his motion.

Mr. AIKINS: I have not studied the whole question; but the right hon. leader of the Opposition stated that the way in which those resolutions should be dealt with, was by introducing them and submitting them to a special or general committee, that the committee should report, and that the House should then consider its report. But these resolutions were introduced into the English House of Commons by the very same method as that by which they are being introduced now by the Government.

Mr. DEVLIN: Is it not a fact that Mr. Gladstone, in 1882, adjourned the English House of Commons from March until the autumn in order to study the amended rules before proposing them?

Mr. AIKINS: The hon. gentleman does me too much credit, because he thinks that I am an encyclopedia of information. I cannot satisfy him, I am sorry to say, on that question. The right hon. leader of the Opposition has stated that:

The introduction of this measure means the first introduction in Canada of machine politics.

I wonder what the right hon. gentleman thinks of the resolution as it was adopted in the Imperial House of Commons. Does the right hon. gentleman mean to say that, because all these other nations that I have spoken of, have introduced similar resolutions, therefore, they are governed by machine politics? Does the right hon. gentleman mean to say that, because they have such a closure in England, Great Britain has machine politics? Practically that is his statement. I have

never had any great confidence in the statements made by the leader of the Opposition, with respect to his real regard for British institutions or for the Imperial Government, and I assume that recent events and utterances have reduced still further that regard. It has always seemed to me that the right hon. gentleman worships British institutions and connection with his lips while his heart is far from them. Is it not a reflection on the Imperial House of Commons that the right hon. gentleman should declare that the introduction of the present resolution into this House is the introduction of machine politics into Canada, for there has been a still stronger form of closure in force for years in the British House of Commons.

Hon. gentlemen opposite think that the people should view with alarm the mischief that would be done by the regulation of debates in this House; but they did not appear to have such alarm when they were in power, for they proposed to introduce closure themselves, judging by the statements made by Sir Allen Aylesworth, Mr. Paterson, Mr. Fisher, and the editorials in some of the leading Liberal papers. Their effort now is to try and make the people believe that one result of this resolution would be to prevent freedom of speech. I would like to know what idea hon. gentlemen opposite have of the phrase 'freedom of speech.' I can understand that in the time of the Stuarts and the Tudors, members of the Imperial House of Commons did not have freedom of speech; if they spoke their minds they were in danger of trouble with the Crown, or of being indicted for libel or civilly sued for damages. The members of the British House of Commons in the course of time asserted their rights and obtained freedom from such consequences.

But the rules of the Imperial House of Commons and of this House all put limitations of some kind on debate. Freedom of speech does not consist of quantity of talking or of undue verbosity and loquacity. The proposal made in this House in no way interferes with freedom of speech, or opportunity of speaking; but it will prevent vain repetitions and unreasonable length of debate and will enable the business of the country to be transacted and work to be accomplished.

The right hon. the leader of the Opposition told us that he was a Liberal of the old school and had been brought up in the school of Fox; a statement which some of us would be prepared to accept; and the hon. member for St. John (Mr. Pugsley) told us that in changing the rules of the House it was easy to destroy but difficult to construct, and therefore he did not desire change. It is therefore apparent that one ground upon which hon. gentlemen opposite base their antagonism to this new proposal is reverence for the antiquity of the present rules without the limitation. I might remind hon. gentlemen that everything but truth is changing from day to day—that the old order is constantly changing, giving place to the new; that the procedure must change as progress is made. Bones and ashes feed the growing plants and grains, and, the dead past should bury is dead. That which is profitable will survive. The progress of modern ideas demands modern procedure. That we should have in this House. I can understand the leader of the Opposition standing in his place and saying mournfully: 'These rules are to be swept away; they are to be ridden over roughshod; they are to be put aside. He has veneration for antiquity. Other hon. gentlemen opposite do not wish anything of the new order of things they think it would not suit their purpose. The party opposite is like grey-bearded use leaning on his staff and wondering where all this is going to end. I believe, Sir, the people of Canada will yet realize that out of the difficulty, out of the turmoil, the obstruction, that has occurred in this House, benefits will arise to the country and compensating advantages. This obstruction will be forgotten with all its unpleasant tumult and disorder, and in its place will come efficient procedure owing to the proposed resolution.

> We look: aside the mist has rolled,
> The waster was the builder too.
> Upspringing from the ruined old
> Is but the new.
> 'Twas but the wasting of the bad,
> The ruin of the wrong and ill;
> Whate'er of good the old time had
> Is living still.

Let me conclude as the Right Hon. John Bright did when speaking on the English closure:

> For the high and noble purpose of legislating for a great and powerful country, I ask you whether you are not ready now to assist His Majesty's Government in altering to some small extent the rules and practice of this House, in order that the House of Commons, in spite of the mischief of a few, may find itself hereafter able to fulfill the great duties which the people of this great nation have committed to its charge.

Mr. F. B. CARVELL (Carleton, N.B.): Mr. Speaker, my hon. friend from Brandon (Mr. Aikins) will allow me to congratulate him on the extremely moderate tone of the speech which he has delivered to the House during the last three-quarters of an hour, and, on the small amount of poetry he has inflicted on us. My regret is that as the hon. member from Laval (Mr. Wilson) remarked, the hon. gentleman has not given us the music to go with that one piece of poetry he quoted, because, had he

done so, it would no doubt be a great acquisition to the members of this House. The pith of the hon. member's argument seems to be that Canada has lagged behind every other nation of the world in the management of its parliamentary business, and that the time has come when Canada must rehabilitate herself in the eyes of the world. I want to be perfectly fair with the hon. member, and if I am misrepresenting the general tone of his speech I would be glad if he would set me right. He has worked out our present condition by what might be called a process of elimination. He has come to the conclusion that next to the United States Senate we are the most obsolete and out of date country in the world in so far as the management of public affairs is concerned. He has given us a long description of what they do in Australia, in Germany, in Denmark and in the Netherlands. He has shown us how they go about to shut off free speech in those countries. He has shown us how the rights of the subjects there are curtailed. With the exception of France, I do not think it is very much of a compliment to the people of Canada to have their right of free speech and their conduct of business compared with what goes on in continental Europe. Nobody pretends to be a free man in continental Europe, with the exception of France, as we do in Canada. My hon. friend forgets that the doctrine of lèse majesté can be applied to people in pretty nearly every country in continental Europe. A man is not entitled to say what he thinks about the government of the day. If he does, he may be haled any day before the courts. My hon. friend ought to give us a comparison of our present system with that of the English Parliament. The only comparison which he gave was the bald statement that the restriction was introduced in the Imperial Parliament in 1882, modified in 1887, and that our proposed rules are much more limited in their scope than the English rules. I wish to discuss that branch of the case briefly to see whether my friend is justified or not in making such a bald statement. Before that can be discussed intelligently, it will be necessary for me to go back to the historical source of the different rules. For the sake of lucidity. I wish to discuss them from three different standpoints.

Section 2 of this proposed resolution is intended to restrict debate. I use that word advisedly. It is intended to take away from the present Parliament certain rights of debate which it now possesses. It is true my right hon. friend attempted yesterday to argue the other way and to show that practically everything which could be discussed at the present time could be discussed under the proposed rules. My friend is in error in that, very much in error indeed. We are being deprived of what is perhaps the most prized privilege of liberty of debate in the Canadian House of Commons. Under section 2, they are taking away the right to move the adjournment of the House, except under that rule of our Parliament which provides that we may move the adjournment of the House to discuss a matter of public business. The right to adjourn the House and the right to adjourn the debate are both practically taken away from us under the proposed rule.

I submit that the right to rise to a question of privilege is also taken away from us under the proposed rules. It is true my right hon. friend denies that and says that, as he understands it, you can rise to a question of privilege and you can move that the conduct of a member be referred to a special committee, as was done by the member for St. Hyacinthe (Mr. Gauthier) a few weeks ago. That may be a debatable point. When my hon. friend tells me that we have greater liberty under this than under the British system, I wish to call his attention for a few moments to some of the rules of the British Parliament. Standing Order No. 22 reads as follows:

> When a motion is made for the adjournment of a debate, or of the House during any debate, or that the chairman of a committee do report progress, or do leave the Chair, the debate thereupon shall be confined to the matter of such motion; and no member, having moved or seconded any such motion, shall be entitled to move or second any similar motion during the same debate.

Then follows standing order 23, which is practically the same as rule 158:

> If Mr. Speaker, or the Chairman of a Committee of the Whole House, shall be of opinion that a motion for the adjournment of a debate, or of the House, during any debate, or that the Chairman do report progress or do leave the Chair, is an abuse of the rules of the House, he may forthwith put the question thereupon from the Chair, or he may decline to propose the question thereupon to the House.

My friend will see that under the English rules, you always have the right to move the adjournment of the House or the adjournment of the debate. Of course it is left in the discretion of the Speaker. I shall perhaps have occasion to refer to the Speaker at a later portion of my short address. It is well recognized that the Speaker in the British House of Commons occupies a very different position from that which he occupies in the Canadian House of Commons. I am not speaking about the present Mr. Speaker or any other; I am speaking about the office of the Speaker. When a member wishes to move the adjournment of the House or the adjournment of the debate, it is in the discretion of the Speaker as to whether he will have the right to move it. Once he has the consent of the Speaker, who acts almost in a judicial capacity, he

has the right to move it. That, however, is absolutely taken away from us under the present rules. One of the dearest liberties of the minority in the House of Commons is taken away from us at one fell swoop. Yet my hon. friend tells me that we have greater liberty under these rules than under the British rules. The great difference between the underlying principle of the proposed clause 2 and the underlying principle of the rule in the British Parliament is that in the British Parliament certain things are taken away from members, whereas in the Canadian Parliament certain things are given to members and all other things taken away from them.

Mr. MEIGHEN: Does the hon. gentleman argue that motions to adjourn the House or the debate cannot be made under the proposed rule?

Mr. CARVELL: I certainly do—cannot be made?

Mr. MEIGHEN: Yes.

Mr. CARVELL. Cannot be debated. What is the use of making them if they cannot be debated?

Mr. MEIGHEN: I understand they can be made in the British House of Commons as they have been heretofore, for the purpose of discussing certain matters.

Mr. CARVELL: In the British House of Commons a motion can be made to adjourn the House or the debate, exactly as in this House, except that the Speaker has the right to say whether the member shall have the right to do it or not. That is the point that I am making. It is quite different from the rule proposed by my right hon. friend. That is only a sample of the way our liberties are being abridged. As I was saying when I was interrupted, the underlying principle in the proposed Canadian legislation is that we are given the right to discuss a few matters while all others are absolutely taken away from us, whereas in the British House, a few things are taken away and all others left open for discussion subject to the discretion of the Speaker. And one has only to consider for a few minutes what I have pointed out to realize what cardinal right is being taken away from the minority in this House. Then, the second general heading of the proposed rule is what would ordinarily be called the closure rule, and that is the branch of the case which my hon. friend discussed, referring to what was done in other parliaments. But there is as much distinction between the underlying principle of the proposed closure rule in the Canadian House and the actual closure rule of the British House as there is between the rights of disussion of which I have just spoken. Clause 3 is as follows.

And, Mr. Speaker, I want to have this put on 'Hansard' again, in order that we may, if possible, get hon. members opposite to realize some of the iniquity of the proposed rule:

(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed.

Mr. EMMERSON: He can interrupt the proceedings of one matter to give notice with regard to another?

Mr. CARVELL: At any time, as I understand it, he can interrupt the proceedings to say that he proposes the next time the matter comes up that there shall be no adjournment. (Reading):

—and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes in any adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

Now, Perhaps it might be well to give the House something of the history of Parliament to show what has led up to this proposed rule. Hon. gentlemen opposite, in trying to find out how they could best throttle the Opposition—and I use that word advisedly—how they could best succeed in absolutely shutting off debate when they wanted to, did not take the English rule, which it seems to me, should be severe enough to satisfy anybody, but went back fifty or sixty years to find something which would be more drastic and would serve their purpose better. They brought forth clause 3 as the result of their labours. The first time you find this mentioned was in 1848. I am referring now to Redlich's proceedings of the House of Commons, vol. 1, page 86-87. A committee had been appointed by the House of Commons to consult with the Speaker and see if they could do something towards reforming the rules of the House. This committee had made a report and certain unimportant matters which were recommended had been

adopted. The committee also made a proposition to the House which was not adopted, and that proposition was as follows:

A final suggestion as to adjournment was that before resuming an adjourned debate on any subject, a motion might be made 'that this debate shall not be further adjourned,' and that if this were carried, the debate should not be prolonged beyond 2 a.m., when the Speaker should put the question.

Sir, that is the first record I can find of any person proposing closure in the British House of Commons. It was proposed, as I said, by a committee, but was not adopted by the House of Commons. It might be worth while to state here that, so far as we can find, down to the time when it was decided that closure was necessary by reason of the obstruction of the Irish members in the late seventies and early eighties, all these proposed amendments were made by committees that were guided very largely by the Speaker and the Clerk, and the clerk in this case, as is well known, was Sir Erskine May whose idea seemed to be to devise rules not for the benefit of the members, not for the benefit of the country, not for the benefit of the voters who elected the members, but with a view to getting rid of debate and make the procedure of the House of Commons as much like a machine as possible. If you will read the reports of these committees down to the time when closure was adopted, you will find these proposals were made by the Speakers and clerks almost constantly. But fortunately the British House of Commons was not guided in those days to any great extent by the views of these gentlemen, and so this proposal was not adopted. Another committee was appointed, I think in 1853, to consider the rules of the House; and this committee reported in 1854. It made the suggestion that what was called the 'progress rule' should be applied to debate on going into Supply. This is the first time, so far as I can find, when the proposal was made to restrict the rights of a member to discuss grievances on going into Supply. I need not state that this is one of the most ancient privileges of the subject—that of stating and demanding redress before Supply is granted. Before 1853, and since, many members have taken advantage of that rule in Britain, as we have taken advantage of it here ever since this House came into existence, and, I hope, shall continue to do so for all time. No man can tell me that it is necessary to restrict the right of a member to bring up the grievances of his constituents in order to have the best form of parliamentary government in this or any other country. But, as I have said, this proposal was made not by any member of the House of Commons, not by any responsible party, but by the Clerk of the House, Sir Erskine May, who has been praised here as the greatest authority on parliamentary law. No doubt he is an authority; but I cannot help saying, that, as I read the history of the development of this matter from 1848 down to 1890, it seems to me that the most pronounced reactionary of the British Parliament was Sir Erskine May. If hon. gentlemen will refer to Redlich, at page 92, they will find some of the suggestions made by this gentleman with a view to restricting debate. This authority says:

With reference to the daily course of business, the resourceful Clerk of the House suggested the dispensing with all formal and in his judgment, superfluous questions and divisions upon the formation and conclusion of a Committee of the Whole House: such questions only served to delay business and to give opportunities for crowding out the subjects set down, and for introducing extraneous subjects, brought forward by members for reasons of political strategy, or for the sake of material interests which they might have at heart.

This great authority on parliamentary law did not believe that a member had any rights whatever; he had no right to air any grievance of a political nature, or bring up any matter in which his constituents might be particularly interested. (Reading):

The Speaker should leave the Chair without putting any question to the House as soon as the Order of the Day for the committee was reached. Above all, he suggested an extension of the rule, adopted by the House in 1848, according to which formal amendments upon the question of taking up a particular order of the day were abolished; he proposed to apply, partially at least, to the accepted case of the Committee of Supply the same rules as were applicable to other committees of the Whole House, and to provide that when progress had been reported upon certain classes of the estimates, the Speaker should leave the Chair without question when these classes of estimates came up again.

There you have the introduction of the proposal, which is exemplified to an absurd extent in clause 3 of this resolution, that when the Order of the Day that the House do go into Committee of Supply is reached, the Speaker will leave the Chair without debate or amendment. If Sir Erskine May had had his own way, there would not have been many grievances aired in the British House of Commons during the last half century, and, if hon. gentlemen opposite have their way at the present time, there will not be very many grievances aired in the Canadian House of Commons during the next forty or fifty years, or, at least, throughout that period of time during which hon. gentlemen opposite may unfortunately remain in office. These rules, if carried into effect, will be repealed, no matter whether they become law in this present Parliament or not. A free people, animated by all those principles of liberty which they possess and

enjoy, will never allow a Russian gag to disgrace the rules of Parliament or the statute-books of this country. I am aware that this matter was pressed by Sir Erskine May and by other gentlemen who had an interest in restricting the debate in the British House of Commons, and I am aware that, owing to the unfortunate circumstances which took place in connection with the Irish obstruction in later years, its advisability was to some extent considered, but, as I will try to show later, not to the extent of the resolution now under consideration. I quote from a report which appears on page 96 of this work:

With these proposals before them, the committee submitted a report far from radical in its suggested operations; while expressly acknowledging the improvement effected in 1848, they declared themselves convinced of the necessity for new regulations. Above all they referred to the practice of raising various subjects of debate before the Speaker left the Chair on the House going into Committee of Supply, and recognized the justification for the efforts made to prevent what had become an abuse of the forms of the House. But they confessed themselves unable to devise any new rule against it.

That was the decision of the committee of the British House of Commons in 1854. The matter so rested for some time, and nothing further transpired until 1861. Another committee was appointed, and this committee had before it the same stormy petrel, so far as constitutional liberty in the British House of Commons is concerned, Sir Erskine May, and, of course, other hon. gentlemen as well. Sir Erskine May again made the proposal that something should be done to prevent free speech and the discussion of grievances before the House went into Committee of Supply. A committee was appointed which, in its ability, knowledge, and real statesmanship, has never been exceeded by any committee in any British parliamentary institution, among the members of which were Lord Palmerston, Mr. Disraeli, John Bright, Lord Stanley, and Sir George Cornewall Lewis. They considered the evidence which had been adduced before them, and they discussed the matter from every possible standpoint. They finally made a report, which, to my mind is of very great importance, because we are particularly interested in the rules and regulations of the British House of Commons as they existed in 1867. This report, made in the year 1861, was the last word with reference to the rules of the House prior to Confederation, and I think we ought to give to it more than passing notice. The report says:

They have treated with respect the written and the unwritten law of parliament which for ages has secured a good system of legislation, perfect freedom of debate and a due regard for the rights of minorities. This respect for tradition and this caution in making changes have proceeded on the principle that no change is justifiable which experience has not proved to be necessary, and that the maintenance of the old rules is preferable to new but speculative amendments. . . It cannot be denied that these multiplied preliminary motions are a serious obstacle to certainty in the proceedings of the House, and are a cause of much delay. On the other hand, it must be remembered that the statement and consideration of grievances before Supply are among the most ancient and important privileges of the Commons, and this opportunity of obtaining full explanation from the ministers of the Crown is the surest and the best. Before going into a Committee of Supply the ministers have an interest both in making a House and in keeping a House. The debate proceeds with the Speaker in the Chair, with an appropriate motion under discussion, and the strictest rules of debate are necessarily observed.

It will be observed, therefore, that in 1861 the British House of Commons refused to restrict the right of the members to ask for the redress of grievances upon the motion to grant Supply to His Majesty. The conclusion of the report is perhaps its most significant part, and reads as follows:

Your committee, like preceding committees on the same subject, have passed in review many suggested alterations, but like them have come to the conclusion that the old rules and orders, when carefully considered and narrowly investigated, are found to be the safeguard of freedom of debate, and a sure defence against the oppression of overpowering majorities.

With those reports and the recommendations of the greatest parliamentary statesmen of the age fresh in the minds of every person who took part in its framing, we entered into this great Confederation; and one of the compacts, as I call it, of that Confederation was that which now forms rule 1 of the rules of the Canadian House of Commons:

In all cases not provided for hereinafter or by sessional or other orders, the rules, usages and forms of proceeding of the House of Commons of the United Kingdom of Great Britain and Ireland in force on the 1st day of July, 1867, shall be followed.

I contend that when these several provinces of the Dominion entered Confederation in 1867, almost a part of the compact was that the rules existing in England for the governing of the House of Commons should be the rules which would govern the Canadian House of Commons; and the rules which existed in 1867 and which have prevailed down to the present time have heretofore remained inviolate, with very few minor changes. The rules which we now enjoy are the rules which existed in 1861 and 1867, which the people of Canada supposed they would have the right to enjoy and under which they supposed their parliamentary institutions would be governed for all time. I go further and say

that I have very grave doubt if you would ever have got some of the provinces of Canada to join the Confederation if they had had the faintest idea that the rights that came to them by these rules and this compact would be taken away from them ruthlessly by a Government in 1913 for the purpose of putting through a piece of legislation which they, in their hearts, must know is inimical to the interests of the country as a whole. Would the province of Quebec have entered into Confederation if with all the divergent sentiments in that province as compared with the rest of the provinces, they had felt that the rules under which they expected to have their parliamentary institutions carried on were to be ruthlessly swept away to-day at the instance of some gentlemen who want to get through a boodling piece of legislation or something of no good to this country. What would they have thought in Quebec if they had been told that this would happen forty years after Confederation? One of the greatest safeguards of the various provinces in entering the Dominion was formed by the rules and conditions under which Parliament was to be governed for all time to come and yet the Government sweep this away. I want to tell you, Mr. Speaker, and my friends opposite that they had better pause to consider carefully and long what the result of this legislation will be. As was said by the committee in 1861:

A day may break down the prescription of centuries. It is easy to destroy, it is difficult to reconstruct.

I can only say again that the Government ought to hesitate and consider very carefully before proceeding further in this direction.

On motion of Mr. Rogers, the debate was adjourned, to be resumed this day.

THE ROYAL ASSENT.

A message was delivered by Captain Ernest J. Chambers, Esquire, Gentleman Usher of the Black Rod, as follows:

Mr. Speaker, His Excellency the Administrator, desires the immediate attendance of this honourable House in the Chamber of the honourable the Senate.

Accordingly the House went up to the Senate Chamber.

And the House being returned:

Mr. SPEAKER informed the House that His Excellency, the Administrator, had been pleased to give, in His Majesty's name, the Royal Assent to the following Bills:

An Act to incorporate the Canada Preferred Insurance Company.

An Act to incorporate the Manitoba-Ontario Railway Company.

An Act respecting the Canadian Northern Railway Company.

An Act respecting the Canadian Western Railway Company.

An Act respecting the Bank of Saskatchewan.

An Act to incorporate the Western Canada Mortgage Corporation.

An Act respecting a certain Treaty of Commerce and Navigation between His Majesty the King and His Majesty the Emperor of Japan.

An Act respecting the Superior Courts of the Province of Ontario.

An Act to incorporate Canada Northwest Loan and Mortgage Company.

An Act to incorporate the Intercolonial Trust Company.

An Act to incorporate the British North-Western Mortgage Company.

It being six o'clock, the House took recess.

After Recess.

The House resumed at eight o'clock.

Mr. CARVELL: When the House rose at six o'clock I was discussing what was my understanding of clause 3 of the proposed resolution and also the history of the subject matter of that clause; and I was about to deal with clause 4. Clause 4 is that proposal of the resolution by which the Government would be able to practically put through all the Supply of the session in a very few days, without any opportunity whatever for the discussion of grievances which the people of the country may have. Clause 4 reads:

(4) On Thursday and Friday when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

In this, there is a very great divergence from the English practice, as may be observed by an examination of the English rule. The effect of the proposed rule in the Canadian House of Commons will be that all the Government have to do is to obtain the consent of the House and Supply need not be considered on any day in the session other than a Thursday or a Friday. And if Supply be considered only on Thursday and Friday there is no opportunity given to discuss grievances or to call the attention of the House to matters of public importance which in the judgment of the minority ought to be discussed. Let me give a few illustrations of what would happen if the Government should carry out this rule, as it may be interpreted. There has already been intimation given to the Government that this session it is the intention of some members of the House to discuss on going into Supply the conduct of the Minister of Pub-

lic Works in announcing certain proposed expenditure in view of a by-election to be held in Antigonish; a proceeding which, if it be as stated in the public press, is contrary to all British and Canadian parliamentary precedent and contrary to all ideas of justice and fair play between party and party. This action has been looked upon as a deliberate, outrageous, flagrant attempt to bribe a constituency, and yet if this rule goes through it is the privilege of the Government in power to prevent discussion of an important matter like that. All the Government has to do is to bring down Supply on Thursday and Friday and we are done. Then, if this rule should be adopted, the Opposition in this House is precluded from discussing the flagrant Macdonald election case, on going into Supply, and if we cannot discuss it then, I cannot find under the rules how we can get an opportunity of discussing it at all. I cannot impute motives, but if I were allowed to make a guess I would say that if these rules are adopted we will have no opportunity to discuss this session either the Macdonald election or the Antigonish election. Hon. gentlemen opposite will tell us that I am failing to state that the House must be moved into Committee of Supply on other days than Thursday and Friday. That is not true. It may be possible that the gentlemen who created these rules deceived the First Minister. I was almost inclined to give credit to the First Minister yesterday to the extent that he had been somewhat fooled in the transaction, and that he had not grasped the real significance of rule 4.

Mr. BELAND: Who made these rules?

Mr. CARVELL: I do not know, but whoever did create them followed the English precedent to some extent and then interjected enough venom to take away the safeguards in the English precedent and to create gag law pure and simple. Possibly, before the debate closes, we may find out who is the author of this monstrous rule.

Mr. LEMIEUX: You mean, who is the 'Arthur'?

Mr. CARVELL: That may prove to be correct. At all events, all the Government has to do is to get the consent of the House that the votes in Supply shall be brought up on Thursday and Friday alone and then there is gag law pure and simple. Let us go back to clause 3 and see where it will land us?

Mr. LEMIEUX: In jail.

Mr. CARVELL: We might as well be in jail so far as the Opposition is concerned; and, so far as the country is concerned and so far as the rights of the minority are concerned, the Opposition might as well be at home attending to their private business because they will be of no use here. When you read clause 4 in conjunction with clause 3, you will find you are absolutely shut out except for a day or half a day from discussing the whole of the estimates. I am arguing now what can be done under these rules. By clause 4, all the Government has to do is to get the consent of the House and bring down estimates only on Thursday and Friday and the Speaker leaves the Chair automatically and there is no opportunity to discuss grievances.

Mr. GRAHAM: What do you think these rules are for?

Mr. CARVELL: By clause 3 all that the Minister of Public Works (Mr. Rogers) would have to do would be to bring up estimates to-day and discuss them for perhaps ten or fifteen minutes, move that the committee rise and report progress, and then give notice before the House adjourns that when these items are reached the next day he will move that there be no further adjournment, and he may bring up these estimates at one minute to two o'clock in the morning and move the House into Committee of Supply, and then down comes the lid and the gag is on.

Mr. BELAND: Would that be the reason why the two days, Thursday and Friday, are placed in succession?

Mr. CARVELL: It may be; I never thought of that before. Perhaps the hon. member for Portage la Prairie (Mr. Meighen) will tell us what was the real reason.

Mr. BELAND: Why not Tuesday and Friday?

Mr. MEIGHEN: I do not think this House is responsible for putting Thursday and Friday together; they have been together a good many sessions.

Mr. BELAND: Why is it so arranged in the rules; that is not a joke.

Mr. CARVELL: If it were a subject for levity, I might suggest that it was another Manitoba wonder. It takes a most logical and acute mind to remember that Thursdays and Fridays have been following one another in the calendar of this country; but I do not think they have been following one another so closely, so far as Government business is concerned in the Parliament of Canada. There is something in the contention of my hon. friend that the two days on which Supply can be taken up for discussion should be Thursdays and Fridays.

Mr. BELAND: They could not do the trick with Tuesdays and Fridays.

Mr. CARVELL: No, it would not be so convenient to do the trick with those days. I admit that I have carried this argument to its extreme conclusion; but that is the

only way in which you can argue these things. You can only argue what might be done under the rules which they are proposing. The business of the country is too important a matter to be trifled with by rules which might result in the condition of affairs to which I have directed the attention of the House. Take an ordinary case to show what might happen. Take the Naval Bill, which has been under discussion here for some time. Under that clause 3, the whole Naval Bill could be put through the second reading in two days. It could be put through the committee stage in another two days—put through in portions of two days, and through its third reading in portions of two days. Take the second reading. The Prime Minister moves the second reading of the Bill and speaks on it. You might say that he was replied to by the leader of the Opposition.

Mr. GRAHAM: No, no.

Mr. CARVELL: If they did not move the previous question.

Mr. GRAHAM: By the Minister of Marine and Fisheries.

Mr. BELAND: Previous Hazen.

Mr CARVELL: If they did not move the previous question, the leader of the Opposition might reply. The Minister of Public Works (Mr. Rogers) would then move the adjournment of the debate. Some other day when the Government decided to bring this matter up, or right before the House adjourned, the Minister of Public Works might give notice that when the matter came up the next time he would move that there be no further adjournment. On the day to which the debate is adjourned, the Government have the power to bring it up whenever it desires. The Government may bring up all sorts of things until twelve, one or two o'clock in the morning, and then bring up the second reading of the Bill and in a minute the lid is on; the gag is applied; we are absolutely strangled in the discussion, and the second reading of the Bill goes through. That is what can happen.

Mr. OLIVER: That is what is intended to happen.

Mr. CARVELL: Of course that is what is intended to happen. The same thing could happen in the committee stage. You can hand the Naval Bill over to the committee; it may be discussed there for ten minutes and then a minister moves that the committee rise and report progress. Before the close of the day, a minister gives notice that when it is reached again there will be no further adjournment. It might not be called up the next time until five minutes to two o'clock in the morning. In five minutes the lid goes on and the gag is applied. You have ten minutes discussion and the Navy Bill goes through the committee stage. The same performance can happen on the third reading, and the same is true of any other important measure which may be brought before the House. It is a matter of supreme importance to the people of this country that we should discuss it—that we should do more, that we should fight it. We ought to do everything that free men can do to show the iniquity of this rule being forced upon a free people. If I am wrong in my interpretation of the rule, I want hon. gentlemen opposite to point it out, but I want them to be logical and reasonable about it. I want them to show to the House and to the country that it is not so bad as I claim it is.

I must admit, so far as the Committee of Supply is concerned, that while the proposed rule is bad, it is not as bad as that portion which refers to ordinary legislation. In the case of Supply, under an ordinary reading of this clause, unless the Government were unfair enough to invoke the aid of the House and get the privilege of bringing down Supply on Thursdays and Fridays, one would say that the interpretation of the rule would mean that the estimates of every department must be brought up on a day other than Thursday and Friday. If so, then certain members would have the right to move amendments, to air their grievances and to get information from ministers. Even then, a big opportunity exists for discussion as to whether something is not hidden away which is intended to be used to the detriment of the Opposition in time to come. Let us examine this clause carefully:

> On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

I know my friend from Portage la Prairie (Mr. Meighen) will argue that that clause means that thirteen or fourteen days other than Thursdays and Fridays must be devoted to estimates provided that the Government does not take it away from us by a vote of the House. That is not true. The gentleman who drafted this also had that in view. When I refer to the member for Portage la Prairie, I am only doing so because I understand that he is to follow me.

Mr. OLIVER: Not because he drafted the Bill.

Mr. CARVELL: Oh, no, not because he drafted the Bill. There is something here

which requires very careful consideration. We shall assume that the Minister of Finance moves the House into Committee of Supply, that discussion takes place and, if you will, there has been an amendment. The amendment has been discussed and voted upon. Once it has been voted upon, the House resolves itself into Committee of Supply. The Minister of Public Works (Mr. Rogers) takes up a small item and discusses it for five minutes. It goes through or does not go through. The Minister of Marine and Fisheries (Mr. Hazen) follows him and discusses another item for five or ten minutes. It goes through or does not go through. We jump from one department to another. This is the common custom. I am not drawing upon my imagination. This takes place many times in each session of the Canadian Parliament. On that day, we will say we have discussed the estimates of ten departments.

Mr. LEMIEUX: Scratched them.

Mr. CARVELL: Scratched them; discussed them. The commmittee is adjourned, and the next time the House goes into Committee of Supply, on Thursday or Friday, those estimates can all be taken up. If they are not put through on Thursday or Friday, whichever it may be, the minister can give notice that, when these estimates come up the next time, he will move that there be no further adjournment. The lid goes on; the gag is applied, and at two o'clock the next morning the Supply goes through. It would be possible to put through all the estimates of this Government under this rule by giving one—not more than two opportunities to the Opposition to discuss their grievances; then take two days at the very outside when they are not able to discuss them on going into Supply, and then put on the gag and the whole thing goes through. Is that the kind of government which the people of this country are after? Is that the kind of rule that it is necessary to frame in order to carry out best the government of a free and enlightened country like Canada? My friends will say: That is not as bad as the English rules. Let us take the English rules. I am not apologizing for the English rules. In my judgment, the closure rules and the rule regarding Supply in the British Parliament are about as severe as it is necessary to have in any civilized country. I do not intend to go into history as to why these rules were passed. My hon. friend from Richmond (Mr. Kyte) this afternoon and yesterday evening discussed this matter pretty fully and gave such a complete history of it that it would be entirely unnecessary for me to repeat what he said. We all know that the English closure rules were adopted under very exceptional circumstances. The English Parliament consists of between six and seven hundred members. Five or six or seven members for two or three years made it practically impossible for the Government to carry on business in that parliament. Very important business had to be done, and very important business was blocked because of their action. Drastic measures had to be resorted to in order to get the machinery of legislation running. Even then the English rules are not one tenth as bad as the rules which my hon. friends opposite are proposing for the Canadian Parliament, even as regards Supply. I have given my version of the proper interpretation of this rule and I know I am right. I do not say that the Government will resort to that interpretation on every occasion. I only say that the Government can resort to it, if it so desires. If the Government does resort to it, I have pictured the results that will follow. In the British Parliament, two conditions must exist; two rights are given to the minority which cannot be taken from them. First, there must be at least three days open to the members to move their motions or amendments before going into Supply—there may be a dozen other days, but there must be at least three; second, there must also be twenty days during which they can discuss Supply in committee. Hon. gentlemen will find this principle laid down by rule 232, part of which I will read:

> As soon as the Committee of Supply has been appointed and estimates have been presented, the business of supply shall, until disposed of, be the first order of the day on Thursday, unless the House otherwise order a motion of a minister of the Crown, moved that the commencement of public business, to be decided without amendment or debate.

That means, of course, that if it is desired that Thursday be taken up with other business than supply, it can be done on a motion of a minister of the Crown, but, in the absence of that motion, every Thursday is an order day for discussion of supply, and the House goes into committee. I might point out that on these days no business other than supply can be taken up until 11 o'clock at night. The House meets at quarter to three in the afternoon, routine business occupies the first fifteen minutes, and, from three o'clock in the afternoon until eleven at night, nothing but supply can be taken up, unless the whole day be taken away by the Government, in which case another may be substituted for it. Further, twenty of these days must occur prior to the 5th of August, and if the Government brings down any supply other than that contained in the general estimates—that is, supplementary estimates for the existing or succeeding

year, a vote of credit, or any extraordinary measure of supply—it must be brought down on a day other than that on which the Speaker automatically leaves the Chair; and that gives to any member the right to discuss other matters.

Mr. MEIGHEN: What is the rule?

Mr. CARVELL: The hon. gentleman will find it in rule 232, and in order of the House No. 17. If he wants to find the origin of the rule, I would refer him to page 114 of Redlich, volume 1, where he will see that in 1879 this rule was established, and has been embodied in the different amendments of the rules up to the present time. I will read what Redlich says on the matter:

The House of Commons on the 24th of February 1879, in adopting the committee's suggestion, appended a further concession to private members, as against the Government in the shape of a proviso that on Mondays amendments might be moved or questions raised on first going into supply on army, navy, and Civil Service estimates respectively, such amendments or questions being relevant to the estimates proposed to be taken. The prohibition of amendments, moreover, was only to affect the motion for going into supply on the ordinary estimates under the above heads, and would not exclude them if the Government were asking for a vote on account or if the committee was to consider supplementary estimates. This resolution was renewed in 1882 as the eleventh of Mr. Gladstone's proposals for amending the rules; but it was then extended to all days on which Committee of Supply stands as an Order of the Day, whatever day of the week it may be. In this shape it forms part of the present order of business, as standing order 17.

It will be observed that, at least three days during the session—when the House is moved into Committee of Supply for the first time on the army, navy, and civil service estimates respectively, an opportunity is given to the members to discuss any grievances or other matters which they may desire to bring up, and that right cannot be taken from them. When any extraordinary vote is proposed, such as supplementary estimates or a vote upon account, it has always been open to hon. members of the Opposition to discuss their grievances and move amendments, and there is no limitation of speech. As I have said, there must be at least twenty days during the session upon which amendments are to be under consideration from three o'clock in the afternoon until eleven o'clock at night. Compare that rule with the proposed amendment to the Canadian rule. There must be, I am sure, a few reasonable men on the other side, and I cannot believe there are half a dozen hon. gentlemen in this House, including the members of the Government, who had the faintest idea of the real iniquity of the proposed rules as submitted to the House in this resolution by the Prime Minister. I say that with all sincerity, and I doubt if even the Prime Minister knew it. I cannot conceive where he found a man in the Dominion of Canada with sufficient ingenuity to work up a scheme such as that which is now proposed to this House.

Mr. DEVLIN: What about Portage la Prairie?

Mr. CARVELL: I have too high an opinion of the integrity and the honour of the hon. member for Portage la Prairie (Mr. Meighen) to insinuate that he would be the author of such a proposition as that to which I have referred. I have always been optimistic; I would prefer to consider him to be open and fair, and I would indeed be sorry to learn that he is the author or father of this iniquitous proposition we are discussing to-night.

I am not in a position to speak at any great length on this matter to-night, and I will make my remarks as brief as possible; but I have felt it my duty to place before the House my real appreciation of the interpretation of these rules. I have done so, and I think I can challenge successful contradiction of any statement I have made as to the interpretation that should be placed upon them. If any hon. gentleman thinks that my statements can be contradicted or explained away, I will be very glad indeed to have him attempt to do so. I consider this resolution to be the most absolute attack upon the liberty of free speech and the rights of the minority that I have ever heard of in any civilized country. The hon. member for Brandon (Mr. Aikins) this afternoon and the Prime Minister yesterday said: If you would rather have the English rules, we will give them to you. I desire to point out wherein the English rules would not be adequate in a country such as this. My friends are perhaps not aware—I know some of them are not—that there is a vital, a genuine difference between the office of the Speaker in the British Parliament and that of Speaker in the Canadian House of Commons. In making the remarks I am about to make, I hope no hon. member will think for a moment that I am making them in any personal reference to the hon. gentleman who now occupies the Chair; I am speaking entirely in regard to the office itself, and not with reference to any hon. gentleman who occupies or has heretofore occupied the Chair in this House. With all respect, I say that the Speaker in the Canadian Parliament, from 1867 down to the present time, is what you might call a partisan, or a party man. I do not say it offensively, but I repeat that he is a party man; he is elected to the Chair, which he

occupies for a period of four years, very largely as a reward for party services. I desire to say, however, I believe all our Speakers have attempted to exercise their duties in a fair and reasonable manner. He serves for four or five years, again goes into the party ranks, and continues to be a partisan, in no way to be treated or considered as a judge. He has practically no judicial functions to perform, he simply sits there as a sort of arbitrator to preserve order, to keep the peace between the two parties and to see that the rules are observed. These, as I understand, are the principal functions and duties of the Speaker of the Canadian House of Commons. In England you have an altogether different condition of affairs. There you have a gentleman who has been selected not by reason of any party services but by reason of his supposed ability as an officer to preside over a legislative assembly. Possibly he may be chosen from the party in power, that is not necessary, but probably in working it out when a Speaker is first chosen he is chosen by his political friends. But once he becomes Speaker of the British House of Commons he ceases to be a partisan or even a party man, he becomes as nearly a judge as it is possible for a man to be and occupy a seat in the House of Commons. He is generally elected by acclamation; I think there has been only one instance in the last fifty years when the re-election of a Speaker of the British House of Commons has been contested. I think in 1905 the present Speaker was opposed but he was elected by an enormous majority in a constituency which, under ordinary circumstances, would have gone the other way. But they feel in England that once a man is made Speaker he is made a judge of the House of Commons for life, and it is the duty of his constituents to re-elect him and of his former political opponents not to oppose him. The result is that he always returns to Parliament without a contest and no matter what the general result of the election may be, he, as Speaker, is returned. The present occupant of the Speaker's Chair in England has been elected for three or four different Parliaments. I believe he was first a Liberal but when the Conservatives came into power, without hesitation they elected him Speaker. When they went out and the Liberals came in again they too elected him Speaker and if he is alive when the turn of the wheel passes around and the Unionists are again in power as they will be at some time they again will elect him Speaker. For that reason a Speaker of the British House of Commons occupies a different position from the Speaker of the Canadian House of Commons. In the last fifty years I think that only four or five Speakers have been elected in the British House of Commons.

That brings me back to the conditions of closure in the British House of Commons. It is true that the Minister of Justice last night, with the great legal acumen which he possesses, read to us certain rules of the British House of Commons and made certain comments upon them. I want to refer to those rules and also to make a comment on them. Possibly in doing so I may have to make some comments on my friend the Minister of Justice, but I will try to be as fair and as gentle as possible. The Minister of Justice referred to rule 133 of the English House, which is as follows:

> After a question has been proposed, a member rising in his place may claim to move, 'that the question be now put' and unless it appear to the Chair that the motion is an abuse of the rules of the House or an infringement of the right of the minority, the question 'that the question be now put,' must be put forthwith.

The Minister of Justice said:

> No continuance of the debate! No twenty minute speeches! No notices of twenty-four hours, no restriction of the making of the motion to a minister of the Crown. Yet, our rule is more drastic.

The minister uses all the sarcasm of which he has command to show that we do not know what we are talking about. I venture to say that the hon. the Minister of Justice never read twenty-five lines from the British rules beyond what he has quoted. I venture to say he never read a text book on the evolution of the rules of the British House of Commons, he does not know the origin of the rules or the origin of closure. Irishman as he is, he has talked closure all his life but I do not imagine that he knows anything about closure, because if he did he would never have made the statement that he made last night. My friend ought to know that the Speaker of the British House of Commons is a judge and he ought to know that the application of the closure in England is entirely at the dictation and discretion of the Speaker, not of the ministers. Ministers of the Crown in England do not move that closure be applied as they can do under this proposed rule. It is true that a minister of the Crown may make a motion that a certain time, later on, the discussion be closed; but under the English rule it is the Speaker who decides whether or not the time has come to put the question, not the minister, and the Minister of Justice ought to know it before he attempts to lecture this House and talk to this country on the British rules. We expect more than that from the Minister of Justice. It is true that the Minister of Justice has favoured us on three or four different occasions during this session with his legal acumen. He has told us about the Landry case. He tried to defend his own department for let-

ting a man out of jail in order that he might be a candidate for a Tory office and he has also made a speech showing why we should send a man to jail in order to satisfy the morbid curiosity of the hon. member for North Grey. He has also made a speech on the Coderre case, justifying the blackmailers as he called them and these different rascals whom he found in Montreal and he appeals to the sense of this House: Would any gentleman want to place the Secretary of State in a position to be compelled to defend himself against the evidence of men of that class? If there was any other occasion on which he has spoken I do not know of it. I do know that I wanted him to speak, to give his legal opinion on the Japanese treaty; but he was silent when it came to a question of any importance. When it comes to a question of defending something that we will not be able to discuss when these rules have been adopted, the Minister of Justice is always on deck. But when it comes to give a legal opinion on a matter of great national importance, my learned friend skips out of the Chamber every time. But last evening he got indignant because his privileges would be taken away from him. He said:

—I am thoroughly satisfied the common sense of the people will recognize as being absolutely called for at this moment, if we are to continue to enjoy in this country the blessings and privileges of British parliamentary government.

I wonder how many of his privileges have been taken away from him by this Opposition during this session of Parliament. I have a distinct recollection that he did not lose any of his privileges when we voted one-sixth of the salary as a member of this House. I have an equally distinct recollection that he did not lose any of his privileges when we voted one-sixth of his salary as Minister of Justice. And I am sure he did not lose any privileges when we voted nearly $5,000 a year for him as an invalid. The hon. gentleman is the last man to talk about privileges being taken away, especially when you consider the course of legislation during the present session. I repeat here a statement that has been made time and time again during this debate and in previous debates, that not once has this House been asked to consider a matter of public interest, from the time it opened up to the present day, when that consideration has not been cheerfully given. Every important matter has been discussed and passed save only the Naval Defence law. All the estimates have been given when asked for, all public business has been discussed reasonably and allowed to go through. If members on this side have objections to raise, they raise them in a gentlemanly manner and allow the majority to have their way. So, I repeat, the Minister of Justice is the last man to say that the privileges of members are taken away by the action of members of the Opposition.

But these hon. gentlemen tell us: While it may be true you have given the proper interpretation of these sections, we never intended to exercise the arbitrary right we are taking to ourselves. And we had a declaration yesterday afternoon by the Prime Min with his hand extended to high heaven in his most dramatic manner, when he wanted the people of this country to believe him that never, so long as he occupied the position he now occupies, should the rights of the minority be trampled upon or the interpretation of the rules made except in a spirit of justice and fair play as between man and man. And within half an hour afterwards we had a spectacle which takes away every profession of faith that he has ever made in this House. There have been several times in the last four or five weeks when my faith in the good faith of the right hon. gentleman has been sorely tried. I must confess, there was a time when I believed that it would be impossible for that right hon. gentleman in his treatment of his fellow members, and especially of members of the Opposition, to do anything except that which would be in accordance with the feelings of the highest gentleman in the land. But I have had three or four rude shocks of late. The first was a certain night, not long ago, I think it was the 10th of March. He had been pressed, and pressed very hard, by gentlemen in this House, including myself, to give the substance of certain correspondence he had with the Admiralty, and he refused to give it. He now admits that the cablegram authorizing him to bring down this correspondence had been in his hands since the day before. And not only did he tell us that he would not bring down the correspondence, but I am credibly informed that he had the right hon. leader of the Opposition as his guest that evening, and bade him good night at ten o'clock without telling him about this correspondence being brought down. Then, he hustled up to the House, where he had his whole body of supporters and sympathizers, male and female, assembled here, and so anxious was he to make a great stroke that he could not wait until the hon. member for Assiniboia (Mr. Turriff) who was speaking, had finished, but had to interrupt that hon. gentleman to make his statement. And the gentleman who yesterday was the mover of the first evidence of coercion in this House of Commons was the man who nearly went wild when that statement was read. And they thought that we were out of business. That was the first time I had a suspicion of the good faith of the right hon. leader

of the House. The next was an even more flagrant case. This was on the night of the 14th of March. On that evening the Minister of Public Works (Mr. Rogers) strolled in and said that if the present rules were not enough to put through the business the Government wanted put through, they would have other rules. And I must say I rather admire the Minister of Public Works. He has the sand to tell you to your face what he is going to do to you. He did not hesitate a moment; he did it.

Some hon. MEMBERS: Hear, hear.

Mr. CARVELL: Well, he tried to do it —I think I had better qualify that; he did his best. He brought in his henchman and put him in the Chair when he had no right to be there, driving out of the Chair the regular Chairman. Then the right hon. Prime Minister followed him like a mild little lamb and got up and raised a point of order as to the amendments that he and we had been discussing for ten or fifteen days. Now, the Minister of Public Works always does his work well.

Some hon. MEMBERS: Oh, oh.

Mr. CARVELL: Yes, I give him credit for that. And the man he had put in the Chair, ruled the amendments out of order, of course. But the rest of the game did not work out exactly as they had figured. The events of that evening did not increase my admiration for the right hon. Prime Minister.

Mr. LALOR: Too bad.

Mr. CARVELL: Evidently the same feeling must be operating in the mind of my hon. friend, (Mr. Lalor) because it seems to bother him a good deal, and I think he will find it is operating in the minds of others in this country as well as himself. But if you want anything to crown the actions of the Prime Minister, you have only to consider what we witnessed here yesterday afternoon. We then saw the man who for courteous treatment of his opponents is not equalled in the British Empire——

Some hon. MEMBERS: Oh, oh.

Mr. CARVELL: Yes, we saw that man by the action of the Premier—I use that expression advisedly by the action of the Premier—prohibited from the right to speak in this House. When that was done, I say, my feeling of the sense of fair play of the Prime Minister was absolutely killed, and I am afraid it will never be revived. And this is the right hon. gentleman to whose tender mercies they want the Opposition of this House to be flung by adopting these rules. So far as I am concerned, I would rather be placed at the tender mercies of the Minister of Public Works than at those of a man who would stoop to such tricks as those to which the Prime Minister has descended within the last few weeks.

Some hon. MEMBERS: Oh, oh.

Mr. CARVELL: Yes, I will say this for the Minister of Public Works, he does not make any pretence at fair play at all. Now, do hon. gentlemen opposite in their sober moments feel that a rule such as I have described should be made a rule of procedure of this House? If they were in our place would they want to be thrown on the tender mercies of gentlemen such as I have described and in regard to whom I have given facts in justification for every statement I have made? Would they wish, at some time in the future, to be placed with the guillotine over them and with an opportunity for about half an hour's discussion on an important Bill? I do not think they would and I do not think there are half a dozen members on the other side of the House who ever realized the enormity of this proposition. I hope, now that they have had a chance of thinking about the matter, that they will see the importance of inducing the right hon. leader of the Government to make some change in it.

My hon. friend from Richmond, N.S. (Mr. Kyte), this afternoon, stated that it was a matter of considerable shame and humiliation to him that a Nova Scotian should be the person charged with the introduction of a measure such as this to take away from half the people of Canada rights which they have had from Confederation down to the present time. I sympathize with my hon. friend from Richmond. I am also humiliated beyond degree that, from the province of New Brunswick, should be chosen two men who have been the instruments by which the gag has been applied in this House as it never has been since Confederation. It is a matter of humiliation that they should take a young gentleman from the county of Kent, N.B., and put him in the Chair where he ought not to have been put and ask him to do things which his common sense and his sense of justice told him he ought not to do, things which were abhorrent to the higher principles of his being. That hon. gentleman was forced to take a position which, I venture to say, he will regret to his dying day. The other gentleman to whom I refer was the hon Minister of Marine and Fisheries (Mr. Hazen), a gentleman who knew whereof he was speaking, a gentleman who ought to have known the consequences. This gentleman was picked out from among the 130 odd supporters of the Government to prevent my right hon. friend the leader of the Opposition from exercising the right of free speech. New Brunswick is humiliated as

she never was before. But there is, I am glad to say, one redeeming feature and that is that, when they tried to apply the gag, there was another gentleman from the province of New Brunswick in the House who had the mind, the knowledge and the sand to stand up and lead this House against the attempt. The time will come, not very long hence, when the hon. gentleman who tried to apply the gag and the hon. gentleman who successfully resisted it will have a chance of discussing this matter before the same electors and the day cannot come too soon.

What is the object of the introduction of a measure such as this? Hon. gentlemen say that our rules are antiquated, that they ought to be amended, that we have not sufficient and proper rules for the conduct of the business of the House. Do my hon. friends forget that only four years ago—it may have been only three years ago—a committee of this House was appointed, of which the right hon. Prime Minister (Mr. Borden) was one member and the right hon. leader of the Opposition (Sir Wilfrid Laurier) another, the hon. member for North Cape Breton (Mr. Mackenzie) another, of which I was the fourth and of which there were seven members altogether. We had ten or fifteen meetings, we considered carefully all the rules of debate in force in this House, we went over all the English rules, we discussed everything that could be discussed excepting closure and not one man of the seven ever dreamed of such a thing for the Canadian House of Commons. That was only three years ago. We made whatever amendments we thought were necessary, there was not the least difference of opinion among the members, there were no party politics interjected into the matter and after our consideration we were able, without difficulty, to submit to the House a report which was received and adopted unanimously. It was not thought that these rules were antiquated when such gentlemen as the right hon. leader of the Opposition and the right hon. Prime Minister, with the other members of the special committee, discussed them and made a report to them only three years ago. You have only to state the proposition to show its absurdity. The rules we laid down three or four years ago were supposed to embody all that was necessary to carry on the affairs of this country and I want to point out to hon. gentlemen opposite that these rules were revised, modified and changed, after the attempt was made at obstruction in this House in 1908. That attempt, as was stated by my right hon. friend, the leader of the Opposition yesterday, was made in 1908, it was in 1910 that we revised the rules and even then my right hon. friend, who was at that time the Prime Minister, would not listen to the suggestion for a moment and never even discussed the question of closure notwithstanding the fact that the then Opposition had forced him to withdraw a Bill that they contended was against the interests of certain people in this country. Then hon. gentlemen opposite tell us that, because we are opposing one measure, closure ought to be adopted, that we ought to go back on the compact made with the several provinces in 1867, that we are obstructionists, that we ought to be bound and gagged and that we ought to be treated as they treat representives in the Austrian, the Polish and the Russian Parliaments. I take issue with that statement, and if I am not very much mistaken the people of the country will take issue with me.

What is all this change in the rules about? It is not to carry on the ordinary business of the country, because that has been carried on. Every reasonable measure that has been brought to the attention of this House has been passed. We have invited hon. gentlemen opposite to come on with their supply and every time that they have come we have given them the supply that they have asked for. We have invited them to bring on the West Indian trade agreement, because it is of great importance, but they will not bring it down for what reason I do not know. We have invited them to bring down the budget, a subject which has been given double importance in view of the proposed action of the United States Congress as detailed in the papers of Monday last. There never was a time in the history of this country when it was more important that the budget should be brought down, or that the people should know what is going to be the policy of the Government with regard to the trade and fiscal affairs of the country. They will not bring the budget down but they will say: You cannot do any business because we will not give you a chance to do any business until you pass this—I was almost going to say nefarious Bill—a Bill conceived under conditions of the most iniquitous political jobbery that has ever taken place in Canada since Confederation, a Bill which was born with a flourish of trumpets under pretenses as false as anything could be, which has been nurtured by appealing to the baser instincts of the people of the country, which, by reason of its very vice, is becoming afflicted with anaemia of a serious character and which can only be kept alive by applying closure in the Canadian House of Commons, a question which has never before been mooted either in this House or out of it. My hon. friends want a better cause than the Navy Bill to justify them in applying the closure and they

will have a better cause. If they would take the manly course, if they would take the course that my right hon. friend the leader of the Opposition took when a great constitutional question came up, they would go to the country, take the verdict of the people and then they would know whether this infant which they have tried to bring to life is worth all the pains and trouble they are bestowing upon it.

Mr. ARTHUR MEIGHEN (Portage la Prairie): Mr. Speaker, I do not remember that I have ever risen in this House with greater satisfaction than I do to-night; not that I feel in the slightest degree more competent than any other member of this House to discuss the issue now before the Chair, but because of the fact that we are now engaged in the discussion of a reform that has been continuously in my mind and with increasing force since the first month I entered this House. And, the necessity for it has been borne in upon me, not only since I have been a member of the Government party, but that necessity was apparent and becoming increasingly apparent even while I was a member of the Opposition. And, Sir, if anything I can say may contribute in any degree whatever towards the realization of a reform in this regard, I shall be well employed. The product of legislation must not only in its extent but more particularly in its kind and quality have a direct relation to the competence of the machinery by which that legislation is produced, and, therefore, when we engage in the consideration of improving the efficiency of that mechanism, we are engaging in a duty as important as the discussion of the most important legislation itself.

I have listened to-night to the remarks of the hon. member for Carleton (Mr. Carvell); earlier to the remarks of the hon. member for Richmond (Mr. Kyte), and yesterday to the hon. gentlemen who spoke. I listened with great interest indeed and with very great pleasure to the remarks of the right hon. the leader of the Opposition. As to the hon. member for Richmond, my only favourable impression as to his utterances on the subject was, that he was to be congratulated upon at last deigning to speak on a topic worthy the consideration of this House. I wish I could say the same for the manner and for the method, and matter of his speech, but I am afraid I cannot. He showed himself a victim of the weakness which I think always distinguishes the non-effective debater, namely, that he found himself unable to keep within even the very ample rules of this House. The hon. member for Carleton (Mr. Carvell) to-night has played three roles in the delivery of his address. He first of all essayed for some considerable time, and in language of temper and of reason, to discuss, as I thought very fairly, the issue now before us; as to what he said pertinent to the question I shall have something to say later. From that, for some time on, he proceeded to introduce his capacity for invective of a certain kind and after getting through with that he essayed to play the roll of joint humorist and satirist. As for the latter I fear I will have to dismiss it as a failure. The first part of his speech was a presentation, at least of the case of the Opposition, which showed that the hon. member had given hours of thought and study to the real meaning of the rules as proposed to be amended. However, it was only in the middle role, when the hon. gentleman summoned to his aid his well-trained powers of personal abuse, that he really seemed most at home.

It was hinted, not by the hon. member (Mr. Carvell) but by others on his side, that I was the author of these proposed amendments to the rules. I am afraid, Mr. Speaker, that I am not entitled to the honour they would fain confer on me. I am, however in a position to say, that after as close a study as I have been able to give the matter, I would be very proud, indeed, to have been the author, and I say so especially after hearing such portions of the speeches of hon. gentlemen opposite as have related to the merits of this proposal, and after having seen from these observations how very slight and how very frail are the attacks upon these proposed rules. While not entitled in any degree to be considered the author, I am proud, and I say so now, to subscribe to these proposed rules as they now stand.

Very considerable complaint—were I to use language which was common yesterday across the floor—very considerable whining has taken place on the part of hon. gentlemen opposite with relation to certain proceedings prior to the taking up of the discussion after the close of the speech of the right hon. the First Minister. Be this said, however, for every hon. gentleman opposite who has spoken, that however they have stated their case—as I think mis-stated it—none of them descended; none of them has deigned to degrade the whole plane of free discussion as has a very prominent newspaper in this country in its issue today. I shall say no more than that. Hon. gentlemen opposite have complained because the right hon. the leader of the Opposition was not permitted immediately to follow the right hon. the Prime Minister. He was not permitted immediately to follow, and for a very plain reason. He was not howled down by this side of the House, and there is no hon. gentleman opposite who is so lost to the sense of truth as to say that the right hon. the leader of the Opposition was howled down by this side or by anyone on this side. The right hon. gentleman was delayed for a minute and a

half by the hon. the Minister of Marine and Fisheries, in order that the previous question might be moved and for no other purpose whatever, and a minute and a half was long enough to move it. Then it was within the power of the leader of the Opposition immediately to rise and discuss as freely and as long as he desired every issue that is before this House. He did not immediately rise; he was refused permission immediately to rise and by whom? By the master of many wiles, the hon. member for the city of St. John (Mr. Pugsley) who conceived that this House would not be properly conducted unless he appeared on the scene and moved the adjournment of the House.

Why was the previous question moved? As every member of this House knows the purpose of the previous question is to shut off amendments to the main motion.

Mr. DEVLIN: That was not done in the British House.

Mr. MEIGHEN: That is the only purpose of the previous question. The hon. member for Wright (Mr. Devlin) states it was not done in the British House. No, and for the very reason that the conditions which made it imperative here, if we are going to proceed with the public business, did not exist in the British House. Unless the previous question is moved, the main question is subject to amendment so long as the Opposition or as any member of this House wishes to move an amendment, and when the avowed policy of the Opposition is obstruction, who can imagine a Government so foolish as to throw an amendment to the rules of the House into the camp of the Opposition to be blocked for evermore. I am told—perhaps not correctly as to the number—that the Opposition, in pursuance of their well-defined policy so manfully avowed by their right hon. leader, had framed and had ready to present to this House all in due time, extended over periods ad infinitum, not less than ninety-six amendments to these rules. Unless the previous question is moved, there is no member who will stand here and say that within the compass and the circumference of the rules of this House, in the face of an Opposition avowedly bent on obstruction, there is any possibility of passing these amendments. The previous question is within the rules as now devised. The previous question has been in the rules for many years in this House and in the British House. It has been exercised times without number in the British House, and it has been exercised in this House under the rules that contain the previous question and that place it within the power of the majority to move the previous question and to pass it. These rules are the rules proclaimed by the leader of the Opposition as the very consummation of justice, as reason reduced to writing. You, Mr. Speaker, when the Minister of Marine and Fisheries (Mr. Hazen) rose at the same time as the leader of the Opposition, saw the leader of the Opposition. Certainly no complaint could be found. It is and has been the custom in this House that the right hon. the leader of the Opposition shall follow the right hon. the leader of the Government; and as a consequence, you, Mr. Speaker were amply justified in seeing first the right hon. the leader of the Opposition; but the Government, in a manly way, assuming the full responsibility, took the only step that was available to it and moved under rule 17 that the Minister of Marine and Fisheries be heard, only for the purpose of moving the previous question. Unless that had been done then, the previous question could not have been moved, and all these amendments, this whole reform would have been thrown by that act into the maelstrom of indefinite and irresistible obstruction. Oh, this was a vicious thing; this was the very guillotine itself, say hon. gentlemen opposite, to dare to rise under rule 17 of this House and move that anybody be heard in place of the right hon. the leader of the Opposition. Let me say first of all that it was not in order to move that anybody be heard instead of him. He had a perfect right to rise one minute after and to reply to the right hon. the leader of the Government. There was no intention, either manifest or concealed, to limit in any degree the liberty of speech of the right hon. the leader of the Opposition. We acted under rule 17. What is rule 17? It is a rule of this House placed there in its present form by the right hon. the leader of the Opposition. When Sir Wilfrid Laurier was Prime Minister of this country on the 9th of July, 1906, he, in pursuance of a long evolution leading to perfection of the rules of this House, placed rule 17 there just in the form in which it is to-day. Did he place it there that it might never be acted upon? Did he place it there that whenever it was acted upon for a definite and perfectly legitimate purpose hon. members opposite should howl themselves hoarse shouting shame?

Mr. LEMIEUX: Does my hon. friend mean to say that the inventor of the previous question was the right hon. the leader of the Opposition?

Mr. MEIGHEN: I say that rule 17, which this Government availed itself of in order to permit the previous question to be moved, was placed in the rule book by the right hon. the leader of the Opposition. I ask the hon. member for Rouville (Mr.

Lemieux) if it is a shame and a disgrace to this House to act within the power of rule 17?

Mr. LEMIEUX: It is half a century old.

Mr. MEIGHEN: If it is a shame and a disgrace to act within the power of rule 17, it is also a shame and a disgrace to pass rule 17. The only purpose, and it was a necessary purpose, if we are to move and not to be bound hand and foot as a Parliament of Canada, was to see to it that this discussion got before the House in a form in which there was some possibility of a termination.

We come now to a discussion of the rules as proposed to be amended. Rule 17, which in its present form is authored by the right hon. the leader of the Opposition, is to be amended by three sub-clauses. The first sub-clause which is viciousness personified according to the hon. member for Carleton (Mr. Carvell), provides this, that certain motions which are merely formal motions shall no longer be debatable in this House, and that all motions that any hon. member wants to put on the Order Paper, as he may do at any time, even before the session opens, on any subject whatever within the purview of Parliament, may be put upon the Order Paper and discussed in the usual way. Furthermore, any motion that is a substantial motion which, in the ordinary course, does not appear on the Order Paper, is also made subject to debate by this amendment. Now, we are told by the hon. member for Carleton: Why, you shut off debate on adjournment, and in that way you are clipping the wings of discussion, you are gagging the Opposition, you are paralysing them more than the Opposition is paralysed in the British House. He says it has been the practice in this House for years to move adjournments and on that motion to discuss anything. I know it has been. I know also though that under clause 39, when an hon. member wants to move the adjournment for the purpose of discussing anything of public importance, he may do so. But he is still able to do this under the first clause as we propose it. But the hon. gentleman says that after this a member cannot get up and discuss anything at all on the adjournment motion. I know he cannot. But could you have closure at all if this were not changed? The hon. gentleman said this could be done in England. I could not believe my ears when he told us that in England a member might move the adjournment and discuss thereon any subject he wished to discuss. He proceeded to read the British rules. But did you notice where he stopped? did you notice the stone wall he ran up against? And he bounded back as quickly as the hon. member for St. John (Mr. Pugsley) bounded back from his motion to adjourn yesterday. Here is the English rule; it is Standing Order number 22:

> When a motion is made for the adjournment of a debate, or of the House during any debate, or that the chairman of a committee do report progress, or do leave the Chair, the debate thereupon shall be confined to the matter of such motion; and no member, having moved or seconded any such motion, shall be entitled to move, or second, any similar motion during the same debate.

That is to say, in England, by a fixed rule, any member moving the adjournment must confine his remarks to reasons why the adjournment should be taken. Why does the hon. member for Carleton, as a responsible member of this House, get up with the rule-book in his hand and tell hon. members that in England they can do as we have done—move the adjournment and discuss anything at all? In England you cannot discuss anything for one minute unless the majority of the House say you may, for no sooner is adjournment moved in England, either the adjournment of the debate or the adjournment of the House, but any member, whether in Opposition or on the Government side may rise and ask the House to apply the closure. Even before there is any discussion, the majority can at any time compel the stoppage of debate.

Mr. MARCIL: Will the hon. gentleman before he leaves that point tell us why the discretion was not left with the Speaker of the House?

Mr. MEIGHEN: I do not think that could be better answered than by reference to the remarks of the hon. member for Carleton. I was going to come to that later, but out of courtesy to the hon. member (Mr. Marcil) who himself for many years in this House, occupied with distinction your place, Mr. Speaker, I will say this much now of what is in my mind: Following the great legislative bodies of the world, we must place the responsibility for choosing the time when closure shall be applied either on the Speaker or on the Government; under any rational rule of constitutional government it cannot be placed anywhere else. In England, for several years, the responsibility for the application of closure was placed on the Speaker. The result was that between 1882 and 1887 the closure was very seldom acted upon, because the Speaker was diffident about taking the initiative himself. Closure was in effect a a failure. The hon. member for Richmond said that they abandoned it altogether—that they ran away from closure. But such is not the case. The remarks of the hon. member for Carleton on this point had very considerable truth—if you except three or four sentences

that were utterly uncalled for—that, by reason of the method of electing the Speaker in the British House as compared with this House, the position of Speaker has a somewhat different status in that House from what it has in this. As a consequence, it would have been open to hon. gentlemen opposite to complain if the responsibility for bringing closure into effect had been lifted from the shoulders of the Government and placed upon those of the Speaker. They would have cried: The Speaker is elected by the majority, he is the creature of the majority, and consequently he is prone to follow the will of the majority. But, instead of that, under the rule introduced, the Government take the manly position of accepting responsibility and abiding by it. But the conditions are such that reasonable notice in all cases must be given; and as a consequence we put it out of our power to do what is the power of the British House—to introduce closure at any time. In England, it was found, as I have said, impracticable to have closure, the measure was found abortive so long as the initiative was left to the Speaker. Consequently, I think about 1888 or perhaps a little later, the closure was changed so that the responsibility was lifted from the Speaker and placed upon a member of the House, which, of course, in the working out, means the majority. While the responsibility for moving the closure was placed upon any member of the House, the Speaker was left the discretion to say when it should be exercised. If we were to do that, it would be open to the same objection as has been brought before the House by the hon. member for Carleton. They would have raised that objection and would have proclaimed it from every platform. The Government take the responsibility, but under such conditions that they must give twenty-four hours' notice. After the discussion has proceeded for the length of time that in the judgment of the Government is sufficient, if any obstruction develops, all they can do is to move adjournment of the discussion and then the Opposition have the following day and until two o'clock the next morning to organize their attack and discuss the matter to their hearts' content. And, of course, the closure need not be enforced the following day but may be some time afterwards.

Mr. DEVLIN: I would like to ask a question before the hon. gentleman leaves that point. Does he maintain that the Opposition may expect that a minister of the Crown will be more impartial than the Speaker of the House in exercising closure?

Mr. MEIGHEN: I do not think the hon. gentleman seriously thought that I was so maintaining. I have never challenged the impartiality of the Speaker of the House—

Mr. DEVLIN: I am not asking merely to interrupt, I am asking for information.

Mr MEIGHEN: I was saying that the responsibility is on the Government who are answerable to the people and not on the Speaker, who as such is not answerable to the people.

Mr. DEVLIN: Why did not the English Government of the day, Mr. Gladstone at its head, place upon a minister of the Crown or the Government of the day the duty of imposing closure, rather than leaving it to an individual member of the House?

Mr. MEIGHEN: The hon. gentleman does not seem to appreciate the English rules. The duty of imposing closure is on the part of the majority of the members in the House of Commons, always.

Mr. DEVLIN: Exactly; that is what we want here.

Mr. MEIGHEN: But in Britain, any member of the House, however humble he may be, can at any time, on his own responsibility, demand that closure be applied, and put it to a vote; he cannot do it in this House.

Mr. DEVLIN: In this House it must of necessity be a minister of the Crown; a member has not that privilege. There is the distinction.

Mr. MEIGHEN: Does the hon. gentleman desire to widen the scope of the present resolution?

Mr. DEVLIN: What we want on this side of the House is that the power of the Crown be not extended to the degree to which it has been extended, having the result that the representatives of the people will have absolutely no rights in the matter.

Mr. MEIGHEN: In other words, the hon .gentleman says this: We have a closure whereby one, a minister of the Crown can, with notice, rise in his place and move that it be applied. That, he says, is tyranny; that is giving very great power to ministers of the Crown and to the Government. But, he says it would be freedom itself —and he would even agree to it—if any hon. member could rise in his place and move that closure be applied. I had said that this first amendment was objected to, so far as I could grasp the objection advanced, only on the ground that it did not provide the cherished liberty of debating, ad infinitum, a motion to adjourn. There was another objection which was advanced by the hon. member for St. John (Mr. Pugsley) seconded with very great eloquence by the right hon. leader of the Opposition,

affirmed by the hon. member for Richmond (Mr. Kyte) and reaffirmed, but in faltering tones, by the hon. member for Carleton (Mr. Carvell) who has looked into the subject; namely, that, if you pass these rules in their present form, it will be impossible for any hon. member of this House, as a matter of privilege, to rise in his place and make a charge against an hon. member of this House and ask for its reference to a committee and have it debated. The hon. member for Richmond, on his responsibility as a member of this House and in answer to a question of mine, stated that if these rules had been enforced the hon. member for St. Hyacinthe (Mr. Gauthier) would not have been able to have preferred his charge against and made his motion in respect of the hon. Secretary of State. That is what the hon. member said, is it not?

Mr. KYTE: What I had intended to say was that it could not be discussed. A motion is of no consequence if we are not permitted to discuss it.

Mr. MEIGHEN: The hon. member has a very frail ability to say what he intended to say, if that is the case. What the hon. member said—and it will appear in 'Hansard' to-morrow—is that the motion of the hon. member for St. Hyacinthe, levelling a charge against the hon. the Secretary of State, could not have been made if these rules had been in force on the day he made them. That also was said in the first place by the hon. member for the city of St. John. There might possibly have been some excuse for him; he had only two days to study the matter, but the hon. member for Richmond had three. The hon. member for Carleton this afternoon—and I watched him carefully—in order to forever proclaim his loyalty to the leader of the Opposition, said the same thing, but a few moments afterwards I heard him say, in a lower tone, that it was at least a subject of debate. I affirm, Mr. Speaker, that it is away beyond the pale of even a subject for debate. I affirm, and I stand to prove by the records of every charge made in this House during 20 years gone by, that the hon. member for St. Hyacinthe will have just the same liberty to make his motion after these rules go through as he had before, and the motion will be subject to discussion in the same way; all discussion, of course, being subject to the general rule that there is power to terminate it—it cannot be endless. What will such a motion come under? It comes under routine proceedings. The first clause of the resolution says that every motion heretofore debatable made upon routine proceedings, except adjournment motions—shall be debatable. Leaving out what does not pertain to routine proceedings, this is what the first clause says. Every motion heretofore debatable, made upon routine proceedings, except adjournment motions, shall be debatable; so that, providing the hon. member for St. Hyacinthe could make his charge and motion under routine proceeding, it will be debatable in the future just as it has been in the past. The question is, can he or can he not make it under routine proceedings? The right hon. leader of the Opposition said no; it is true—he said—you have the privilege of making motions under routine proceedings, but that does not refer to motions of this kind—it refers only to such motions as appertain to the procedure in the House; it does not comprise or embrace such motions as that made by the hon. member for St. Hyacinthe. That is actually what the right hon. leader of the Opposition, once Prime Minister of this country, said, and that is what was first adduced by the ingenious and fertile brain of the hon. member for St. John. What are the facts? Back in 1891, Sir Richard Cartwright, who was for many years an associate of the right hon. the leader of the Opposition, and who now, unfortunately for the happiness of some hon. members of this House, is in some degree his biographer; Sir Richard Cartwright in March 1890, made a charge against and a motion in respect of the hon. member for Lincoln, Mr. Rykert. When did Sir Richard Cartwright make his motion? He made it under routine proceedings, right under the eye of his leader. At what stage of routine proceedings did he make it? He made it immediately after prayers—the first thing under routine proceedings.

The records of the 'Hansard' and of the Votes and Proceedings show that after he made it Senate Bills were reported and Senate Bills are always reported under routine proceedings, so that there is no possible way of arguing that that motion made by the late Sir Richard Cartwright was not made under routine proceedings.

Let us pass on. We come next to a motion made by Mr. M. C. Cameron on the 20th of August, 1891, levelling a charge against a Mr. Cochrane, then a member of this House, similar to the charge made by the hon. member for St. Hyacinthe. This motion was also made under routine proceedings in this House and was made by a follower of the right hon. the leader of the Opposition, under his very eye, for the leader of the Opposition spoke at the same time. Passing to the 23rd day of September, 1891, for these motions were very frequent about that time, under the leadership of the present leader of the Opposition, Mr. Lister laid a charge against the late lamented Hon. John Haggart. He also made that charge under routine proceedings just about half a page after prayers and before several reports of committees were adopted and those reports are

always adopted under routine proceedings. Passing from that date to 1899 and that should not be very far out of the minds of hon. gentlemen, the present leader of the Government rose as a matter of privilege under routine proceedings and moved the reference to the Committee on Privileges and Elections of certain charges against officers of this House in the constituencies of Huron and Brockville. He made these charges in 1899, while the right hon. gentleman was leader of the Government, and he made them under routine proceedings. But beyond all this, only two years ago, the present Deputy Speaker, Mr. Blondin, rose in his place and in exactly the form used by the hon. member for St. Hyacinthe stated that upon his authority as a member of the House he was prepared to make and prove certain charges against another member of the House and he moved that those charges be referred to the Committee on Privileges and Elections. These charges were made only two years ago by the present Deputy Speaker and were made in the same way as the hon. member for St. Hyacinthe made his charge. They were made under the Premiership of the right hon. the leader of the Opposition and made under routine proceedings, immediately after prayers. And yet, so destitute are the Opposition of all grounds for their attack upon these amendments, that they have had the hardihood to say to this House that a charge could not be levelled and discussed against the Minister of Public Works, and they always like to bring in the name of my hon. friend, and what they say is his nefarious conduct, if we should adopt this amendment.

Mr. NESBITT: Were not all the quotations made questions of privilege?

Mr. MEIGHEN: Certainly they are. Any man at any time can rise to a question of privilege and consequently he can rise under routine proceedings.

Mr. NESBITT: At any time if he is allowed by the House.

Mr. MEIGHEN: No, a man has a right to rise to a question of privilege and if these amendments go through he still has that right. But if he wants to have the question debated and to make a motion he must come under routine proceedings and there is nothing in this amendment to change that.

Mr. NESBITT: When the charges or whatever you might call them, the questions to which reference has been made, were brought before the House were they not brought by permission of the House as questions of privilege?

Mr. MEIGHEN: Certainly, but a member does not have to ask permission of the House, he simply makes his charges under his right as a member and no man can say him nay.

Mr. CLARK (Red Deer): I think my hon. friend is wrong on that point, I rather think he will find a sentence in Bourinot to the effect that the consent of the House is needed in cases of privilege but as a rule the House is very generous in that matter.

Mr. MEIGHEN: I happen to have Bourinot. After a discussion of the necessity of the notice, he says:

> The precedents go to show that the Canadian House of Commons in its desire to deal promptly with all questions affecting its members, has generally waived the strict rules which govern matters of privilege, properly speaking, and given every possible facility for inquiry thereon.

Mr. CLARK: Precisely.

Mr. MEIGHEN: That is to say they have abandoned notice, that is all. Does the hon. member suggest that the House has to consent before a charge can be made by one member against another?

Mr. CLARK: I think that language suggests it.

Mr. MEIGHEN: I shall read what goes before that in Bourinot:

> Sir Erskine May has this observation on the subject: It has been said that a question of privilege is properly one not admitting of notice; but where the circumstances have been such as to enable the member to give notice, and the matter was, neverthless, bona fide a question or privilege, precedence has still been given to it.

That is to say, May says it is not a question that requires notice; there may be some doubt as to whether it requires notice or not, but so far as the Canadian House of Commons is concerned they have not insisted on notice and have allowed these motions to be made without notice.

Mr. CLARK: If the House has no say in the matter and if it be the right of a private member, how can it be their custom to waive rights?

Mr. MEIGHEN: That is in reference to notice. For example the hon. member can at any time rise in his place and give notice that he will amend, say, a rule. Two day's notice is required but the hon. member may get up and, with consent of the House, move without that notice, but no man in this House, and no man in the country has a right to say to the hon. member that if he gives notice he cannot make a motion and it is the same with motions that affect the privileges of a member of Parliament. We come now to clause

2, that is to say the second amendment which will be clause 3 of rule 17 and this is the bulwark of the amendment. It is clause 3 which is to bring about the possibility of progress in this House. Without clause 3 the whole machinery of progress would be in no wise improved. You can pass clauses 2 and 4, but if you do not put in clause 3 there is no method at all for stopping discussion. It is clause 3 which provides the method, upon reasonable notice of doing that. Clauses 2 and 4 are for the purpose of putting it out of the power of purely loquacious and obstructionist members to defeat the purpose of clause 3 or to circumvent the whole effect of clause 3. What is clause 3? It provides that whether in committee or in the House, any subject that is before Parliament may be discussed as it has been before, but when it has been discussed for such a time as the Government take the responsibility for saying is sufficient, the Government may, through responsible parties, through a minister of the Crown, give notice after, of course, moving the adjournment of the discussion, that on some day following they will move that the discussion be no further adjourned. If it is in committee they must add that it be the first business of the committee. That is to say, the discussion has proceeded on any subject, the minister has given his explanations and, if it is an important subject, it is the plain duty of the Government to see that the debate proceeds to a length commensurate with its importance. But after it has proceeded to that length, even the Government are not empowered by clause 3 to put a stop to it the way they are in England. The majority in this House are not empowered sharply and without notice to say that the guillotine falls and you must stop this discussion. No, they are only empowered to say this: We bind ourselves to go on with this matter on some future day and we give you that day for a continuation of the discussion up to two o'clock of the following morning when it must cease. Surely that is fair.

Mr. GERMAN: Could not the Government keep off the discussion on that second day until, say, 1.30 in the morning, or twenty minutes before two o'clock, and practically shut off all discussion?

Mr. MEIGHEN: I see the point of the hon. gentleman and I am coming to it because it was belaboured by the hon. member for Carleton, N.B. The hon. gentleman means that they could continue the discussion on some other subject?

Mr. GERMAN: Yes.

Mr. MEIGHEN: The Government of this country could do that if they were willing to take the responsibility, but what would be the object? Let us consider the question and see how it would work out.

Mr. GERMAN: It could be done?

Mr. MEIGHEN: Yes, but what could be the object? In order that there might be a short discussion on something that has been already discussed, the Government are themselves going to obstruct some other business and prolong the discussion over it. What object have the Government to serve by that? If it were possible within reason to put it within the power of even an insane government to do such a thing it should be done. We ought to provide against everything that we reasonably can, but first of all I do not think that we should be asked to believe that there would be a government in this country that has both so little regard for public rights and so little regard for its own commonsense and common business instincts as to prolong one discussion in order that another might be shortened. It is only obstructing the one thing in order that there may be no obstruction on another. What advantage would there be in that? We should not be asked to assume that any government would be so foolish. But how could it be avoided and not utterly destroy the whole effect of the clause? Suppose we were to say on this second day, or on this tenth day on which the discussion is to be resumed for the last time, that we must get to the subject at half past five, or at eight o'clock; then it would be in the power of hon. gentlemen opposite, by moving one motion after another, and by dividing this House every five minutes, to push the business up past half past five or eight o'clock, and the Government, to save themselves, could not possibly keep to the time that had been fixed.

Mr. GERMAN: Could it not very fairly be put in the rules that the next day should be devoted to a particular question with an allowance of twenty minutes for each speaker? There would be only one day from three o'clock to two o'clock in the morning.

Mr. MEIGHEN: For example, a very small item in Supply is under discusssion. The hon. member for Carleton, N.B., was authority for the proposition not long ago that all the discussion which should take place in Committee of Supply on a $200,000 vote for salaries was fifteen minutes. That was the time limit the hon. gentleman was ready to allow, but we will suppose that on some small item of Supply discussion takes place for a long time, that it dawns upon the Government that obstructive methods have developed and the Government are forced to move a postponement of the item under consideration and pass on to some-

thing else. Then my hon. friend from Welland would say that, having started to obstruct any item of Supply, no matter how small, the result would be that they must have a whole day for that little thing from three o'clock in the afternoon until two o'clock the next morning although it might be a discussion about fifteen dollars paid to somebody down in the county of Richmond, a subject which engaged the attention of the hon. member for Richmond the other evening.

Mr. GERMAN: I did not say it should be done. I was asking the hon. gentleman if, under these rules, it could be done?

Mr. MEIGHEN: Yes, but it would be absurdity itself if it were done and I do not think that any hon. gentleman could suggest any method for guarding against what some hon. members may think is a terror but which I think could not be perpetrated except by a government which was at once insane and vicious. To provide against that, I do not think anybody could suggest a remedy that would not put it in the power of loquacious members of this House to destroy the whole purpose of the amendment.

Mr. NESBITT: Would the hon. gentleman explain the meaning of the words in clause 3 of the resolution 'shall not have been resumed.' The debate may not be resumed at all next day before two o'clock.

Mr. MEIGHEN: I am very glad the point was raised or I would have omitted it. The hon. gentleman suggests that the effect of these words 'shall not have been resumed' would be that, even if the debate on the Naval Bill was not resumed by that time, the question would have to be voted on. I do not so interpret the intent. The matter must come up or it cannot be voted on. But the purpose is this: 'If, in Committee of the Whole, there are four or five clauses of the Bill that have been debated at some considerable length and the debate has been postponed, on the day following, or on some subsequent day, the motion comes on that these clauses be first considered and that their further consideration be not again postponed. Unless it were so stated, if some of these clauses were not resumed by two o'clock, it would be possible for obstructionists in the House to say: We will not discuss five of these clauses, we will only discuss the first, each of us can speak twenty minutes upon the discussion of the first clause and the Government could not get all the clauses through before two o'clock. The purpose of the amendment is to put it within the power of the Government to get the Bill passed by two o'clock. But, wait a minute, members of the Opposition who desire to criticise these clauses have the fullest opportunity of doing so. Every one of the clauses can be discussed on that particular day and they can centre their attack on such parts of the clauses as seem to them to deserve criticism. So, there is no danger whatever unless the Opposition wish to obstruct themselves; unless some of them wish to fall down in the road of the others there is no possibility whatever that all the clauses would not be discussed by two o'clock.

Mr. NESBITT: I hope the hon. gentleman will not think I am nagging if I ask him another question. The wording appears to be very plain:

And if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak at that hour.

Would it not be quite possible not to resume it at all before two o'clock the next day?

Mr. MEIGHEN: That is not my reading of the rule. I think the debate itself, would certainly be resumed by any government that had any regard at all for its duty. I do not think it possible to conceive of a government that would not. But suppose you said that it had to be resumed and had to be under discussion some time, then the point I made a moment ago comes in again; then those who desire to obstruct could do so to their hearts' content; they could bring in this, that and the other thing; they could continue to divide the House, and they could see to it themselves that it would not be reached until after two o'clock in the morning. But so long as the duty is on the Government of the country, there is where the responsibility should be, and there is no reasonable possibility, in the mind of the usually fair member for Oxford (Mr. Nesbitt), that any government would thus obstruct themselves up to reaching two o'clock in the morning, in order that there might be no more discussion on something else.

There is another objection dwelt upon, particularly by the hon. member for Carleton. Why, he says, this is worse than the British closure; this is something terrible; I am against closure of every kind; closure is Russianizing this country; nobody up to three years ago ever thought of closure; and he says: if we are going to pass this, then discussion in the Committee of Supply is tied hand and foot. I will tell him first of all, that in committee in the British House, just the same as in the House proper, closure may be applied under rule 133, and closure may be applied in Committee of the Whole and in Committee of Supply just as frequently as it may be applied in the House itself. That is to say, on any discussion in Committee of the Whole, or in Committee of Supply, or in Committee of Ways and Means, any mem-

ber may rise and call on the committee to close the debate and close it, not to come up again, but close it once and for ever. They can close a debate in a minute there; they can close before they discuss the item at all. Oh, but, says the member for Carleton: even though they can do that they have twenty days for Supply; you cannot shut them out of twenty days because the rule says they must have twenty days in which to consider Supply. In the first place, it is utterly inconceivable that we could get through Supply in this House of Commons the way these rules provide, even in twenty days. But I answer the hon. member: in the British House of Commons there is no rule whatever that says there must be twenty days for Committee of Supply. What the rule says—and I asked the hon. gentleman to read it when he was on his feet but he did not—what the rule says is there shall not be more than twenty days for Supply. That is what the rule in the British House of Commons is; the maximum is fixed in the British House, the minimum is not.

Mr. GERMAN: As this resolution is not going into committee, some latitude might be allowed in asking questions, and I wish to put another question to the hon. member.

Mr. SPEAKER: It is quite in order for any hon. member to ask a question, so long as the hon. member who has the floor is willing to be interrupted.

Mr. MEIGHEN: I will be glad to hear the hon. gentleman's question.

Mr. GERMAN: The resolution says:

> Any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution, or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed.

Now, the second clause of the Naval Aid Act is under discussion. If a motion is made that the debate be not further continued, does the hon. gentleman understand that that simply adjourns the debate on that clause, or does he think that it terminates the debate on the whole Bill?

Mr. MEIGHEN: No, just on that clause——

Mr. GERMAN: That is what I understand.

Mr. MARCIL: But it says: clause or clauses.

Mr. GERMAN: Could they not give notice as to the whole Bill and stop the discussion on every clause.

Mr. MEIGHEN: This is what can be done: clause 2 is under discussion, say for two weeks or three weeks or five weeks, as would suit hon. gentlemen opposite; clause 2 is under discussion and the motion to postpone the consideration of that clause is made. Then it would be in order I would think, for the committee to pass to clause 3, and clause 3 would then have to be discussed and a separate motion would have to be made as to clause 3.

Mr. GERMAN: In the same way on the twenty-four hours' notice?

Mr. MEIGHEN: Yes.

Mr. GERMAN: As to each clause.

Mr. MEIGHEN: Exactly.

Mr. DEVLIN: That is not the rule.

Mr. MEIGHEN: But, of course, that is the notice. A motion is made that consideration be postponed on one clause; then, after the other clause has been discussed, another motion is made, of course all within the responsibility of the Government, that the consideration of that be postponed. Then notice is given that the clauses so postponed be on a certain day not further postponed. That is to say, notice is given that a motion will be made on some subsequent date stated, that the consideration of these clauses, so postponed, be not again postponed, and these clauses then must be taken up on that day.

Mr. DEVLIN: And vote on the whole Bill and all the clauses?

Mr. GERMAN: That means discussion on the whole Bill could be stopped on twenty-four hours' notice. I would like to get more information. Clause 2 of the Navy Bill is now under discussion; the discussion of clause 3 will not be taken up until clause 2 is disposed of, and until clause 2 is disposed of, discussion on clause 3 will not be begun. Surely it cannot be the intention of the Government, simply with one notice, to say that on such a day the discussion on clause 2 shall terminate and on such a day the discussion on clause 3 shall terminate and on such a day the discussion on clause 4 shall terminate, and consequently wipe out the whole thing on that day?

Mr. MEIGHEN: I do not know that I understand the question but I will repeat what I have said and I think the hon. gentleman will understand me. Clause 2 is under discussion and the Government have reason, by what they have observed to see that it is being obstructed, or on reasons that appear to them good, they move that the discussion be adjourned.

Mr. GERMAN: On clause 2?

Mr. MEIGHEN: Yes. Nothing more, however, is done at that time and they pass to clause 3. That is the next thing to do, without a doubt. Clause 3 then becomes the subject of discussion in the committee. Clause 3 is under consideration and the committee discusses it also for a time, and the Government takes the responsibility for the length of that time. Then, if the same conditions develop; if the Government deem it is their duty as the custodians of the rights of the people of this country, they can move that the consideration of that clause be postponed. Then the committee passes to clause 4 and it is in the same category, and nothing is done as yet except merely to move the postponement. A debate has taken place successively on each clause and then when we have got all through the Bill and all has been debated clause by clause, the Government, or a member of the Government, may give notice that he will move on a certain day that these clauses, all of them, be the first business of that committee and be not further postponed, and then all the clauses must be taken up on that last day and concluded by two o'clock. I think that is absolutely clear.

Mr. GERMAN: It is worse than I thought it was.

Mr. HENDERSON: You mean it is better than you thought it was.

Mr. MEIGHEN: I am putting that as what would be within the power of the Government to do. Even that, the extreme exercise of its power, would be to give a day's discussion beyond what is permitted under the British rules. The Government does not need to do that. It can have one adjourned and then, if it is reached, it can take it up and finish it on a certain day, vote on it and then take up the other. Either way can be adopted. The extreme exercise of the rule would be to give to the Opposition of this House a day's discussion beyond what is given under the British rules. Within that day, the Opposition have it within their power to organize themselves and to discuss the Bill within that time to the best possible advantage. It is provided—because I presume it was anticipated that hon. gentlemen opposite would say, why, on the last day you have us right in your grip; you can put up some hon. member on the Government side and he can go on and discuss the Bill until two o'clock, so it is provided in this clause that no hon. member shall speak longer than twenty minutes, and that there will be no reasonable possibility, unless the Speaker becomes a conspirator with the Government, of refusing discussion on the last day.

Mr. GERMAN: You may not give us longer than twenty minutes to speak. You can quite easily do that.

Mr. MEIGHEN: He is satisfied with the last and he returns to the first objection that the Government might obstruct itself on one clause until one o'clock in order that it might not be obstructed on another until two o'clock. I do not think that the hon. gentleman seriously anticipates that any such thing could or would be done by a sane government. However you put it, even assuming the worst that you can assume against the Government, there is certainly a latitude allowed beyond what is allowed in the Old Land.

Mr. MARCIL: Does the same rule apply to a discussion of the estimates? As the rule now stands, the estimates are taken up one after the other. Would it be possible for a minister of the Crown to give notice that on a certain day the whole estimates of one department or of all the departments might be called automatically or put to the House.

Mr. MEIGHEN: Referring to the first part of the hon. gentleman's remarks, consideration of the estimates is analogous to consideration of clauses in a committee. In the estimates, resolutions are substituted for clauses. Consequently in clause 3, the term 'resolution' and the term 'clause' are both used. The Government could take the same course with regard to a resolution as with regard to a clause; that is, after it has been discussed for a length of time—and I earnestly hope the Government will allow more than fifteen minutes to a discussion of $200,000 of salary, which was the limit left by the hon. member for Carleton (Mr. Carvell) when he was on the Government side—after a resolution for a vote of a certain amount, say a salary, has been discussed for a certain time, the Government can move the adjournment of the discussion and can pass to another item. After it has been discussed for a certain time the Government can take the responsibility again if conditions develop to warrant such action, and move the adjournment, and so on. The Government can move three, four or more, and then, having moved those, can give notice that on a subsequent day those that have already been discussed be discussed on that day but that the discussion stop before two o'clock.

Mr. MARCIL: What about the resolutions that have not been discussed?

Mr. MEIGHEN: They could not possibly come on again. They must be discussed and the discussion postponed before they can be brought up on this last day, although I am sure that the hon. member

for Bonaventure will see that, consistently with making rules that will hold water, the Government has done everything in its power to be fair to the Opposition and to their privileges.

Coming to the last clause of the amendment, which is to the effect that on Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply or Ways and Means, if it is reached on those days, you, Mr. Speaker, shall leave the Chair without putting any question. If there is no question put, there can be no amendment and there can be no discussion. The House, on Thursdays and Fridays, if the Order of the Day is reached for Committee of Supply or Ways and Means, automatically goes into Committee of Supply or Ways and Means. Hon. gentlemen opposite are almost pale with terror at the effect of clause 4. Why, they say, it is a time honoured privilege of the representatives of the people, before they vote a dollar of Supply to the Crown, to see to it that all public grievances are redressed. It has also been not a time honoured, but I am afraid an ill-starred privilege of hon. gentlemen opposite for many years to take advantage of motions to go into Committee of Supply or Ways and Means to move any amendment of whatever frivolous character they may desire. Unless it were put within the power of the Government to get into Committee of Supply on certain days, hon. gentlemen would move any amendment they liked on a day when the Government wanted to go into Supply, and it would be impossible for the Government to get into Committee of Supply if hon. gentlemen saw fit to obstruct. I want to invite the ingenuity of hon. gentlemen opposite to revise the rule as to the privilege governing an amendment to the motion to go into Supply, and so do it that you could stop an obstructive opposition, unless you do it in some such way as that. If you fail to place any restriction on the latitude of hon. gentlemen to move amendments to Supply, then tell me how in the face of a determined obstructive opposition you can ever get into Supply. Consequently, that proves that it is necessary. You have to do it. You have to pass it, whatever the results may be. You have to pass it or you have to recede from the closure, and you have to proclaim to this country and to the world the impotence of this House. You must do one or the other.

Are the new rules as terrible as they have been painted? Worse than in the British House, says the member for Carleton (Mr. Carvell), worst thing I ever saw in my life is this clause 4, because in going into Supply on Thursdays and Fridays we cannot move amendments and we cannot discuss anything we like. The worst of it all is that Thursdays and Fridays are together. That is what seems to disturb his logical mind. I am only sorry that the hon. member for Beauce (Mr. Beland) is not in his place, because he was the originator of the discovery this afternoon that Thursday and Friday came one after the other. The objection, reduced to a semblance of reason is this, that inasmuch as the Government might go into Committee of Supply always on Thursdays and Fridays; there is no provision by which they could at any time discuss the administration of a department on a motion to go into Supply. This clause reads as follows:

> On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply or Ways and Means——

The House goes into Committee of Supply or Ways and Means automatically, but a proviso is inserted that the estimates of no department can be taken up on Thursdays and Fridays for the first time unless by the consent of the House. Oh, but, say hon. gentlemen opposite, that means the consent of the majority. I invite the hon. member for Bonaventure (Mr. Marcil), I invite any hon. member opposite to get up and name me an instance in the whole history of this House or in the history of the British House where the term 'consent of the House' has been interpreted to mean 'consent of the majority.' These words have always been interpreted to mean 'unanimous consent of the House,' just as stated by the right hon. the leader of the Government. Hon. gentlemen opposite were offered the chance to put in the word 'unanimous,' but the right hon. the leader of the Opposition said, 'I am too old a bird for that.' Why, he says, it is not to get the rules perfect that I am here; but to debate them. Or, in other words: I want to pursue an avowed policy of obstruction. I say that the words 'consent of the House' mean, and have always been interpreted to mean, the unanimous consent of the House. Since the point was raised, I have taken the trouble to discuss the matter with officers of this House, and they give the same opinion I had arrived at myself and that the right hon. leader of the Government has expressed. Does any hon. gentleman think that, in the face of that declaration by the leader of the Government, it would be possible that it should be interpreted during the life of this Parliament otherwise than meaning unanimous consent, no matter what the precedents were? It would be quite impossible. But the leader of the Government says that if in the face of his own opinion and the advice of the officers of the House the Speaker should rule that this meant consent of the majority he would bind himself to move that the rules be amended by inserting the word 'unani-

mous.' Nothing could be fairer than that. It is quite clear that these hon. gentlemen do not want the rules perfected, they want to debate them and amend them ad infinitum. Such being the salutary protection afforded to members of this House, no minister could get the House into Committee of Supply on his estimates without the amplest opportunity being given to members of the House to discuss the administration of his department—or anything else for that matter. They could object to his going into Supply on Thursday or Friday by simply refusing to consent and insisting upon his moving for Supply on Monday, Tuesday or Wednesday.

Mr. MARCIL: Rule 25 provides that Government business has precedence for the first four weeks of the session only on Tuesday, Thursday and Friday. That would mean that for that time Monday and Wednesday would not count.

Mr. MEIGHEN: But, as the hon. member knows—probably no one knows better—the House is very little in Committee of Supply during the first four weeks of the session. But even during that time they have always Tuesday, even if the motion to go into Supply should be made; and, as I have said, they have the right to move an amendment and discuss anything they like—they can move that the moon is made of green cheese if they like—before they let the minister get the vote through the House. Surely that privilege is ample. But the hon. member for Carleton objects to being confined to any particular days; he wants this privilege at all times. But if he gets it, he has defeated the very purpose of the amendment. That is what these hon. gentlemen want—they want rules that can be over-ruled, or under-ruled, or by-ruled; they want amendments that do not amend, they want closure that does not close.

It was not always thus. Hon. gentlemen opposite are recent converts to these extraordinary views. I am sorry the hon. member for Carleton is not in his seat. He is the hon. member who to-night declared that there was no reason in this country for closure, and never had been; that we were introducing Russian methods, Polish methods; that we were worse than Russia and Poland in ever thinking of closure. He said: I was on the committee three years ago, and up to that time nobody ever thought of closure; we never discussed such an extraordinary and vicious principle. He declared that to think of such a thing appalled him in this free country; that European countries might stand for it, for in those countries they do not know what freedom means, but that you could never get a Canadian to put up with it.

Some hon. MEMBERS: Hear, hear.

Mr. MEIGHEN: Hon. members opposite say 'Hear, hear.' I suppose these hon. gentlemen never held to any other view than to that which they now express. But has the hon. member for Carleton always been of this view? Has he never thought of this principle of closure until now? Let me quote his words on this subject. Here is what he said—and do hon. members think it is only within three years that up to three years ago as he said the minds of members of this House were never polluted with the idea of a closure? Here is the way in which the hon. gentleman deals with this question on the 5th of June, 1908:

> The action of these hon. gentlemen——

That is, the Opposition of that day—

> —raises the question fair and square: Can the Government of this country, whether Liberal or Conservative, afford to be placed in such a position as that? Can any government afford to place itself at the mercy of an Opposition and virtually declare that, if the Opposition do not like any thing contained in legislation that is introduced, all the Opposition has to do is to withold Supply and the Government will back down? Carried out in practice and you have a country ruled not by the majority but by the minority.

And again:

> I ask again: Can any self-respecting Government afford to be placed in this position? I say there is only one solution to this question; if this Opposition, or any other Opposition, chose to pursue such a course, the inevitable consequence will be the closure. I am not the first one to advocate the closure.

He sure was not.

> I am going to quote to the hon. gentleman an authority coming from their own party, I am going to quote to them an article from the Montreal Gazette of June 1, in the form of an editorial, a portion of which reads as follows:—
>
> It is not the use, but the abuse of the right of discussion that creates public weariness and leads people to upset the natural order of things and to think of the government which acts as of more importance than the parliament that only talks. So, probably, the mass of the people, without knowing much about the situation, would approve of a plan which promised to shorten the session of parliament by checking the flow of unreported talk. Closure began in the French Parliament. It was adopted by that of Great Britain. It exists in the Congress of the United States. These are in their way the three leading parliamentary bodies in the world. What they have agreed to accept may be expected to come in other popularly ruled countries.

That is the quotation, and the hon. member for Carleton adds:

> To my mind that is the proper doctrine.

But he did not stop there.

> Therefore I say that this is a matter which ought to be discussed thoroughly; and I

believe that if the Opposition determine to persist in this unpatriotic, unworthy course, the next move the Government will have to take is to adopt the closure. And I now say to the Government that in my opinion, while I think that is the only course they can pursue, it is one that will be sanctioned and approved by the people of this country. Let the Government start in at once to change the rules of this House, if it takes months to do it in order to adopt the closure.

These are the words of the hon. member for Carleton, who thinks his province was disgraced because a member from the province of New Brunswick had something to do with the introduction of this resolution!

While I say this I do not claim that the opposition have no rights; I admit they have rights in this House, they have rights in every parliament. They have a right to discuss any question, they have a right to ask questions when the Government are asking Supply and they are entitled to all possible information, but there is not a man of them, except the hon. member for Lincoln (Mr. Lancaster), who has intimated that the Government have withheld any information which would justify them in taking the course they have taken. They have a right to discuss all these questions and then they have a further right to demand a vote upon any item; but that is all they have a right to do, and the people of Canada are justified in asking that they shall be reasonable and when they have exhausted these rights allow the business of the country to proceed.

If the hon. member for Carleton would if possible, revert to the same sentiments to which he gave expression in 1908, two years before he got on that committee, it would be a good thing for the Opposition and it would be a good thing for the hon. gentleman himself. But he was not alone in the expression of these views. Who was the first in this House to ridicule the idea of closure? Who was the first in this House to defy the Government to bring in such an iniquitous measure? Who was the first in this House, after closure was introduced, to throw all his cards on the table, and to claim obstruction as the only means of meeting the iniquity of closure? It was the hon. member for St. John, was it not? The hon. member for St. John could not fight closure to his satisfaction by the use of the proper legitimate methods, but he had to get up and move the adjournment of the House in order to discuss the bad roads in the province of New Brunswick, and the question of woman suffrage, so that he might obstruct and defeat, if possible, the passage of closure. I was struck with the peculiar aptness of the fact that the hon. member for St. John made reference to the question of woman suffrage; I knew that his mind was travelling across the fields to those who are co-workers and co-labourers with him in a very similar cause in old England to-day. He conceived that to discuss in some way the wrongs of the women of England was a very adequate method of meeting the iniquity of the closure. Now, has the hon. member for St. John always though that? How is it his mind is so pure now that it cannot behold the iniquity of closure, when it was so very different a short time ago? I have a quotation from the hon. member for St. John, which I take from page 10070 of the 'Hansard of July 24, 1911—the hon. member for St. John can beat the hon. member for Carleton a thousand ways when it comes to turning upside down on any question. He said:

The threats which hon. gentlemen have made this afternoon tend towards almost, if not quite, revolutionizing the theory which has hitherto prevailed. That theory has been that gentlemen would recognize not only their rights but their duty and that is that the will of the majority shall prevail. That is recognized throughout this country as governing all assemblies, all meetings in which people are concerned, and at any meeting attended by the people of this country, whenever there has been fair and reasonable oportunity——

Recognize the words!

—fair and reasonable opportunity for the discussion of any question, the minority have always recognized that the view of the majority shall prevail, so far at all events as that body is concerned; and so in this Parliament. I ask hon. gentlemen opposite whether, after hon. gentlemen have had a full opportunity, as they have had during the time that this question has been under discussion, of expressing their views, it is not tending to destroy free parliamentary institutions for hon. gentlemen to rise as they have risen to-day and threaten that this question shall not be allowed to come to a vote.

Here we have the statement of the hon. member for the city of St. John that the avowed action of the Opposition, as expressed by their own leader yesterday, is nothing more or less than an attempt to upset the whole theory of British Parliamentary institutions! On the occasion to which I have referred an hon. member says to him: 'What about 1896?'—when the Liberal party obstructed—and he answers:

I do not care what took place in 1896; I was not here in 1896. I say it is not in harmony with the principles which ought to govern parliamentary institutions that gentlemen should rise in their places and threaten, simply because their views are not the views of the majority, that there shall be no opportunity to vote upon this question, and no opportunity, in a constitutional way, of giving expression to the views of the majority of this House. That is revolutionary; it is not in harmony with the principles of constitutional government.

Will the hon. member for St. John be good enough to tell the House whether or not he is prepared to see the legislative institutions of this country subverted and destroyed rather than accept a reasonable limit of debate?

The right hon. leader of the Opposition proclaimed yesterday that no matter how greaty others might have erred and strayed from the proper path, he had aways been true to the principle of freedom of speech. He at least had never renounced his allegiance to the principles of Charles James Fox; no matter how the Hon. William Paterson differed from him in 1909 and in 1911; it was just a case of fighting like cats and dogs. I was always, he says, on the other side, no matter what the Hon. William Paterson said: I stood true to no closure no matter what Mr. Sydney Fisher said—he who from his retreat at the present time closely resembles, in his attempt to lead and marshall the forces of hon. gentlemen opposite, another party across the water who has to do a similar work also from a position of retreat. Notwithstanding what the Hon. Sydney Fisher said, he stood true to the principles of closure, I would never introduce closure says Sir Wilfrid Laurier I would rather go into Opposition any day than introduce closure now, notwithstanding what Sir Allen Aylesworht said, he is all wrong, false to the principles of Liberalism; notwithstanding what the hon. member for Rouville may have said at St. Hyacinthe, notwithstanding what the Liberal organ reported him to have said—and the language in its picturesqueness and pithiness bears a marked resemblance to what I have heard from him—notwithstanding that all his remarks are re-echoed and reaffirmed by the hon. member for Russell (Mr. Murphy) who was my Secretary of State, notwithstanding these five Cabinet ministers piling on my back to pass the closure, I stood true, and now I have all of them and all their followers behind me and none of us have any use for closure. That is the position of the right hon. leader of the Opposition. It is true, he said, that Mr. Gladstone introduced the closure; it is true that I have up to now proclaimed myself a Liberal of the Gladstone school; but I have changed, I have found a higher model, I am a Liberal of the school of Fox. Gladstone introduced closure, why? In order to defeat the obstruction of forty Irishmen in the British House, and the leader of the Opposition said that was quite legitimate, because the Opposition then were not parties to the obstruction; the Opposition believed it was the duty of the Government, it was a duty which both parties owed the country, to see to it that the wheels of Parliament were not clogged, that the arteries of legislation were not stopped, that it was not possible for a small minority to thwart and throttle the whole principle of Parliamentary government. And the hon. member for Carleton, by some circuitous route got around to the same idea and he also says that is all right. Therefore, so long as it is forty Irishmen who are obstructing it is all wrong, but when eighty members of Parliament do it it is perfectly right to obstruct. It is all wrong for forty men or for thirty-six, I think he puts it, and entirely right for eighty members to subvert free institutions in this country; so long as you get the Opposition willing to join in the conspiracy, obstruction becomes a virtue instead of a vice. That is the position of the hon. member for Carleton. But, says the right hon. leader of the Opposition, even when Mr. Gladstone did introduce the closure, that was only the first page of his political career and to that stage I do not subscribe. I subscribe to the second page when he gave adhesion to the cause of the Irish members and endeavoured to bring it to fruition in Parliament. But will the leader of the Opposition not recall the fact affirmed by every member in the British House at that time, by every historian of any party, that it was impossible that Gladstone or any statesman could ever have succeeded in putting through the realization of his dream of Irish self-government except by the instrument of the closure? Gladstone in his own day never succeeded in bringing to actual legislation the principle of Home Rule in Ireland; whatever be the merits of the cause of Home Rule, Gladstone never succeeded in getting it through the House of Commons except by the application of the closure. After that, at the present time and under the present Liberal Government, a Home Rule Bill has again passed the British House of Commons and has been sent to the Lords and been defeated; it is not law but it never would have got where it is in the hands of the present Government except by the application of the very principles we are endeavouring to have made part of the procedure of this House. The leader of the Opposition cannot subscribe to the second page of the life of Gladstone, unless he also subscribes to the first page. In order to get authority, for he could not quote the Toronto Globe or the Edmonton Bulletin or the five closure members of his late Government, he goes where? His authorities to-day against the closure are Edmund Burke and the Ottawa Citizen. The names of Fox and Burke should not be mentioned in any British Parliament with emotion. Fox was a man of great talents, of great virtues and of great errors. Burke also was a man of great talents, of great virtues and of great errors. But you can search the whole catalogue of the talents of

Fox and of Burke and you will never find in either of them a power to prolong the length of a speech away beyond the limits of the ideas of the speaker. It was a power not possessed by either Fox or Burke and that is the very element and essence of obstruction. You will search the errors of both of these men—and great were their errors as were their virtues—and you will find no attempt to perpetrate such an offence even if they had been capable of it. Burke would never be guilty of so much as a trace of such obstruction as has been practised in this House, the mask of which was thrown off by the leader of the Opposition, nor would it have been countenanced by either of them in the British House of Commons.

How is it that the right hon. gentleman had to go so far back? Are we to look for our authorities against closure, even if we could find them, back a century and a half when the business of the British Parliament bore no comparison to the extent of its business now, before the monster obstruction had ever reared its head in British politics, before that art was even known—because it never developed in the British House until sometime in the middle of the last century? How then can we find authority before that time? You cannot find an authority for the treatment of an evil before the evil exists. How is it that the authority of British Liberalism has so degenerated since the days of Fox and Burke. How is it that the virtue of the rules of the Parliament of Britain stopped in 1867 and that since that date we must stop taking any lessons from them? That is the proposition of the hon. member for Carleton. He says that in 1867 we passed a rule providing that where we had not rules in this little rule book of ours we would go back to the rules of the British House in 1867 and he argues that by reason of that it is unconstitutional to introduce closure now, it is unconstitutional to amend our rules because we said that if we did not have rules to suit any particular case we would go back to the rules of the British House of 1867. The hon. member said that Quebec would never have entered this Confederation, nor would a minority in any sense in this country, if they had thought that we would amend the rules of this House. He says you can go back to the eighteenth century, go back to the middle of the last century, even to 1867, but the minute you amend the rules of this House in the light of what they have learned in Great Britain since 1867 that minute there is an end to the constitution. We not only have liberty, but we are bound to gain all we can of light and of reason and of experience from what has taken place in the British House both before and since 1867. We have, since 1867, availed ourselves of what they have learned and practised more than once. No later than 1910 we introduced into our rules a rule of the British House, adopted since 1867. We have introduced more than one, but in 1910, we introduced this rule which provided that the Speaker might interrupt a member who was tediously repeating himself or repeating the arguments of another member, and call upon him to cease. That rule we took holus bolus from the rules of the English House enacted since 1867 and we took it under the motion of the right hon. the leader of the Opposition and with the approval of the hon. member for Carleton. Now, we are told by the hon. member for Richmond that Liberalism has turned with disgust from these things in Great Britain. It is true, he says, that Mr. Gladstone was driven to it in 1882, but he quit it for a long while and he did not get back to it again until 1887. In England the initiative during those years was vested in the Speaker and Mr. Gladstone was powerless to set closure going; if so, how could he be blamed for not setting it going? But when the rules were amended, from 1887 on, what was the result? I have here a list of the times that closure has been enacted since that time year by year in the British House. The hon. member for Richmond gave us to understand that this was a Tory device. He says that Mr. Gladstone enacted it but turned in disgust from it, that Liberalism became disgusted with it also, and that it has been the Tories who had put it into execution since. What do the returns brought down to the English House of Commons show? In 1888 closure was applied twenty-eight times and in 1889 forty-seven times. I pass that now because it was applied continuously during the following years and I come to 1900. It was applied from 1892 to 1895 repeatedly. I do not give the figures for the reason that there was no return ordered by the British House of Commons covering the matter and the only way to get these figures is to take them from the British 'Hansard.' But it was applied every year. As the House will remember, there was a Tory government in power in the Motherland, from 1900 to 1905 and the following statement shows how the closure was applied during the ten years starting with 1900.

Under Tory Government:

1900	17
1901	57
1902	70
1903	20
1904	69

Under Liberal Government:

1905	61
1906	112
1907	66
1908	63
1909	156
1910	28

The record of the Liberal Government shows—and I make no criticism of them for it—that they applied the closure double the number of times that the Tory Government did. The Prime Minister of Great Britain, within two weeks of the present hour, introduced an amendment of the closure rules stiffening and hardening them so as to make them even more drastic than they are to-day. If that amendment has not yet reached its passage I have no doubt that it will be put through within a short time. In making that motion he affirmed that there is no member of either party who would say that the progress of legislation would to-day be possible in the British Isles were it not for the closure rule. He says that it would be impossible, not necessarily because of obstruction, but because of what might be called legitimate discussion, for the British Parliament to get through the business which they have to do were it not for the closure rule. We have framed our closure rules with the limited object in view, not of meeting legitimate discussion, because in this country we have time for all legitimate discussion, but we have framed our rules to meet obstruction and obstruction alone.

Now, I have delayed the House three quarters of an hour beyond the time that I intended to speak and I will close what I have to say. I recognize that a man cannot speak again on this motion. I urge this upon the Opposition, I urge this upon the House in all seriousness that we come, at this juncture of the history of this Parliament, to the solemn and adequate realization of our duties to the people of the country. There is no hon. gentleman in this House who will not agree that a very large proportion of the time of Parliament is not occupied as closely and with as much effect as we ought to occupy it. There is no hon. gentleman who will say that it is. There is no hon. gentleman, who desires to be reasonable, who will not agree that without an amendment of the rules that will have the effective purpose of limiting debate, there is no possibility of our utilizing our time to the best advantage of the country. Let us rise above the conception —we do not need to rise, we are all above it—let us for the minute realize that we are above the conception of our duties entertained by the hon. member for Richmond, namely, that we are here merely as two sets of gladiators on the political theatre, each seeing which can gain points on the other, or that we are two strutters in a prize ring each trying to win under certain rules. We are here in no such capacity. We are here the sworn servants of the people of this country and, if we carry out our obligations under our oaths of office to the full, we will see to it that to the best of our capacities we utilize the time of this House to the advantage of the people of this country and we will see to it that we amend the mechanism of Government so as to make it impossible for hon. members who may not have that conception of their duty to thwart the purposes of the majority who have.

Mr. McKENZIE: Mr. Speaker, we have now reached the time at which we adjourned last night and, if the leader will agree, I would like to move the adjournment of the debate.

Mr. ROGERS: It is rather early in the evening, but still we want to extend all possible courtesy to hon. gentlemen opposite and give them all possible time, without limiting debate, for the discussion of this question.

Mr. McKENZIE: Then, I move the adjournment of the debate.

Motion agree to and debate adjourned.

Mr. ROGERS moved the adjournment of the House?

Mr. GRAHAM: What will be the business to-morrow?

Mr. ROGERS: The same thing.

Motion agreed to, and House adjourned at 11.05 p.m.

HOUSE OF COMMONS.

FRIDAY, April 11, 1913.

The SPEAKER took the Chair at three o'clock.

JAPANESE EMIGRATION.

Right Hon. R. L. BORDEN (Prime Minister): I desire to present to the House a declaration of the Imperial Japanese Government, which has been communicated to me by the Hon. T. Nakamura, Imperial Japanese Consul General at Ottawa, and which is as follows:

Imperial Consulate General of Japan for the Dominion of Canada.

The undersigned, His Imperial Japanese Majesty's Consul General at Ottawa, duly authorized by his Government, has the honour to declare that the Imperial Japanese Government are fully prepared to maintain and intend to maintain with equal effectiveness the limitation and control which they have since 1908 exercised in the regulation of emigration from Japan to Canada.

(Sgd.) T. Nakamura.

April 11, 1913.

REPORT PRESENTED.

Eleventh Report of the Geographic Board of Canada for the year ending 30th June, 1912.—Mr. Borden.

WATER SUPPLY FOR WESTERN CITIES

Mr. W. E. KNOWLES (Moosejaw): Before the Orders of the Day are called, I desire to ask a question which has reference to a very urgent matter connected with the city of Moosejaw. The Minister of Public Works may know something about the matter, as he will probably remember that, while he was in Moosejaw last summer, his attention was directed to the urgency of having a survey made over the Saskatchewan river with a view to obtaining from that source a water supply for Moosejaw and other cities. I would like to ask the minister and the Government what has been done, either in conjunction with the provincial government and the railways or otherwise; and what is proposed to be done with a view to following up this advantage?

Mr. ROGERS: I do not remember in detail the matters to which the hon. gentleman refers, but if he will put a notice on the Order Paper, or write me, I shall be glad to supply him with all the information available in the department.

Mr. KNOWLES: Has anything been done?

Mr. ROGERS: Not that I remember.

PARCEL POST.

Mr. LEMIEUX: I have received several inquiries as to when the Bill with respect to parcel post will be formally introduced to the House, and an explanation made as to the working of the system. Can the hon. Postmaster General give me any information to that effect?

Mr. PELLETIER: Mr. Ross is at Washington now, or was there lately, obtaining some more data in connection with the matter, and we shall probably be able to present the Bill as soon as the other business, which has been long before the House, is finished.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Consideration of the proposed resolution of Mr. Borden, to amend rule 17 of the House of Commons, and the proposed motion of Mr. Hazen, that this question be now put, resumed from April 10.

Mr. D. D. McKENZIE (Cape Breton North): Mr. Speaker, I rise to address the House upon a question which I conceive to be one of the most important and far-reaching which has engaged the attention of this House since Confederation. At the time this country was constituted into a confederation and this Parliament was established, freedom of discussion, liberty of speech, responsible government, and all the other institutions that we prize so highly and love so dearly, were handed down to us by our forefathers. They were fought for and won by our forefathers before the days of Confederation. They have been handed down to us as a great and glorious heritage which it is our duty to safeguard and preserve, and it is incumbent upon us to do whatever is in our power, and to put forth every effort we can constitutionally and properly make in this House, to preserve unsullied and unimpaired these liberties, and to hand them down to our sons and daughters, or whoever may come after us in this country or in this House. I have listened with a great deal of interest to the speech of the hon. member for Portage la Prairie (Mr. Meighen), who has preceded me in this discussion. Every hon. member of this House must do that hon. gentleman the credit of saying that he always brings a great deal of research, talent and ability to bear upon any matter that he chooses to discuss in this House, and, in dealing with this question, the hon. gentleman has upheld his reputation in that regard; but I contend that he did not bring anything new to bear upon it. He has disclosed to you, Sir, and to the House, that he has gone fully and extensively into the history of the closure in the Old Country, that he has inquired into the conditions which prevailed in the old land at the time of the adoption of the closure, and that he wished to make those conditions and facts apply to circumstances in this country. I submit that, if the conditions were the same in the Old Country as they are here to-day, expressions of opinion by such men as the late Right Hon. W. E. Gladstone should carry authority and should be regarded as binding upon the public opinion and common sense of this House and of the country. But I submit that the circumstances which confronted the Right Hon. W. E. Gladstone at the time he introduced closure in the old land were entirely different from the circumstances and conditions which to-day are in vogue and prevail in this country. I submit therefore with all confidence that the arguments which were addressed to us yesterday by the hon. gentleman who so ably addressed himself to this question will not apply to conditions in Canada.

The necessity of some law of Parliament such as the closure may be universal, but before we make such a law apply universally the conditions must be ascertained to be the same in all countries; and before applying it to our own Parliament we must find that the conditions prevailing in this country are the same as those which existed in the old land at the time the closure was introduced there. Of course the word closure has not any clear-cut dictionary definition because there may be degrees of closure, and when we use the word 'clo-

sure' it may be a slight impeding of the usual liberty of speech or it may be a measure of the most drastic kind. Between those extremes there are different conditions that prevail in different countries. It is a grave matter for this Parliament and for the people of this country that institutions which have prevailed for now well nigh two hundred years should be done away with. Our forefathers cherished them and handed them down to us as the most precious legacy which they possessed, and in the different parliaments of Canada to-day they are still in force as they were one hundred and fifty or nearly two hundred years ago, without any trammel or gagging or impediment of any kind on the liberty of speech. I submit that, under such conditions, when this country has grown up to the splendid and magnificent position which it occupies to-day, it is a grave matter indeed for us to make a backward step, a step into thraldom, a step which cuts down and limits the liberties of the people as this amendment proposes to do.

The members of this House are the representatives of the people of Canada; every member stands as a reduced representation of the great or small body of the people of this country whom he represents and it is the expectation of the Canadian people, it has been hitherto the right of the Canadian people to believe and insist that, through their representatives in this House, there should be free speech and full power to express in this House, in this great tribunal of the people, this final court of the land, where laws can be made and unmade, the only tribunal in the country where remedies can be granted or denied, the opinions which are held in the various constituencies. When we are in that tribunal, when we are in that place of power, when we are at the foot of the throne with the interests of the people, I submit it is of the highest importance that our hands be absolutely united and that we be absolutely free to present our case to you and to the powers that be without the slightest trammel of any kind. I submit therefore that the party and the Government and the Prime Minister who are undertaking this task of cutting down our powers and our liberties and depriving us of those rights, are taking a grave step and one that should be fought at every point.

One important distinction between the considerations that met Mr. Gladstone at the time of the introduction of closure in England, and the circumstances in this House to-day, is of the most striking character. Some time ago I took the position and challenged contradiction upon the constitutional point, and I make the same challenge to-day, that there is no constitutional authority for the legislation which caused all the trouble in the House and which we have been fighting for some time. I submit to you now on my responsibility as a member of this House, that in sending militia men beyond the bounds of Canada or in providing for doing so we had no constitutional authority, and I say that in the building of ships to be sent beyond the constitutional limits and bounds of Canada we have no authority either. I submit, therefore, that there is a dividing line of the most striking and the gravest character between the position confronting the Premier of England at the time the closure was introduced there and the position here to-day. There was no question there about the constitutional right of the business before Parliament. No particular mandate from the people of Great Britain was required for the enforcement of the business which was the ordinary every-day business of the Parliament as it had been going along in the current and rut of events for thousands of years. That business was being impeded and interfered with and for that reason there was no question about the necessity of applying such a remedy as would enable Parliament to look after the affairs of the country.

We have been told here by my hon. friend who has spoken before me on this question that addresses were presented to this House and opinions expressed by hon. members on this side of the House when we were supporting the Government, to the effect that we were in favour of the closure and that the business of the country and of the House should not be interfered with, that such an interference would not be tolerated. He called attention to these speeches, and their production in the House by the hon. member for Portage la Prairie was received with great applause by hon. gentlemen supporting the Government. If any person will take the trouble to inquire into the subject a little deeper, to read with a little care the important deliverances at that time of the hon. member for Carleton, N.B., he will find that that hon. member's references were altogether to the granting of Supply and not to any ordinary and indifferent legislation that might be before the House. What he directed his remarks to was what may be regarded as the life of the people of this country. We cannot get along without money. The services of the people who are dependent for their earnings and the sustenance of themselves and their families upon the Government and who are employed by the Government must be paid. The public works that are under way must be provided for, and the ordinary Supply for the country must be forthcoming from time to time. My hon. friend from Carleton, N.B., had reference entirely to such

conditions as that when he made the statement in this House some years ago that, if hon. gentlemen then in opposition would persist in refusing Supply, there was nothing else left but to bring about such conditions as would enable Parliament to furnish the money that was required for the legitimate business of the country. That is entirely different from the situation which is confronting us here to-day. We are here dealing with a measure which is without constitutional authority and behind which there is no mandate from the people.

The hon. member for Portage la Prairie made some argument in regard to the rules, as he understood them, and to the necessity of them, which I could not very well follow. While for the present I might agree that it is possibly necessary to have some regulation or rule which the Government does not now possess in order to force through Parliament this Naval Bill, I will not for one moment concede that there is any necessity for such a drastic measure and I will ask the people who have sent me here and the country at large, as far as the country will take any stock in what I am saying, to believe that in so far as the granting of Supply is concerned there is not the slightest necessity for any change in the rules. It has been a well understood and proper principle that drastic laws should not be made in any free country until conditions should arise demanding such measures. Why should drastic laws and regulations be passed by this House for the pushing through of Supply in any way apart from the old and well-understood rule until some obstruction had been thrown in the way of granting supply that would justify the adoption of new rules? We are now well advanced in the second session of this Parliament since the present Government came into power. On no single occasion has there been any undue obstruction or criticism upon any vote which was asked for by the Government to carry on the legitimate business of the country or for any purpose whatsoever. I remember that last year we were dealing with the Estimates from day to day and time to time, and it is almost to our discredit that a large volume of these estimates were through within twenty-four hours with hardly any criticism whatever from hon. gentleman on this side of the House. On every occasion when Supply was asked for, it was cheerfully granted and granted without the criticism that the important subjects dealt with should ordinarily demand. Why, then, should we have a rule put before this House and why should we be asked to pass a rule by which we are gagging ourselves, shutting our mouths, so that we shall have hardly anything at all to say about the granting of supplies which are crawling up closely to the $200,000,000 mark? I venture to believe that by the time the supplementary estimates are brought down we will likely have reached the $200,000,000 limit, and we are to be told that we have nothing whatever to say about the purposes to which that money will be devoted. It would seem to me that is the purpose that the last rule has in view. In the Motherland for hundreds of years and in this country for many years we have enjoyed the privilege of presenting our grievances to His Majesty the King, through the Speaker in the Chair, before granting Supply. I need not relate the history of this great constitutional lever that has remained for hundreds of years in the hands of the British people and which is to-day in our possession. We would not grant money to the Government to be expended until such grievances as we might think we suffered under should be remedied and alleviated. That principle is as old as the constitution itself and we are told that, in this twentieth century, that bulwark of our liberties is to be sacrificed, that we are to have nothing to say about how the moneys of this country shall be expended and that it is to be no longer a condition precedent to the granting of money that the rights of the people shall be preserved and their grievances remedied in so far as such remedy may be available at the hands of the Government which is asking Parliament to grant this money. I submit that this is a grave question for the people and for the House and that we should hesitate before undertaking to subvert the rights and liberties of the people in that respect.

The hon. gentleman who addressed us last night gave us to understand that these rules were very mild indeed, that they amounted to practically nothing at all, that our liberties were not impaired in any way and that we would still retain the privileges of discussion that we now possess. If that be the case, what is the purpose of bringing them in at all? Are they brought in here for fun, and is the Government to receive all the odium that must attach to the inauguration of such a change in our procedure, for no purpose whatever? I cannot accept the assurance of the hon. gentleman in that respect. I am satisfied from the reading of these rules that they are intended to cut away the rights and remedies which we now have and that too without any justification whatever. The justification put forward for this measure no longer has application. The remedy which this resolution was supposed to bring about, the good results which it was supposed to produce, can never be brought about by this means.

On the 5th day of December last, we were told with great flourish of trumpets that this legislation was for the purpose of declaring to the world that seven or eight million British subjects in this great country of ours had come to the assistance of the Mother Country with a gift or a contribution or a loan of $35,000,000, and that it was a declaration to the rest of the world, Germany in particular, that there was no use any longer for that country or any other country to try to keep up the pace with Great Britain in the building of armaments. It was an unwise position to take. Whether it was wise or not, whether it was well intended or not, I submit that at this stage the effect was gone and that this legislation cannot any longer bring about any such result. It was intimated here yesterday, and properly so, that the conditions that prevail in this Parliament and in this country to-day have forever killed any effect of that character that could have been hoped for from this legislation. Is the Mother Country to accept from the artisans and labourers and all classes of people of this country, who contribute this $35.000,000, one half of them to-day opposed——

Mr. SPEAKER: The hon. member is discussing the Naval Bill, and not the resolution which is before the House.

Mr. McKENZIE: I am pointing out, although I am perhaps not making myself plain, that there is no justification for the forcing of this legislation through the House, and consequently there is no justification for asking us to pass these rules. That is the position which I am taking. I have thought it out carefully. I anticipated that there might be some objection to the way in which I am putting it; but that, as I understand it, is the way in which this question can be discussed, namely, by pointing out that the whole trouble in this Parliament in connection with this Naval Bill is brought about unnecessarily, improperly, and unconstitutionally. If I can show Your Honour and the people of this country that that statement is correct, I shall show a justification for opposing this Bill, and a justification for the course, even to obstruction taken by hon. gentlemen on this side of the House. That is the position which I am taking, although I have been speaking somewhat in the abstract, and I trust that Your Honour will see the line of connection between my language and the thought which I have in my mind.

I was pointing that out for the purpose of showing that this Bill should be withdrawn altogether, the moment when it was apparent to the Government and its supporters that it had lost its usefulness, that it could never produce the effect which it was intended to produce, and that the money should never be clubbed out of the Canadian people, and the gag and the closure forced upon them, and the right of free speech in this House interfered with and trampled upon. That is the reason why I am now urging that this measure of closure should not be forced upon the Canadian people by forcing it upon their representatives in this House. When there is no mandate for the passing of this legislation, as it has never been a question before the Canadian people, I submit that, before this drastic step should be taken in this House, this question of closure, together with the reasons for introducing it, should be submitted to and passed upon by the Canadian people. That is one of the reasons why this Bill should be withdrawn and the ordinary business of the country proceeded with in the regular and constitutional way. I think I can promise the Prime Minister and his supporters that, if it is only the ordinary business of Parliament, strictly and properly within our constitutional rights that is brought before the House, there will be no obstruction and no reason for the gag rule with which we are now confronted.

This legislation has no constitutional basis or authority in this country. Who say so besides myself? I am in excellent company; I am in the company of members of the Government when I say that there is no constitutional authority for the step which the Government has taken in connection with this Bill. Why is the first Minister of Public Works of this Government (Mr. Monk) not sitting in his seat? It is because he, as a constitutional lawyer of eminence, takes the ground that this legislation and this vote of money are without any constitutional authority or basis.

Mr. SPEAKER: I would again remind the hon. member that he is wandering away from the resolution which is before the House.

Mr. McKENZIE: I thought I made myself clear to Your Honour. I surely have a right to point out that, if this law that is being forced through Parliament now is without constitutional basis, it should be opposed, and that there cannot be any constitutional right to force closure upon this country in order to put it through. I shall try to keep as closely as I can to that position.

Mr. SPEAKER: The hon. member ought to remember, that there is a resolution before the House, and it is quite in order to discuss the practicability or the need of it. To discuss the merits or demerits or constitutionality of any other measure seems to me to be out of order.

Mr. McKENZIE: I shall certainly have to submit to Your Honour's ruling. There must, however, be a reason for the enforcement of closure, a grave reason, before the Government would introduce it at all. I am endeavouring to show that there is no grave reason and that what is alleged as a reason is not a proper reason at all. I do not think that because others have transgressed that is a reason why I should, but as I understand the situation it is my duty to show that there is no reason at all for this closure resolution. If I can show that I think I am speaking to the point, which is that these rules should be adopted as the governing rules of the House. The legislation which is being forced through the House and which it is said the Opposition is obstructing, must be proper legislation before special machinery for the enforcement of it should be committed to us. There are different degrees of obstruction and different reasons for obstruction. If I am a householder and my servant, who has a right to come into my house, wants to get in and I obstruct him, that is undue and improper obstruction, but if a burglar tries to get through my window and if I strike him on the head, yea, if I kill him when he is attempting to get into my house, he has no business to find fault, and the law will not regard his fault-finding because he had no business to be there. That is the point I want to carry home to the House; that this Navy Bill is a highwayman or burglar that is coming in here without any constitutional right and if the Opposition strikes it on the head and keeps it out and kills it, the Opposition is within its legitimate rights.

Mr. SPEAKER: I again remind the hon. member that he is not speaking with relevancy to the question before the House. I have drawn his attention to it twice. He is too old a parliamentarian not to recognize that there is not that relevancy as it is understood in a parliamentary sense between his remarks and the resolution before the Chair. I would again ask the hon. member to confine himself to a discussion of the resolution.

Mr. McKENZIE: My purpose in speaking about lack of constitutionality, so far as the Naval Bill is concerned, was to point out to Your Honour just the reason why no special machinery should be called into requisition at all in order to carry that Bill through the House, because it has no constitutional support. I submit to Your Honour, and you will of course agree with me, that all the legislation we can enact in this Parliament must be found by direct expression or reasonable inference from the language of our constitution. There are certain subjects under our constitution that are absolutely within our power, and others that are absolutely within the power of the local legislatures. We are dealing with a subject which must be within the powers of this Parliament if it can be dealt with in Canada at all, because it is a matter which is clearly not within the power of a local legislature, and, when we deal with it, we must govern our course by the language which we find in the constitution. In section 91 of the British North America Act we find power to enact legislation in regard to naval matters:

> 91. It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to move laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the legislatures of the provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (nothwithstanding anything in this Act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated, that is to say:

And amongst the twenty-nine powers enumerated, is, under the seventh head:

> Militia, military and naval service and defence.

That of course means military and naval service within Canada and for Canadian purposes, and that being the case, and that idea being supported by the Minister of Justice and by Mr. Monk, I submit that there is no question whatever about the lack of jurisdiction or constitutional right in this Parliament to pass the Bill as proposed to us by the Government. If I understand my position at all, Mr. Speaker, I have the right to attack the constitutionality of the basis of the resolution that is now before the House.

Mr. SPEAKER: The hon. member is entirely astray in his conclusion on that point. The resolution before the House is that rule 17 of this House be amended by adding thereto the clause set out in the motion. The question before the House is: shall this resolution be adopted, and all authorities agree that an hon. member must direct his attention to that; not to the constitutionality or unconstitutionality of any other Bill that has been passed by this House or that has been before this House.

Sir WILFRID LAURIER: May I suggest to you, Sir, that the Prime Minister in moving this resolution gave his reason for it, and the reason was that he thought there was obstruction of a certain measure. Do I understand that the Prime Minister having given the reason why the closure was introduced, there is not on this side of the House the power to combat that?

Mr. SPEAKER: I think that incidental reference may be made to it; but I do not think it can be taken up and discussed from the point of view as to whether we have or have not constitutional power to deal with that Bill. The best authorities sustain me in that opinion. May, page 229, with reference to the relevancy of remarks says that a member must direct his speech to the question under discussion; the last question that is proposed to the House. The last question proposed to the House at present is for the adoption of this resolution. Debate therefore must not stray from the question before the House to matters which have been decided, or have been under discussion, during the present session. At page 275 May lays down that as to relevancy of debate on amendment and amendments to the amendment the same rule applies. I find in Cushing, page 628, the following:

> The question to which a member is bound to speak is that which was last proposed from the Chair which is thus immediately pending, and which, according to the course of parliamentary proceedings is next to be taken.

I think hon. members will agree that these are two of the best authorities we have on parliamentary practice and procedure. I quote them to draw attention to the fact that the hon. member in my judgment is not speaking relatively to the subject under consideration.

Mr. McKENZIE: I submit to you, Mr. Speaker, and to the House, that these rules should not be passed because they are about to be passed for the purpose of enforcing legislation which has no constitutional authority in this country; because these rules are intended to be passed to support legislation which is a new departure involving Downing Street dictation and money expenditure beyond the control of the Canadian people as represented in this Parliament. I submit to you, Mr. Speaker, that these rules should not be passed because they are sought to be passed for the purpose of enforcing legislation, as stated by the Prime Minister, involving Imperial unity of trade and defence which is beyond the proper conception of Canadian people of what their position in matters of that kind should be. I trust Your Honour will permit me to read a statement made by the Prime Minister of Great Britain a very short time ago upon the point, of the joint expenditure on the part of the two countries. And I submit that this rule should not be passed because it proposes to place beyond the Opposition in this House any control of legislation and expenditure and to drift into channels where the rights of the Canadian people will be no longer safeguarded by the Opposition in this House. It has been said that we, on this side of the House, are not as constitutional and as loyal as we should be, that we were separatists if we said that this Bill should not be passed and these rules should not be adopted to prevent us from speaking, if speaking is necessary in order to defend the people's rights. I trust Your Honour will pardon me if I read the quotation to which I have referred. I do not remember that it has been read before in this House, and I think it is something we ought to know. Even if it were not touching the exact point, it is the opinion of one high in authority in the Empire and one whose words ought to be known to the people of Canada. On the 25th of May, 1911, at the Imperial conference, Mr. Asquith, the president of the conference, said:

> The President: I should inform the Conference, for I promised to do so, that I received some weeks ago a memorial signed by a very large number of the members of the Imperial House of Commons—I think something like three hundred belonging to various parties in the state (it was not at all confined to one body), which was in these terms: We the undersigned members of Parliament, representing various political parties, are of the opinion that the time has arrived to take practical steps to associate the overseas dominions in a more practical manner with the conduct of Imperial affairs, if possible, by means of an established representative council of an advisory character in touch with public opinion throughtout the Empire. I promised to communicate that resolution to the conference, and at the same time I informed the gentlemen who were good enough, on behalf of the signatories, to present it to me, that while His Majesty's Government had the strongest sympathy with any practical step for bringing into closer communication the Imperial and overseas governments, yet when it came to anything in the nature of the setting up of new political or constitutional machinery, a condition precedent must be that the change had the unanimous consent of the dominions themselves, and the gentlemen who represented the memorialists concurred or appeared to me to concur in that view. At the same time I think it only right and proper that the conference should be aware that such a memorial was presented. Does it not also show how much easier a thing it is to express an abstract aspiration for something in the nature of closer political union than to translate that aspiration into practical terms?
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> Sir Joseph Ward, in a speech the ability and interest of which we all acknowledge, which must and undoubtedly did represent the expenditure of a great deal of time and thought, has presented us with a concrete proposition, but is is a proposition which not a single representative of any of the other dominions, nor I as representing for the time being the Imperial Government, could possibly assent to. For what does Sir Joseph Ward's proposal come to? I might describe the effect of it without going into details in a couple of sentences. It would impair if not destroy the authority of the Government of the United Kingdom in such grave matters as the conduct of foreign policy, the conclusion of treaties, the declaration and maintenance of peace, or the declaration of war, and, indeed all those relations with foreign

powers, necessarily of the most delicate character, which are now in the hands of the Imperial Government, subject to its responsibility to the Imperial Parliament. That authority cannot be shared, and the co-existence side by side with the Cabinet of the United Kingdom of this proposed body—it does not matter by what name you call it for the moment—clothed with the functions and the jurisdiction which Sir Joseph Ward proposed to invest it with, would, in our judgment, be absolutely fatal to our present system of responsible government.

That is from the Imperial point of view. Now from the point of view of the dominions, I cannot do better than repeat in my own words what was said by Sir Wilfrid Laurier. So far as the dominions are concerned, this new machine could impose upon the dominions by the voice of a body in which they would be in a standing minority (that is part of the case) in a small minority indeed, a policy of which they might all disapprove, of which some of them at any rate possibly and probably would disapprove, a policy which would in most cases involve expenditure and an expenditure which would have to be met by the imposition on a dissentient community of taxation by its own government.

We cannot, with the traditions and the history of the British Empire behind us, either from the point of view of the United Kingdom or from the point of view of our self-governing dominions, assent for a moment to proposals which are so fatal to the very fundamental conditions on which our Empire has been built up and carried on.

I submit that this Bill which we are asked to help in passing by the making of this rule is opposed to every principle of self-government and so to the very basis of our institutions. That being the case, I submit that these rules should not be passed, for the reason that they are helping along a condition in this country in respect to which the Canadian people, as has been stated by the Prime Minister of England, have had no opportunity of consultation or deliberation. According to every expression of opinion made by hon. gentlemen supporting the Government, and by the Prime Minister, himself, that is the sole and only reason why those rules are brought to this House, and that is the reason why we are asked to pass them. I submit, therefore, if that be the only reason why those rules are now submitted to the House, that they should not be passed. I think we have a right to criticise the manner in which they have been brought before the House, and I submit that more liberty should be given to the members of this House to deal with them than is now vouchsafed to hon. gentlemen on either side of the House. We were told a few evenings ago by the Minister of Justice that things have changed in this country; that Parliament has now really no functions to perform; that the business of this country is conducted entirely by a committee of the majority in this House—by which, of course, he meant the Government—and that Parliament had really nothing to do except to give its assent to the decrees that might be brought down from time to time by that committee of the majority. If that is the idea entertained by the hon. Minister of Justice in respect of the functions of Parliament, then a great deal of time and money would be saved to the people of this country if these decrees were sent around for signature in some simply way, enabling the representatives of the people to save the time occupied in sitting in this Parliament. This is one of the reasons given by the hon. Minister of Justice why short, sharp and decisive gagging rules should be applied, by which very little time would be lost. But I do not think the Prime Minister or my hon. friend the Postmaster General would consider these to be the functions of the Parliament of this or any other country. As a constitutional lawyer and a man of affairs, I think the right hon. gentleman has a higher conception of the powers, duties and privileges of the Parliament of this great country than to entertain the idea that we are simply brought to this House and placed in our seats, to remain here with our mouths open until a decree of a committee of the Government majority is brought down, when it is our function to jump up automatically, give our assent, and sit down again. That is not my conception of the functions of this Parliament, and that is why I am opposed to any restrictions being placed upon our rights and privileges as members of this House by the passing of these rules. These rules should not be introduced, and, if introduced at all, they should be kept within the closest and narrowest possible limits. The portion of those proposed rules dealing with the voting of money and the rights of the people of this country to deal with their own taxation, confining our rights of debate in this regard down to a few minutes is absolutely unfair, and for the provisions contained therein there is no justification or necessity. These regulations, however, are put before us, and we are given to understand that we have no right to change one letter, one jot or one tittle, of the provisions contained therein. The hon. gentleman has been good enough to say that I am an old parliamentarian. I have been some years in this House; hon. gentlemen sitting around me have been here as long as I have, and longer, but, during the time I have been in this House, I have never known of a measure of any kind being brought before this Parliament, or before any legislative body in Canada, under such conditions that hon. gentlemen had either to swallow it holus bolus, or reject it altogether. The

Government knew well that this resolution would not be rejected, because the hon. Prime Minister boasted that he had forty-five of a majority at his back; that they would do anything he might want them to do, and that we on this side of the House were the only impediment and obstruction to his doing anything that might be his will or pleasure. According to his own statement, he knew he had that majority behind him, and what would be our right—if any right we have at all—if it were not to find out wherein these regulations and rules should be amended, should be changed, should be improved; where something might perhaps be well left out or something put in, so that, in the ordinary course of legislative procedure, they would be brought into the best condition into which the skill and good judgment of this House could bring them, and passed into law. But that is not the position we are in to-day. Not only are we in the minority, but rule 44 has been brought into play, and a motion has been passed—under circumstances which I think will not receive the approval of the people of this country—for the purpose of shutting us off altogether, and withholding from us an opportunity of saying one word in this regard. I desire to point out to hon. gentlemen on the other side that it is most extraordinary that, although this rule has been on our books for many years, it has not been invoked for many years. I understand that it was in 1885 that its use was invoked for the last time preceding its use on the 9th of April, 1913; and it is, therefore, twenty-eight years since this rule has been brought into play in the Parliament of Canada. I would like to point out also the circumstances under which it was invoked at that time, and the circumstances under which it has been invoked on the present occasion. There was in 1885 a trial under review in this House, which was regarded by many men as a political murder. This vote was passed to shut off certain discussion, and that is the last time this power was invoked in this Parliament. It is brought forward again under the present circumstances in connection with which a political murder has been committed in this House by the deprivation of the rights and liberties of hon. gentlemen on this side of the House, and the 9th of April, 1913, will go down in history as the day on which a double tragedy was enacted in this House. The Canadian people and their representatives were politically murdered by the introduction of this Bill, and the Premier of Canada has committed political suicide by cutting his own throat. I was reading in a paper not long ago an incident which was related of a gentleman who was travellng in Ireland, and who, it was said, entered a little cottage on a hillside. Among other things, he observed there, in a glass case, an ordinary brick, on the top of which was a faded rose. The stranger inquired: Why have you an ordinary red brick in a glass case. Oh, said the householder, do you see that dint in my skull, that cut on my head? Well, that dint on my skull was caused by that brick. And what is the history of the rose on top of the brick? Oh, that is a rose off of the grave of the man who threw the brick. There may be dints in political skulls on this side of the House by reason of this brick that the hon. gentlemen have thrown but there shall be faded roses, Sir, on numerous political graves as soon as the Canadian people have an opportunity of expressing their views. I have given my reasons for opposing this rule and I submit that they ought to be sufficient to induce the Government to leave us alone. Let them take away from legislation everything that is unconstitutional and has no business to be here and then, if we do not behave, enforce the closure or appeal to our masters, the people, and let them decide between us and the gentlemen who are enforcing a piece of legislation that we regard as unnecessary and unconstitutional and rules inconsistent with the spirit and temper of the Canadian people. The hon. member for Richmond (Mr. Kyte) told us yesterday that he would not submit to any circumvention of his rights in this way. I have nothing to say about the traditional fighting qualities of Irishmen, I have not followed their history as closely as I have followed the history of my own ancestors. But I am a Scotchman from away back. My forefathers lived in the glens and on the hills and rocks of Scotland when the Roman eagles were trying to displace them. They could not do it, my ancestors were never conquered, Scotland is still unconquered, and I assure you that the Scotch people who sent me here and the Irish and those of every other nationality in North Cape Breton and Victoria are not going to be bridled, conquered or gagged by this legislation which hon. gentlemen are trying to force on us. The cutting down of our liberties by these rules, this infringement of the liberties of the minority, is not congenial to the Canadian soil, it will not grow or prosper in this country, it will not take root in this country any more than the Manitoba Wonder potato would take root in the soil of Alberta, as we were told the other day. If this is a Manitoba Wonder the father and originator of it will wonder why it will not take root on Canadian soil. I submit that the attempt to enforce drastic rules of this character, with the consequent cutting down of our rights, will not be any more congenial to the soil of Canada than toads and snakes to the soil of Ireland or skunks or porcupines to Cape

Breton. I trust that the hon. gentlemen who introduced this legislation will live long enough to realize that in dealing with members of this House and with the Canadian people their reason and good sense must be appealed to. When that is done we will, of course, have such legislation as is consistent with our rights and privileges in this House and in this country. But I think we are the wrong stock to be forced, gagged and manacled in this way and I submit that this legislation or this resolution should not be passed.

The other day, the Prime Minister, in introducing this legislation, gave a reason, as he said, why it should pass. He said that it would add vim and metal to the wheels of this Government. It would give them life and opportunity to do things if this rule were passed. That, of course, is a consummation devoutly to be wished. If changes of any kind will bring about the galvanizing into life of the flotsam and jetsam of his Government, he should certainly be given an opportunity and all manner of changes should be brought about; he should enter into some working arrangement with weather cocks, with the moon, with the tide in the bay of Fundy, with the wind and every other wild and radical symbol of change that can be found, if doing so will bring about the galvanizing into life and activity of this aggregation which he calls a Government. I fear that he is claiming too much for this resolution. Of course desperate remedies are necessary for desperate situations but I submit that he is claiming too much for this amendment. For the last forty-five years we have succeeded in this country in passing much important legislation under the rules as they are to-day. The existing rules were good enough for the right hon. Sir John MacDonald during eighteen or twenty years; they were good enough for his successor, Premier Abbott; they were good enough for Sir Mackenzie Bowell—why, Sir, he worked his way through a nest of traitors with them—and why should the Government not be able to pass this legislation with the same rules. The right hon. Sir Charles Tupper, an honoured veteran of the Conservative party, thought they were good enough for him. They were good enough for Sir John Thompson for the time he was Premier; they served the purpose of my good old namesake, Alexander MacKenzie, and they were good enough for the right hon. Sir Wilfrid Laurier for the last fifteen years. He passed much important legislation under them. I think that the trouble is that the rules and the arrangements of the Government and of the House and of the country are to-day in the hands of novices, people who do not understand how to apply the rules or to apply themselves properly to the business of the country and if they have travelled beyond their rights, travelled beyond the constitutional limits and got into holes and quagmires from which they have not the ability and energy to extricate themselves, they have no business to come here looking for new rules in order to get out of those holes.

There are two propositions before the people in connection with this matter and the Prime Minister has to ask whether they will accept him under the conditions which are described by the Tory press, right under the eaves of this building and within a stone's throw of the seat of the Privy Council in very striking language. We are told by that press that free speech is imperilled, that despotism is enthroned and that gag law is established. That is what the Tory press of Ottawa says; free speech is imperilled, despotism enthroned and gag law established. The people of Canada have to accept the Prime Minister to-day with those conditions or go back to the good old days of the grand old man, who is not only the grand old man of Canada but the first grand old man of this great Empire to which he belongs and for which he has done so much. Give the Canadian people an opportunity and they will wipe away all these troubles, they will take back the grand old man and they will put the business of the country in his hands. Then there will be no gag rule; free speech will be maintained and despotism will not be enthroned in this country. For these reasons I say that these rules should not be established but that the Canadian people should have an opportunity of deciding between these two situations. Let us have free speech, a free Parliament, the right to manage our own affairs in our own way and no more gag law.

Mr. W. M. GERMAN (Welland): Mr. Speaker, I want to say a few words on this question and I do not intend to occupy the time of the House at any great length because I suppose we should begin to accommodate ourselves to what is about to happen and confine ourselves to twenty-minute speeches. I have felt for many years that there should be a change made in the rules of the House which would lessen the time taken up with speeches and expedite the public business. I have had the honour of representing the county of Welland now for twenty-two years in the Ontario legislature and in the Parliament of Canada. During the greater part of that time it has been my pleasure to support and sit behind the Liberal governments in the height of their political strength. During those years I have been somewhat nauseated with the

long and unnecessary speeches of what the right hon. Prime Minister (Mr. Borden) the other day referred to as the tongue-flappers and wind-jammers of the Opposition. I believe those were the expressions that he made use of. During those years the Conservative oppositions in the local legislature and in this Parliament were occupying an enormous amount of time and retarding the enactment of proper legislation and the transaction of business generally. I thought that some means should be taken whereby these gentlemen who occupy so much of the time of Parliament should in some way be restrained. But there is such a thing as restraining the length of speeches and absolutely applying the guillotine as is now proposed. It was stated by my right hon. friend the leader of the Opposition (Sir Wilfrid Laurier) the other day that the justice that is meted out to us will be meted out to hon. gentlemen on the other side of the House in future days. This is a rule which will certainly cut both ways.

I might remind hon. gentlemen opposite that, if the late Government had enforced a rule of this kind two years ago, we would have had on the statute-book to-day the reciprocity agreement which that Government sought to put through this Parliament. Hon. gentlemen, I apprehend, will unanimously agree that it would not have been proper for that Bill to have been placed on the statute-book as the law of Canada. But, if the closure rule had been in existence, that Bill would have become law and in all probability hon. gentlemen opposite would not to-day be sitting on the treasury benches. The life of Parliament would not have naturally expired until 1913 and there would have been no general election until this year. If closure had been introduced prior to 1910, or during the long session of 1910-11, these hon. gentlemen to-day in all probability would not be sitting on the treasury benches and they owe their position there to-day to the fact that my right hon. friend the leader of the Opposition would not introduce a closure measure. What would we have heard from these hon. gentlemen if a closure resolution had been introduced that session during the course of the debate? The welkin would have rung with howls of indignation from hon. gentlemen opposite that such an attempt should be made. They would have said that the Government was blocking free speech. No one would have shouted more indignantly against such a proposition than hon. gentlemen opposite. But, to-day, for their own good purposes, they undertake to force this measure through Parliament, not in the usual way, not in the way that such a measure has ever been enacted heretofore, not in the way in which the rules have from time immemorial been changed, but practically by the force of the gag, by refusing to permit an amendment and by refusing to submit these rules to a special committee or a committee of the House which has always been done in the past in forming new rules or in making amendments to existing rules.

It has been said that these rules are not so drastic as the rules which have been established in Great Britain and that similar rules are in existence in the United States Congress. I submit, Mr. Speaker, that the conditions in these countries are absolutely different from what they are here. What do we find in Great Britain? There they have a parliament composed of over six hundred members, a parliament which is sitting practically the whole year round, encumbered with all sorts of local business which is transacted and taken care of in this country by the local legislatures, and unless the Parliament of Great Britain had some sort of rules whereby they could restrict debate, it would be absolutely impossible for them to transact the business which is continually coming before them. The conditions are absolutely different in England and they are different in the United States. The United States Congress is called together at stated periods. It has a stated time within which to transact its business and it adjourns at a specified time so that it has certain specified duties, and there is a certain quantity of business that has to be done. They have a very much larger number of representatives in the United States Congress than we have in this country. They saw fit to change their rules to prevent speeches of long duration being made, but every member of Congress can write out a speech which would have taken him five hours to deliver, put that speech on the Congressional Record and have it circulated through the country in just the same manner as if he had delivered the speech standing in his own place in Congress. Nothing of that kind takes place here, and I hope it will never be brought into existence in this Parliament. But that shows the different conditions that exist in the United States Congress and in this Parliament. Here we have a young country with not a very large number of representatives. The business of this Parliament is business which appertains entirely and exclusively to the whole Dominion. We have nothing to look after with regard to the local affairs of the various provinces. We simply attend to the general affairs appertaining to the business of the whole country, and there is no reason in the world why that business should not be transacted within a reasonable length of time without applying this miserable rule which the Government are attempting to force on this Parliament. It is rather a black commentary on the capabilities of the Govern-

ment to manage the affairs of this country that they find it necessary to force through Parliament at this time a drastic regulation or rule of this description. Sir John Macdonald, during thirteen years of office, did not find it necessary to enact closure; Sir Alexander Mackenzie did not find it necessary; none of the Conservative leaders during the eighteen years their party was in power found it necessary; for fifteen years Sir Wilfrid Laurier did not find it necessary to enact any stringent rule of this kind to carry on the public affairs of Canada. Although there may have been considerable difference in the debating ability of the Opposition of those days, yet it was numerically as strong as the Opposition of to-day, and still these successive governments did not choose to introduce closure. It remained for these tyros in statesmanship now in power for one year and a half to call into requisition club rule to assist them in carrying on public business. The occasion of an important measure like the Naval Aid Bill being before Parliament is not the time to change the rules in the drastic manner now proposed. Far better, if the rules are to be changed, that they should be changed when there is no heated discussion in Parliament on any question whatever. Even though the Government should force this rule through, it will do them no good. Will their contribution be any more acceptable to the British Government, forced through under such circumstances? Sir, I am very strongly of the opinion that if this Government forces the Naval Aid Bill through Parliament as they are proposing to do, with the help of closure, the British Government will say to them: under such circumstances we prefer not to accept the contribution or the gift or the loan which you are proposing. I believe, Sir, that is the feeling among the people of Great Britain at this present hour, and that they do not wish to accept a contribution from Canada which comes to them in such a manner. I would commend to the leader of the Government an editorial article in yesterday's Ottawa Citizen. Hon. gentlemen opposite smile at that, and I can easily understand the reason. From that article I would not care to take anything except a few lines at the end of it which speak of a plebiscite, and I can certainly add nothing to it to give it any strength. I simply commend it to the right hon. gentleman that he may read and learn and inwardly digest it, and if it happens to sit well on his stomach it will do him good.

Then, Sir, I complain of the manner in which this amendment to the rules has been presented in this House. The Prime Minister made his proposal in a very nicely-worded speech and in an apparent spirit of great frankness, but we know what happened afterwards. To prevent the right hon. the leader of the Opposition from moving an amendment a disgraceful scene took place in this House which never but once before occurred in the history of Canada. If these gentlemen opposite had the manliness of statesmen or the courage of brave men, they would have allowed the leader of the Opposition to move his amendment which would have sent this question to a committee of the House where the rules should be threshed out in amicable discussion and a conclusion arrived at which would be satisfactory to the Government and the Opposition as well. The rules of this Parliament have never before been changed except by reference to a committee to assist Mr. Speaker in amending the rules, and then they were submitted to the Committee of the Whole where errors could be rectified, obscurities brushed aside, and defects purged. In 1882, in England, Mr. Gladstone called a special session of Parliament exclusively for the purpose of amending the rules of the House. He took the question up in the first session in 1882, but only to a limited extent and for a special purpose agreed to by both sides of the House, but when he thought it was necessary to amend the rules generally, he called a special session of Parliament and made the amendment of the rules the first order of procedure. Both sides of the House took part in the discussion which filled pages of 'Hansard' of the British House of Commons, and after weeks of discussion and examination, rules were devised which were mutually satisfactory to both sides. Would not that have been a much better plan for this Government to adopt. But so anxious are they to force through this Naval Aid Act—an unrighteous and villainous Act which strikes at the fundamental principles of Liberalism at any rate, and the fundamental principles of the Liberal party, and which strikes a blow at the freedom of Canada to control her own expenditure,—that they launch this closure against free discussion.

What are these rules? Clause 2 is fairly plain, but let us see the villany embodied in clause 3. I say 'the villany' advisedly, because under that rule the Government, if they choose can absolutely put a Bill through the committee stage in one day; there is no doubt about it. They say: We will allow you twenty minutes to talk. That, if I may use the term in a parliamentary sense, appears to be absolutely hypocritical. They say: Oh, but we will give each man twenty minutes to talk. The right hon. Prime Minister said that he thought that was really too long. Do they give twenty minutes? They do not give twenty seconds; they do not give any time. What will happen? Let us take a

concrete case. Let us take the present Naval Aid Bill and see how this rule will work out if applied to it. Suppose the House goes into committee next Monday on the Naval Aid Bill. A minister of the Crown, as soon as the House is in committee, may give notice under this clause that on the following day the debate shall be concluded. He can then move that the debate on clause 2 be deferred and that clause 3 be proceeded with. He can immediately give the same notice with regard to clause 3. He can do the same thing with regard to clause 4 without any discussion whatever, and he can then immediately move that the committee rise, report progress, and ask leave to sit again. He has given the notices requisite to move the closure on the following day. The next day, the Government can go on with the regular business of the House until 1.30 in the morning and then go into committee, and that same minister can shut off the whole discussion and have the Bill declared carried. It is the worst kind of steam roller that I have ever seen or heard of. I do not know what conditions may be in England and I care not; but I know that this thing does not suit the conditions in Canada, and the people of Canada will not stand for it when they have an opportunity of expressing their opinion. They will not allow any government such drastic, such enormous, such overwhelming powers as this. The hon. member for Portage la Prairie (Mr. Meighen) last night had to admit, when I asked him the question, that that was the strict interpretation of the proposed rule; but he said that no government except an insane government would do such a thing as that. Then I think this is just the Government that would do it, because it strikes me they are getting somewhat insane, if they were not so always. It is said: Whom the Gods wish to destroy, they first make mad. I think the Gods wish to destroy these gentlemen I know the people do. That is the condition of affairs in regard to that clause.

Mr. PUGSLEY: The voice of the people is the voice of God.

Mr. GERMAN: It seems to me that that in itself is sufficient to condemn this measure. If it had gone to committee and had been threshed out by the members, it would have been provided that at least one day should be given to the discussion of a clause, that a whole Bill could not be closured at one time, and in practically one minute; but under clause 3 of this resolution that condition of affairs will exist. I will leave it to the Government. The Prime Minister says: Oh, trust me; I will not do anything wrong. After what we saw yesterday, I have my doubt about trusting him to any great extent when he desires to force such a measure through Parliament.

There are other amendments which should have been made. I do not intend to discuss them. The one instance is an example of the whole. It is a most unjust, I might say diabolical thing, for a government, in the height of a debate on one of the most important questions that have ever come before the Parliament of Canada or interested the people of this country, to come down with a sledge hammer at this stage of the session and say: No more talk; no more discussion; no more contentions on this matter; hands off; this is our pet Bill; it must go through; it shall go through. I am free to say that I predicted early in the debate on the Naval Bill that this would happen. I was sure that they would do something in that direction. I thought they would use physical force, which they could have done and which they attempted to do. I think there was a yellow thread in the woof of their constitution, and they backed down; they got scared, as the boys say, at the cars, they gave up the physical force proposition and brought in this resolution. The right hon. the Prime Minister thought this a more diplomatic but equally effective way of forcing the guillotine on this Parliament, and thus putting the Bill through. They say: Stop obstruction; you should not obstruct this Bill. It has been pointed out already that there has been no obstruction to any other business of the House. There has been a large amount of discussion on this Bill, and properly so, I submit; there should be much more discussion, and there must be at least some more discussion on it. I defy this Government to closure this Bill through until there is some considerable discussion on the clauses. It is an important Bill.

We are fighting over a principle. We are fighting for what we believe to be the principle of parliamentary control over the expenditure of public money. The fundamental principle of Liberalism is public control over public expenditure. That is a principle which was fought for for years in this country by such men as Baldwin and Lafontaine, Brown and Dorion, Laurier and Mowat, six noble French and English Liberals who stand among the grandest statesmen that Canada has ever produced. They struggled for years for that principle. Their struggle was successful. It has been established for years that Parliament shall have full and exclusive control over the expenditure of public money. Yet these gentlemen, new men at the wheel, tyros in statesmanship, unable to control this House and to manage the affairs of the country for a year and a half without bringing in a closure resolution, strike a

death blow in this resolution at that principle. They take that control out of the hands of Parliament and try to put it in the hands of the ministers of the Crown. They will force this through by the strength of their closure. We will take some opportunity of discussing to some extent at any rate, the further clauses of the Bill, and in some way we will get on 'Hansard' the amendments which we propose to that Bill embodying the principles which we stand for and which Liberals throughout all time have stood for.

What will the Government gain? It will force this Bill through the House of Commons. But, Sir, this House of Commons does not hold all the Liberals who occupy positions in the Parliament of Canada; and, I greatly misjudge the strength of Liberal principles which, at present at any rate, dominate the Upper House of this Parliament if the strength of those principles is not sufficient to destroy this Bill, as it should be. I say that my hon. friend will be up against that proposition. I hope he will; I believe he will; because Liberals in this country do not intend to lie down under this kind of gag rule and steamroller politics, but whatever legal means we have to defeat this Bill and the principles embodied in this Bill the Liberals in Canada propose to take, and to take the responsibility for. So, what will be the position of the right hon. gentleman? He made a speech in Montreal last winter in which he publicly and openly declared—and was loudly applauded:

> I will submit to Parliament this proposition for a contribution to Great Britain. If Parliament does not pass that contribution, I will appeal to the people of Canada for their approval.

Now, the Prime Minister will be up against that proposition, either to go to the people as he said, or be branded as the first public man in Canada who openly violated a public pledge.

Some hon. MEMBERS: Oh, oh.

Mr. GERMAN: Hon. gentlemen opposite laugh; but what I say is absolutely true. The right hon. gentleman made that pledge, he stated that if this money was not voted by Parliament, he would immediately appeal to the people. If he can afford to lie down under that imputation, we can afford to let him lie under it. Let him take such cold comfort as he may in contemplation of a career which began in an unholy alliance with the Nationalists of Quebec and has ended by applying the guillotine to the Parliament of Canada.

Mr. E. W. NESBITT (North Oxford): In rising to speak on this very important question, I speak for myself only, as I have not discussed the matter with any of my colleagues. I would like to say in starting that I thoroughly endorse, and have always endorsed, the position taken by my right hon. leader (Sir Wilfrid Laurier), on this question of closure or limitation of debate. I absolutely agree with him that the House of Commons is for debate, that every question brought before this House should be debated until the sense of the House says that the debate has lasted long enough. Since Confederation there has been no practical difficulty under that method except on three or four occcasions, as pointed out by my right hon. leader the other evening. When you consider that in forty-six years there have only been four occasions when mutual consent for debate in this House to stop has not been sufficient, that is a very excellent record I think, and I believe the people of the country will say the same. With reference to the episode of the other evening, so far as I am concerned, I confess I was deeply hurt at the attitude of the Government with reference to my right hon. leader. I listened to the hon. member for Portage la Prairie (Mr. Meighen) quoting some newspaper that said that the Government had shouted down the leader of the Opposition, and, he resented that very much as not being true. I presumed that he meant the Toronto Globe, and I immediately turned up the reports in that paper of the proceedings of the other evening; and I noticed that it was there stated that when my hon. friend from East Hastings (Mr. Northrup) got on his feet the leader of the Opposition was also on his feet and that the members of the Government shouted to the leader of the Opposition to sit down. Now, my memory is that that is absolutely correct. So, I do not see that the Toronto Globe, if that is the paper mentioned, deserves censure at the hands of my hon. friend. Be that as it may, newspapers, I presume, have the privilege of exaggerating these things somewhat. As a rule, I do not read politics in the papers very much, as they are coloured more or less by the side they have taken. We do not blame them for that. What I want to protest against personally here is the action taken by the Government to shut off the debate by the leader of the Opposition when he rose, in accordance with the procedure ever since I have been in this House, immediately after the leader of the Government. My hon. friends of the Government say that it was a trick, a managerial trick to get possession of the debate and shut off amendments. I want to tell my right hon. friend the leader of the Government, from my experience since I first had the honour of a seat in this House, that I do not believe that, had the sides been reversed, a man could have been found on the Liberal side to make a motion to shut off a speech by

that right hon. gentleman who leads the House. I know I have not been in this House a very long time—I recognize that I have not had a great experience; but during the time I sat on that side of the House, we supporters of the Government of that day showed as much respect to the then leader of the Opposition in all cases as did his own side.

Mr. LEMIEUX: More.

Mr. NESBITT: More, in fact, as I am reminded by my hon. friend. Always we showed the deepest respect to the right hon. gentleman when he was leader of the Opposition, and we do now, so far as that is concerned. Now, I really think that on account of the prominence of the position which the right hon. the leader of the Opposition has held in this country, and still holds, the Government went so far the other evening that I believe they lost the respect of the independent people of this country. I quite believe my hon. friends of the Government who are dyed-in-the-wool Tories will think it was clever. It was, perhaps, a clever ruse, in a way. But was it parliamentary, was it in accordance with the dignity of the House, with the courtesy we all owe to each other, especially to the leaders of the parties in this House?—because after all, this House manages its affairs under the party system.

I have always agreed with the right hon. leader of the Opposition in the position he has taken that in this House we must have absolute freedom of speech. On four occasions, which he enumerated the other night, exceptional conditions existed, and a recourse had to be adopted. What was that recourse? The recourse was to go to our masters, the people; and, for my part, I am quite willing to abide by their decision. I recognize that I am sent here purely and simply as a representative of the people of my constituency, and when I fail to represent a majority of their views, I do not want to sit here. If the occasion should arise, when the people I am supposed to represent should not be satisfied with my attitude in this House, I will consider it my duty to resign immediately, and let them send to this House someone who will represent their views. If the Government think they are right, they can appeal to the people; they have had that opportunity. They say that the people thoroughly endorse their policy in respect to naval matters; if they think so, there will be no harm done if they allow the people to express their opinion through a general election. It is apparent that it is not the matter of the expenditure which deters hon. gentlemen opposite from going to the country, for they show by their estimates no disposition to be afraid of a little expenditure. If, therefore, they consider that they voice the opinion of the people, why do they bring in a measure of coercion which will remain a part of the rules of this House until they are repealed? Why introduce coercion in regard to the debates of this House when all that hon. gentlemen opposite have to do, if they consider that the course they are taking is justified, is to appeal to their masters, the people? That would tell the tale, and tell it in two or three months. In introducing the Naval Bill, hon. gentlemen opposite claimed that it was an emergency contribution, but that claim has long since been abandoned. This being the case, two or three months longer would make but little difference with this proposed Naval Bill, and the time occupied by the Government in an appeal to the people be as nothing compared with the effect of the introduction of this closure measure upon the debates of this House.

My right hon. friend the leader of the Government the other evening, as the hon. member for Welland (Mr. German) has said, made a very able and conciliatory speech in introducing this resolution. In listening to my right hon. friend, one would have thought that the members of the Opposition would run no risks in accepting the application of this closure; but he had scarcely resumed his seat when, I am sorry to say, we witnessed a very apt illustration of the extent of the tender mercies we have reason to expect from hon. gentlemen on the Government side of the House.

In supporting his argument for the introduction of the resolution for closure or curtailment of speech, my right hon. friend referred to the practice in the United States. He may have succeeded in giving a fair representation of the curtailment of debate in the United States House of Representatives, but I desire to draw the attention of my right hon. friend and his supporters to the fact that not only are they demanding a greater freedom of speech in the United States, and, in fact, in all countries having democratic institutions, but they are demanding the referendum and the recall in the United States —very much more significant measures, so far as obtaining the voice of the people is concerned, than we have ever demanded in this Canada of ours. For this reason, I think that my right hon. friend, in referring to the procedure in the United States, gave but a poor illustration in support of his proposed limitation of free speech. The feeling is gradually extending throughout this country that vital questions of this kind should be submitted to the people. The referendum has not been adopted in British countries up to the present time, except, perhaps, in New Zealand, but our system has been to appeal to the people,

not by a referendum, but by a general election, and that, as I have said, is the best way of settling this question.

The hon. member for Portage la Prairie (Mr. Meighen) last evening told us that, under clause 2, we could take advantage of routine proceedings to make any charge we desired to prefer, or in respect of which we might desire an investigation. He quoted from Bourinot as follows:

> The precedents go to show that the Canadian House of Commons, in its desire to deal promptly with all questions affecting its members, has generally waived the strict rules which govern matters of privilege, properly speaking, and given every possible facility for inquiry thereon.

In answer to an inquiry of mine, the hon. gentleman stated that motions for investigation could be brought up under motions and routine proceedings, and he cited a number of instances. I asked him if such motions were not really introduced as questions of privilege, and he answered by reading the quotation I have given from an authority on parliamentary procedure. We all recognize that when a member rises and requests the privilege of speaking on a certain matter that is not perhaps quite in order, it is entirely in the hands of the minister leading the House whether he gets that privilege or not. If he has no intimation from the minister that he will not hear him, he is allowed by the Speaker to proceed. We shall be absolutely at the mercy of the minister who may be leading the House, because his followers will back him up in anything he may do. That has been the practice ever since I have been a member of the House, and I have no doubt that will continue. I do not blame members opposite for being loyal to their leader, just as we are loyal to our leader; but to say that we could introduce a motion of that kind by our absolute right is absurd. It has not been done, at least since I have been here, and I question if it would be allowed to be done in the present temper of the Government. Their attitude in relation to any question that we might raise would depend on their tempers—whether they had had good or bad dinners or something of that kind. Members of this House are elected to represent the people. It does not matter a particle, which side of politics may be in power, the minority ought never to be at the mercy of the Government in power, because, after all, a great many people are moved entirely by selfish politics. I am glad to say that outside of this Chamber politics do not have much effect on the conduct of members; I have often wondered whether the House of Commons could not be conducted as the Committee on Banking and Commerce is conducted; but at the present time the House is conducted on party lines, and very bitterly sometimes. Referring again to the episode of the other evening, I must confess that it was very bitter politics that allowed the Government to prevent the leader of the Opposition, a man who should be honoured by everybody in this country, from making a speech at the time he should have been permitted to make it. I hope that I shall never have politics so instilled into my system as to be willing to endorse that sort of bitterness in politics.

Mr. LALOR: Stopped him for a minute and a half.

Mr. NESBITT: It does not matter; it is the principle. It does not matter any more than if I were a thief for only a minute, I would still be a thief. If I committed murder it would only be for a moment.

I wish to refer to the remarks of the hon. member for Portage la Prairie (Mr. Meighen) in reference to clause 2. Let me say that I believe that the hon. member for Portage la Prairie, if he had the putting into force of the rules would live up to what he said last evening. I have a great deal of respect for the word of the hon. member for Portage la Prairie, and also for his ideas on these things, and I believe that if he had the enforcement of the rules the probabilities are that he would live up to what he told us last evening, but that is not the condition. What I want to emphasize is that it leaves the Opposition members who have equal rights in this House with Government members, who are even paid as well, so far as I know, should not be subjected to anybody's whim or say so, we should have the absolute right to discuss these things so long as we think that discussion is beneficial to the people we are supposed to represent. I quite agree with my hon. friend from Portage la Prairie that we could discuss, under clause 39, questions of adjournment as we would want to discuss them. We could, of course, move for an adjournment under clause 39 and bring up any matters of importance in the interest of the country; I quite appreciate that; but it might be ruled that the matter was not important. Therefore, unless we created a scene and forced the question on the House—and I am one of those who think that these enforcements of our rights are bad for the dignity of our House and should not have to be resorted to any more than is necessary—this rule would be of no advantage to us.

Comparisons have been made between the application of the closure in the British House of Commons and the application of the new proposition here. I am like my hon. friend from Welland (Mr. German): I do not care what they do in the English House except in cases where

we have no rule applicable, and the English practice is used as a precedent for the Government of this House. Mr. Speaker, may have to quote rules of other Houses to guide us on particular points; but, so far as our own rules are concerned, they were made for our guidance by our representatives, men with large parliamentary experience, and so long as the rules apply we should not go outside of those rules. But I do not care, as I said, what brought on the closure in England or what the closure means in England. I am only interested in what the closure means here and what the Government allege is a necessity of instituting closure rules here. The necessity, as has been pointed out by every speaker, arose out of the discussion on the Naval Bill, and the fact that the Government members thought we were taking too much time for the discussion of that measure. It arose from the fact that the Government made up their minds that they were going to pass the Naval Bill whether or no. They told us in so many words that they were going to pass it in some way, whether we wanted to or not. I do not think that that was a good disposition to start out with. I do not think myself that it was a good thing for members to stand up on the other side of the House and say: You have got to pass this measure.

Mr. BARNARD: Does the hon. member think that the Government ought to introduce Bills which they do not intend to pass?

Mr. NESBITT: I think the Government should introduce whatever legislation they think is to the benefit of the country but they should not take the position that simply because they introduce a Bill which they think is right everybody else should think it right.

Mr. LALOR: We do not object to your opposition.

Mr. NESBITT: You seem to be seriously objecting for now you are going to force us to pass it.

Mr. LALOR: Sure.

Mr. NESBITT: Sure, I will come to that in a minute or two, as I know what the hon. member for Portage la Prairie has said. That hon. gentleman told us that the reason why it should not be left in the hands of the Speaker was that the Speaker is appointed in a different way here from what he is in the Old Country, that he is a political partisan when he is appointed and, therefore, if he decided when the closure should be applied, either side of the House might find fault with his ruling. Although we may think that the Speaker was a political partisan before he was appointed, he is supposed to drop his partisanship when he gets into the Chair. Even when we become unruly in this House, to a certain extent, we still respect the Speaker. We do not respect the Speaker any more than we do any other hon. member of this House in so far as his ability is concerned, but we respect him because he is appointed to construe and enforce the rules and to uphold our authority. I have always had the greatest respect for the Speaker's rulings because I think he does give them as nearly as he humanly can in a fair manner. I make that remark with reference to any Speaker that I have had the honour to sit under. Clause 3 of the resolutions provides that:

> If such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour.

I asked the hon. member for Portage la Prairie if he did not think the word 'resumed' should be changed, because if the debate did not happen to be resumed, the rule would apply. He replied that no ministry, except a crazy one, would dream of applying the rule unless the debate had been resumed. He went on to say that unless it were put in that way the Opposition could hold them up indefinitely. I have no objection to the spirit of the hon. gentleman's speech, but I do have an objection to the ground which he took that the Opposition are the people who held up everything, and who do everything wrong. He says that no ministry but a crazy ministry would do this or do that. But we have all the time in existence a ministry forcing our hands. The other evening, when this motion was introduced, we had a perfect sample of what the ministry would do. Supposing that the Naval Bill was being discussed this afternoon, as an illustration, and that the hon. Minister of Public Works (Mr. Rogers) gave notice that there would be no adjournment after Monday night; the ordinary routine business would take up most of the day, in fact, it might take up all of the day, as very frequently happens in this House, and, with no intention on his part, we might be prevented from further discussing the measure. The edict has gone forth, it is like the laws of the Medes and Persians, and you have to stop the debate at two o'clock on Tuesday morning. It does not matter whether we have had a word of debate or not on the question; it has got to stop. I ask my hon. friends if that is a fair rule to apply to the debates in this House. Do they think they will forward their own interests, or the interests of the country, by that sort of closure? It is all right to tell us that it will not be applied, but we feel it in our bones that it will be. If we are

discussing a question of expenditure, and that is what the House of Commons is primarily for, which the ministry are bound to put through, as they are determined to put through their Naval Bill, notwithstanding that the amount involved might be exorbitant or the purpose unnecessary, we are to be prevented from expressing our judgment upon the question although we are supposed to have just as good judgment on questions of this kind as hon. members on the other side of the House. We are, man for man, as capable as they are, at least we think we are and the people who elected us think we are, which is a great deal more important. There is no reason why we should not debate these questions because a question that cannot be debated is something that should not be passed by this Parliament. A question that cannot stand the utmost light of day should not be passed by this Parliament and the only way to shed the light of day upon it is by subjecting it to discussion. Hon. gentlemen opposite have compared conditions in England with those existing in this country. Such a comparison would be like comparing the Ontario Legislature with the Parliament of Canada. If anything takes place in the Legislature of Ontario, it is known next morning, or at the most two days afterwards, practically all over the province, except in the extreme northern part. We may have a discussion going on in this Parliament to-day but it will not reach the people in the remote parts of the country for a week and they will therefore not become acquainted with the subject that is under consideration. The Government say that the Opposition oppose this and that we, the majority of the members elected by the people, are not going to be prevented from the exercise of our free will by the Opposition. That is talking rather loudly, do you not think? Are you the great and only people and do you insist that you must absolutely have your free will on every question? This is a most important question for the people of the country and, if it is important, why not apply the remedy? The remedy is easy to apply and it is not very expensive, as I said in the first place. We can appeal to our masters and let them say whom they think is right and whom they think is wrong. Coming back to the question with regard to this word 'resumed,' I think it is a most dangerous principle to adopt. I venture to say that, when these rules go into force, there will be many times when members of the Opposition will have to complain that the discussion has not been resumed at the time of the application of the two o'clock rule and there will be no opportunity for further consideration of measures that may be very important. I know of no language which would fitly express my feeling in regard to this proposal; I do not know whether the French language is capable of conveying an idea of the enormity of trying to force a rule of this kind through the House. I believe that the people of this country will resent it. The Government will have to appeal to the people in the natural course of events before very long, and I do not believe that the memory of the people of this country will be so short as to forget that a Government that has been in power for less than two years forced on this House a measure for the purpose of stopping free discussion on a question that the people of this country are by no means a unit on. Hon. gentlemen opposite may think the people of Canada are a unit on this contribution of $35,000,000, but if they do they are hugely mistaken. I try to listen to what public opinion is outside of this House and I travel a good deal, and I can assure hon. gentlemen opposite that I believe that if an uninfluenced reference were made to the people there are more people in this country who would vote against the policy both of the Opposition and of the Government on the navy question than who would vote for either policy. I believe that as firmly as I am standing here to-day. Of course I do not believe that should be done, because I am just as strongly in favour of the Liberal naval policy to-day as I was in 1909. But, I do say that while there are many men in this country, and women too, who are willing to vote with the Government on this question, there are just as many men and women too, who think the Liberal policy is absolutely the right policy. On the other hand, I believe there are a great many people in Canada who believe both policies are absolutely wrong. I had two letters to-day, urging that this Parliament should pass a resolution endorsing the policy of the First Lord of the Admiralty that there should be no warship building done during the present year, and that we should appeal to the United States to join with us in stopping armament for the sake of the peace of the world. And, while that sentiment may not prevail to a great extent, it does prevail to a larger extent than you are willing to acknowledge; it prevails in a good many church organizations who pass resolutions and send them to the members of this House. The rule which is submitted to us apparently means that we might be moved into Supply on the estimates of the Minister of Customs—I am not saying anything against the Minister of Customs because he is a very genial gentleman who does the best he can I think—but we might be moved into Supply on the estimates of the Minister of Customs at twelve o'clock at night, as has often been done; we might pass a little item and the minister might immediately move that the

committee rise and report progress, and if that should happen to be on Wednesday, then we could go into the Customs estimates again on Thursday and the closure rule would apply and there could be no discussion. But there is worse than that. The hon. member for Portage la Prairie (Mr. Meighen) told us that the consent of the House means the consent of the whole House, and I acknowledge that the Prime Minister told us he would be willing that we should insert that proviso in the resolution if we so desired. But in my experience in this House the consent of the House means the consent of the minister leading the House, who, when anyone asks for consent, nods his head and the thing is consented to.

Mr. SPEAKER: I have to correct the hon. gentleman in that regard; the question is put to the House, and if there is no objection, then the consent of the House is obtained.

Mr. NESBITT: Quite right, but when it comes down to the practice nobody interferes, and if the leader of the House does not object the thing goes and that is what it amounts to. An ordinary member like myself dare not get up and say anything on such an occasion; we would be supposed to drop dead immediately afterwards if we did. Even if it be so that you have to have the unanimous consent of the House, you can make it a farce by passing some small item the night before and then going into Supply the very next day on the same estimates and rush them through. I do not think it is for the good of the country, nor do I think it is even for the good of the Government that these estimates should be rushed through without discussion. The ministers may think they are the only ones who have the interest of the country at heart; they may think they are the only people capable of passing judgment on estimates, but I believe that if any hon. member is able to show that an estimate is not necessary, the minister who introduced it should be the first to withdraw it in the interests of the country. That is the idea I have of proper government. I believe that the Government have made a great mistake in imposing this closure measure on us. We have got along for forty-five years without the necessity for it, and why should we not continue? If the Government do not intend to present measures that are not for the welfare of the country, why should they want closure? Do they find any evidences of obstruction on the part of members of the Opposition in the committees where every question up is freely and fully discussed? If an hon. member on the Government side of the House introduces a Bill that is not in the interest of the country, and the members of the Opposition are able to show him that such is the case, I am ready to admit that nine times out of ten he is perfectly willing to withdraw the Bill or to have it so amended that it will be in the interest of the people. If that can be done in the committee, why can it not be done in this House?

Hon. gentlemen opposite, however, say to us: You must pass this Naval Bill. That is where the trouble is. We do not think this legislation is necessary, and we do not think it is right. What is more, the people have not been consulted. The Government will not tell us what their permanent policy is. They ask us to vote for a half measure. In the case of other Bills, they put all their cards on the table. No man introduces a Bill with something held back, with something behind the scenes; but the Bill tells exactly what is intended. This Bill does not say what is wanted. The Government say: We do not intend to delay it any more; we intend to pass it, and we are going to adopt this resolution for closure for the purpose of putting the Bill through. Someone has said that it would have been different if they had introduced this closure measure when they first came into power, and had introduced it in the regular course by referring it to a committee and having that committee adjust the rules if they were not satisfactory. They held us up for months when they were in opposition. We sat here day after day and night after night for four or five or six weary months away on into June and July, when it was so piping hot that you could hardly crawl up the walk. If the rules are not satisfactory, they should know. When we talk to hon. members opposite outside of the House in a good-humoured way, they will tell us that they practically forced us to the country. As a matter of fact, we were just as willing to go to the country as they were to force us. As the right hon. the leader of the Opposition says, we did not cry over it, we did not say: You have to pass this closure Bill. My hon. friend (Sir Wilfrid Laurier) refused to listen to his newspaper advocates, or to his own supporters, and he has always advocated and stood for the right of free speech in this Parliament. I am sorry that the right hon. the leader of the Government, for whom I have great respect, should be forced into taking this position. The other evening, when I watched him very closely, he did not look as though he enjoyed it; and that other hon. gentleman, who was asked to stand up and stop my right hon. friend (Sir Wilfrid Laurier) from speaking, also did not look as though he enjoyed it. I do not believe that any member of the Opposition could have been induced to stand up and make that motion in order to stop the speech of the leader of

the Government, had the positions been reversed.

My hon. friends opposite, for all they know, may be making a scourge for their own backs. They cannot stay in power forever. I can picture in my mind what would happen if we should come back into power and apply these rules to them. You could not hold them in their seats with a chain; even with the door shut, you could hear them all the way to Woodstock, if that were to happen. I believe they really think that we Liberals do not deserve to be treated as they themselves expect to be treated. They are in power. My hon. friend from Portage la Prairie (Mr. Meighen) points out that we might do certain things in obstruction; but he fails to point out what the Government might do under the same circumstances. They are just as human as we are, and because they are in power, they are more likely than we are to encroach upon the rules, and they have done so throughout this session.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

SECOND READINGS.

Bill (No. 165), for the relief of Otto Clarence Peterson.—Mr. Nesbitt.

Bill (No. 166), for the relief of Archie Blaustein.—Mr. Fripp.

Bill (No. 167), for the relief of Harold Moss Hampson.—Mr. Kay.

Bill (No. 168), for the relief of Pierre St. Aubin.—Mr. Schaffner.

Bill (No. 169), for the relief of Alexander Zépherin Gonier.—Mr. Guthrie.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Mr. J. H. SINCLAIR (Guysborough): Mr. Speaker, it is not very encouraging to hon. members on this side of the House who desire to express their views to the Government to address empty benches, as we too often have to do. When I look across the floor and see that the Prime Minister is not in his place, that his first lieutenant also is absent, and that with two exceptions there are no members of the ministry present, I cannot but feel that it is not creditable to the Administration that they are taking so little interest in what is being done in this House.

Mr. HAZEN: How about the Opposition?

Mr. SINCLAIR: I can excuse hon. gentlemen of the Opposition for not being present on such an occasion as this; but there can be no excuse for hon. gentlemen who are charged with the responsibility of the Administration being absent from their places at this time. You will recollect, Mr. Speaker, that during the last Parliament, or perhaps during the Parliament before that, when hon. gentlemen opposite occupied this side of the House, on one occasion at all events they refused to go on with the business of the House until a messenger was sent for the minister whose estimates were being considered and he was brouht to his place to listen to what was going on. It is a bad practice, allow me to say, on the part of the men who are in charge of the Government and in charge of the management of affairs in this House, that when they do give us the pleasure of listening to them on public questions, so often they immediately after disappear—we see their coat-tails going through the door behind you, without waiting to hear any reply to their speeches. It is our duty if we can to persuade them that the proposals they are bringing before Parliament are not to the advantage of the country. But how can we succeed if they do not do us the honour to listen? The danger is that this House will degenerate into a machine Parliament, and, Mr. Speaker, that may fairly be said to be the tendency of the rules that we are now asked to adopt. The Prime Minister, in the speech he made a few days ago told us that he had a majority of forty-five ready to vote at any time. 'Theirs not to reason why' they do not want any discussion; they are prepared to stand up and vote when the ministers want them to. You will notice how often it takes place that when an hon. gentleman on that side closes his address, those behind him disappear through the rear doors and leave the House. They are following the example of the front benchers. But they come back when the bell rings, and vote for their party, without listening to the arguments and many of them without taking any part in the discussion.

Mr. Speaker, I do not wish to allow this occasion to pass without expressing my views upon this important question. The constituency I have the honour to represent has always been interested in the great subject of free speech. The love of free speech was taught them by the public men who represented that constituency in former days. The value of free speech has been taught to the people of my constituency by such distinguished men as Hon. J. J. Marshall, Hon. Stewart Campbell, John A. Kirk, Otto S. Weekes, and last but not least the late brilliant and eloquent Lieutenant Governor of Nova Scotia, Hon D. C. Fraser. I do not want any better cry in my constituency than to go before my people and tell them—that this Government has introduced the closure to destroy free

speech, and has endeavoured to force it through Parliament so that the majority can carry measures in this House with or without discussions just as it may seem best to themselves. That is the meaning, in my judgment, of the measure now before the House; it is an attempt to substitute the club for free discussion and intelligent argument. On behalf of my constituents, on my own behalf, and on behalf of the people of this country, I desire, before the vote is taken on this question, to enter my earnest protest. I spoke of my own constituency, but the same is true of the whole province from which I come. I suppose there is no part of Canada where the right of free speech is deemed to be of greater value than in the province of Nova Scotia. One of the most interesting and important incidents in the history of that province is directly connected with this question: I refer to the prosecution of the Hon. Joseph Howe. In those early days, back in the thirties, Nova Scotia was governed by what was known at that time as the Family Compact. We had no free government; the administration of the province was in the hands of a ring, something like, I suppose, from what I can learn, the province of Manitoba is to-day. It could scarcely be called a free country. The ring that governed Nova Scotia at that time, and especially the city of Halifax, was corrupt—rotten to the core—but everybody was afraid to attack it. Joseph Howe was a young journalist, writing for a newspaper in Halifax, and he ventured to expose these gentlemen in the press. He showed them up in their true light, and his letter created a great sensation in the city of Halifax and throughout the province of Nova Scotia. The first step that the jobbing Tory justices took was to prosecute Howe for criminal libel. Under the law as it stood at that time, there appeared to be no defence for him; he consulted some of the leading lawyers of the province and they assured him that he would certainly be convicted. They refused to take up the case for him, and the consequence was that he had to fight his own battle. He borrowed some books from the lawyers in the city of Halifax, read up the libel law, and appeared in court as his own attorney. He fought the case himself, and, after a very exciting trial, during which there was delivered one of the best addresses ever made to a jury in that province, Howe was acquitted. He was carried from the courthouse on the shoulders of the people, and there was great rejoicing throughout the province and in the city of Halifax. They gathered around his house that night and cheered him, and he made a speech from the steps in which he told the people to go home and keep the peace, and to teach their children the names of the twelve men who had preserved the right of free speech and the liberty of the press. By that gallant fight for free speech, Howe endeared himself to every Nova Scotian. It was the first blow struck in our province for the responsible government which followed, and in that struggle he played a very prominent part. The names of the twelve jurymen were in time forgotten, but the memory of Joseph Howe himself, Nova Scotia's champion of free speech, is known and cherished and honoured around every fireside in the province. We are proud that we produced a man of that kind, who is known all through his history in Nova Scotia as the tribune of the people. We were proud of him as a Nova Scotian; but the pride we felt that such a man was produced in our little province by the sea is tempered, to some extent, with humility when we realize that our province also produced the author of what will be know in our future history as the gag law.

There has been no call for this extreme measure; there has been no mandate for it from the people of this country. I was somewhat surprised the other day when the hon. the Minister of Justice, speaking from his place in this House, made the extraordinary statement that prior to the last election, in the manifesto that was issued by the Prime Minister to the people of this country, he had expressed himself as being in favour of the closure. In order that there may be no doubt about the exact words used by my hon. friend, I will read them to the House. They will be found on page 7624 of 'Hansard,' and are as follows:

> Here is a house that is comparatively new. People may say what they like about it, but you have only to look at the manifesto which the right hon. the Prime Minister addressed to the people of Canada during the last election, to see that here is a house that was elected on the announcement that if the right hon. gentleman were returned to power he would do precisely the thing that this measure proposes to do.

He must have been referring to this measure of closure, for that was the measure of which he was speaking when he made that statement. I have in my desk the four manifestos issued by the Prime Minister prior to the election, and, if any hon. gentleman in this House wishes to see them and examine them for himself, I will be very glad that he should do so. I have looked through these manifestos very carefully and I find that there is in them not one word in regard to a measure of this kind. The Prime Minister on that occasion dealt with a great many questions. He issued a manifesto regarding a programme of ship-building in the city of Halifax; he issued an-

other regarding civil service reform. He advocated practically everything from the preservation of the Empire to free pills for the fishermen of the maritime provinces. But, among all the matters mentioned in the various manifestos issued by the Prime Minister on that occasion, there is not a single word relating to closure. I wish, therefore, to put my hon. friend the Minister of Justice right by stating that he was entirely mistaken if he entertained the idea that the Prime Minister had any mandate from the people of this country to bring in the measure which is now under consideration.

My hon. friend the Minister of Public Works also made a certain statement, not that this Government had a mandate to pass this measure, but he led this House to believe that there was a clamour in the country for closure, and that the people of Canada were asking for it. This is what he said:

> In tones louder than thunder comes a demand to this Government from all parts of Canada, irrespective of party, race or creed, that we must not allow the needs of Canada and of this Empire to be delayed or to be sacrificed to gratify the ambition of hon. gentlemen opposite.

This was practically the first indication we had from the Government benches that closure was to be introduced; my hon. friend the Minister of Public Works made the extraordinary statement that the demand for this drastic measure comes from somewhere, in tones of thunder. It is curious, if the call for this legislation is so loud as that, that nobody else has heard it but himself. Is it not extraordinary that no petitions have been brought to this House in regard to it? I have been informed that there is not a single petition on file in the department of the Minister of Public Works or any other department of the Government relating to this question, and nobody has asked for it. Have the farmers of Canada asked for it? They are an organized institution in the West and you would expect that if they wanted it they would send here and ask for it. When the farmers of the West want anything they know how to ask for it, that has been their history in the past. But is there any demand from that quarter for this drastic measure? Has any demand come from the workingmen of this country, from the labour unions, from the fishermen? Have they been heard from? Have the lumbermen of Canada been heard from or have the miners? I asked if the graingrowers had been heard from. Apparently nobody has been heard from, but still the Minister of Public Works tells us that in tones louder than thunder this demand has come from somewhere. It is a curious thing that nobody has been able to hear this thunder except the minister himself. What about the press of this country? Is there any great demand for this step in the press of Canada? I mean in the decent, independent press of Canada. I know that there are some party hacks in Canada, I do not like to mention names but I refer to such papers as will go the whole distances to support the Government whether they are right or wrong. I am sorry to say that there are a few journals of that kind in Canada who favour this measure, but they are very few. The independent newspapers of Canada are not in favour of this measure in fact they are speaking out in very strong language against it. The newspapers that people read, that people believe in, papers that the independent man reads and studies, they are the papers from which we ought to take our views on questions of this kind; and in that section of the press there has been no demand for this measure and there has been nothing but condemnation of it from day to day. Of course, these party papers to which I have referred like the organ of the Government in Halifax, the Halifax Herald, the Montreal Star, the Toronto News, would defend anything at all that was done by this Government; they would do anything right or wrong to keep the Conservative party in power. This question of closure has been discussed in the British papers and extracts have been published in the public press recently in regard to the operation of the closure in England and the bad effects that have come from it there. This ought to be a warning to the people of Canada when they are now asked to adopt this measure. Let me read an extract from the Ottawa Citizen:

> During the votes on estimates in Britain many millions of pounds are lumped together and passed en bloc by means of the closure affording the Opposition no opportunity of criticising particular items. And the system has rebounded upon the heads of those responsible for its introduction.

The closure was devised in Westminster by the Tories. This may be disputed; it was introduced as a temporary measure by Gladstone, but it was put on the standing orders and made effective later on by the Conservatives.

> The closure was devised at Westminster by the Tories to overcome Irish obstruction. It is now being used by the Liberals to force home rule for Ireland through Parliament. Imagine the chagrin of good protectionists in Canada to some day find a western group forcing free trade through Parliament by means of the closure. It will not do for Canada. There are too many racial and religious problems requiring wide-open debate. To employ the closure for a measure inspired in Toronto might cause a civil war.
>
> It is to be hoped that every progressive citizen will strengthen the hands of Premier

Borden, who, seeing the danger, certainly does not wish to introduce any closure.

This extract is from the Ottawa Citizen of the 3rd of April. Let me also give you a short extract which I find has been written by the editor of the Encyclopedia Britannica referring to this same matter:

The closure has much modified the character of the debates on such motions as used to be taken up when feelings were hot. In other aspects the most noticeable thing in the recent evolution of the House of Commons has been its steady loss of power as an assembly in face of the control of the government and party leaders.

That is what will happen in Canada; the House of Commons in Great Britain has been regarded by means of the closure and the House of Commons in Canada will become a pliant institution in the hands of machine politicians if this measure is allowed to be placed on the statute book. There is a hint in that article for some hon. gentlemen opposite. Think of the feelings of the hon. member for Brantford (Mr. Cockshutt) if on some future occasion a group of low tariff men should control this House and use this guillotine to put a measure through the House to place agricultural implements on the free list. Or think of the feelings of the hon. member for St. Antoine division of Montreal (Mr. Ames) if that same group at some future day should use this guillotine in order to put boots and shoes on the free list. That is what is in store for hon. gentlemen opposite if they insist on placing this measure among the rules of this House. I have stated that there is no demand in the country for this measure and there is no need for it as far as Parliament is concerned. It has been drawn to the attention of the House that during the whole forty-six years of Canada's history there have been only four occasions when closure was wanted even by the majority. Of course the minority never want it, but there have been just four occasions in forty-six years in which even the majority thought that it would be a good thing if they had closure so that they could compel the Opposition to accept their measures. If you look at those four occasions you will find that it was better that we did not have closure. It would not have been a good thing to coerce Manitoba with closure. It would not have been a good thing to put the Franchise Bill through in the shape in which it was first introduced to the House by a method of this kind. The Manitoba Election Lists was the third Bill. It was better that that should be compromised or accepted by both parties. Then we come to the question of reciprocity; if we had closure two years ago what would have happened? According to the theory of hon. gentlemen opposite it would have been a very serious matter. According to my view, it would have been a good thing, but reciprocity would have been forced through this House without any appeal to to the people if we had had a closure to force it through. The Parliament that was then in session would possibly be in session yet. The Parliament of 1908 would not have expired until the autumn of the present year. Hon. gentlemen would still have been sitting on this side of the House in place of being in power if we had had closure in 1911. But we did not have it and they were able to compel an appeal to the people. The late Government, on that occasion, lost the support of the people, not, I think, by a fair appeal, put by racial appeals and by a great many improper appeals. At all events, they lost the majority and we had to move over to this side of the House. These are the only occasions on which the side representing the majority wished to have a measure of this kind adopted in Canada.

But I wish to draw attention to another phase of this question and that is that every one of the four measures that I have referred to related to legislation. There has not been an occasion in this Parliament when it was necessary to have closure in order to put Supply through. I quite admit that under the old rules votes of Supply might be used in order to prevent legislation, but the four cases in which closure seems to have been required or asked for by the majority in this country, were cases of legislation. Therefore, the needs of Parliament, if you admit that there are needs, could be met by a rule that would enable you to put legislation through this House and thus our rights in regard to Supply, in regard to the criticism of corruption, in regard to censure and other matters the right to do which is so precious to the people would be maintained. Why is it that this has been made an excuse to include not only legislation, which is the only thing you really want, but to include everything that can be done in this Parliament? If you are able to put these legislative measures through, which is all you require, you will have no trouble in regard to Supply.

In this discussion the other day the right hon. Prime Minister made the statement that the rules that are being proposed on this occasion are more elastic and liberal than the rules that are at present in force in England. That statement has been met and contradicted by hon. gentlemen on this side of the House. I was surprised that such a statement should come from the Prime Minister. Any hon. gentleman who will read the proposal that we have here, and read the English rules,

will be convinced that, there is a vast difference in favour of the English rules. I would not have the slightest hesitation in making my choice between the English rules and the rules that are proposed on this occasion. For example, under the English rules, it is necessary to give twenty days at least for the discussion of Supply. That is a fair proposal, but under these rules that we are now asked to adopt, is there any such provision? It may be that the Government will give us twenty days, but I am speaking now of what the Government can do under the rules and not of what they may or will do. I am quite well aware that a government may interpret these rules fairly and that they may not bring the closure down on every occasion that they could do it. It would be a very extraordinary government that would do that, but when I am asked to discuss the power that is given to the Government by these rules, I have not the slightest hesitation in preferring the English rules to the rules that are now proposed. There is nothing in these rules by which the Opposition can claim twenty days for the discussion of the estimates. As I understand these rules, resolutions may be bracketed together. They apply not only to a resolution but to resolutions. I am referring now to clause No. 3 which says:

(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes, in any such adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

That is the clause to which I so strongly object. My hon. friend from Portage la Prairie made the statement last night that there must be a debate before closure can be applied. That is by inference, because the clause says that the minister may move that the debate be adjourned or that it cease. It does not say that there must be a debate, but it infers that there is a debate, and of course there must be some kind of a debate before it can cease. But that debate may be very short. Who is it that decides as to the length of the debate? That is in the discretion of the minister who is leading the House at the time. It may be just as short as he chooses to make it. I suppose that, if one man speaks on one side and another man speaks on the other side, that can be called, in law, a debate, and I am taking now the very worst case. In that case the minister who is leading the House appears to have the right to give notice that the debate shall not be further adjourned; the consequence is that the debate must adjourn at two o'clock on the following morning and that the speeches up to that time can only be of twenty minutes duration. Suppose that I am correct in my statement that resolutions can be grouped together and that, for example, the Minister of Public Works is putting through his resolutions; he has a large number of them, and if resolutions can be grouped together, without restrictions, not only the resolutions of the Department of Public Works, but all resolutions can be grouped. If you look at the main estimates for the present year you will find that there are 367 resolutions. Suppose you put them all together and a motion is made by the Minister of Public Works on Monday night that the debate ceases on the following day; the consequence is that the whole of the estimates are put through with only two days' discussion. That is an extreme case, but it appears to be permitted under this rule. It is a most extraordinary power to give to any Government.

Then if you take the twenty-minute speeches which are allowed the second day, and analyze the proposition, what does it amount to? The House meets at three o'clock in the afternoon and ends at two the next morning, which gives just nine hours, deducting the two hours for dinner, we have 540 minutes, which will give the right to make twenty-seven speeches of twenty minutes each; and twenty-seven speeches divided amongst 220 members is about one speech in ten, so that each member of the Opposition would have one chance in ten of getting the floor. I presume some of that time would be occupied by members on the Government side, and indeed if they were so disposed the members supporting the Government might make speeches for the greater part of the day and in this way take up the time. Is it a proper rule to make in this House that only one man in ten is to be heard in regard to an important measure, and when he is heard, that he shall have only twenty minutes to

speak? And yet the Prime Minister tells us, and some other hon. gentlemen have had the temerity to tell us that this proposal is even more liberal than the rule in force in the British House of Commons.

During this debate quotations have been made from the speeches of eminent men who have given their views on this question. I do not purpose making citations, but a little incident happened in this House in the year 1908 when the junior member for Halifax (Mr. Maclean) made a proposal to amend the rules. Mr. Maclean's complaint was that it often happened that when a motion was made to go into Committee of Supply, some members brought forward without notice an important matter, and that as the members of the House were not aware that such a motion was to be made, misunderstanding often arose. The hon. member (Mr. Maclean) advocated that it would be a proper amendment to make to the rules that there should be two days' notice of such amendments on going into Supply. On that occasion speeches were made by some of the leading men in the House and amongst others you yourself (Mr. Speaker) spoke on the question. There is no man in Canada better posted in parliamentary usage than the hon. gentleman who occupies the Chair of this House. He is an old parliamentarian having the respect of everybody in this country, and he has had a very long experience as a member of this House, and his views on a matter of this kind are worth perhaps more than the views of any other man in Canada. I wish to give a short extract from what Mr. Speaker said on that occasion, so that the Minister of Public Works, who is now leading the House, will inform the Prime Minister that when this important question was dealt with some two or three years ago, some of his leading supporters placed themselves on record directly against closure in any shape or form. This is what Mr. Speaker said:

> It is one of the valuable rights——

You understand that Mr. Maclean was proposing a very slight amendment to the effect that two days notice should be given of an amendment to the motion to go into Supply; he was not taking away the right of any man to speak or to make a motion but he claimed it was a reasonable thing to give two days' notice. This was what was said on that occasion by the present Speaker of this House:

> It is one of the valuable rights of the House, and one that should not be given up, that any member may bring before the House any grievance before supplies are voted. This is one of the rights which no free parliament would ever desire to give up.

That is the language used by you, Mr. Speaker, on that occasion. The Prime Minister also spoke and he put himself on record as directly opposed to the method he is now adopting. When that simple proposal was made by Mr. Maclean, of Halifax, who then represented Lunenburg, the Prime Minister said it should not be brought forward in the manner in which the hon. gentleman brought it forward, but it should be brought forward in the regular way by referring it to a committee of the House, so that we might have the benefit of the deliberations of the committee before any change was made in the rule. These are the words of Mr. Borden spoken on the 12th of February, 1908, page 2984, 'Hansard':

> Mr. R. L. Borden (Carleton, Ont.): It rather takes the House by surprise to have a proposal of this kind made. The rules of the House are not lightly dealt with in this way. The universal practice is that so important a matter as an important amendment to the rules of the House should be submitted in the first place to a committee, considered by that committee and reported to the House, when the House would take it into consideration.

This was the method the Prime Minister thought ought to have been adopted when he sat in Opposition:

> We revised the rules of the House two years ago, and in the opinion of the House there was no occasion at that time for any such far-reaching amendment as is now proposed.

That was the simple amendment that two day's notice should be given of an amendment on the motion for Supply and Mr. Borden at that time was shocked at the far-reaching nature of it:

> It would prevent the discussion of any grievance to go into Committee of Supply unless two days' notice were previously put upon the Order Paper.

You may have to wait a very long time under this rule before you can bring up a question going into Supply if the ministry choose to enforce the proposed rules:

> That would be an abnegation of the practice that has prevailed for five hundred years in the British House of Commons and that has prevailed in this House of Commons ever since we have had parliamentary institutions in this country. The hon. gentleman (Mr. Maclean) speaks of members of the House being taken by surprise, but they need not be taken very much by surprise if they perform their duties and attend here.

At that time the Prime Minister was very insistent that the members ought to be in their places attending to their duties:

> Surely matters of public interest can be discussed in this House without two days' notice on the Order Paper. The proposal would cut down to a very serious extent the

privileges of this House, and I venture to say that in the end it would not be found to shorten the length of the session. I understand the hon. gentleman (Mr. Maclean) to refer to some English rule, but so far as the English practice is concerned, they go indefinitely further than I hope we shall ever be obliged to go in this country. If we carried out the English practice to the full, we would adopt the English system of closure, under which the passage of the estimates would be reduced to very little more than a farce.

That was the opinion of the Prime Minister only a few years ago, when he was sitting on the Opposition benches. Then he goes on to say:

Often a sum of £10,000,000 is voted by the Commons of Great Britain after a discussion of not more than two hours' duration. We do not require any restriction of that kind in Canada, and it would be a most unfortunate thing to attempt to restrict discussion as the hon. member for Lunenburg proposes. There has been no very great evil attendant upon the practice of this House since Confederation. Hon. gentlemen who desire to bring a matter of public importance to the House usually give notice in advance, that is certainly done when there is intention to move an amendment to the motion that the House go into Committee of Supply. I have pressed upon hon. gentlemen on this side of the House the extreme importance of giving the Government notice in advance of any amendment to Supply; and apart from that hon. gentlemen have, from time to time given notice in advance of their intention to discuss important subject questions. I decidedly object to the passing of this motion; first, because according to the usual order of procedure such a proposal should be referred to a committee, and, in the second place because it does not seem to me that there is any abuse of the present practice which would justify us in making such a very important amendment to the rules.

These are the words of the Prime Minister, and this is the same gentleman who was the principal actor in the scene which took place in this House on Wednesday afternoon last. Other hon. gentlemen opposite at that time occupied seats on this side of the House and great fears were expressed by some of them as to what would happen if any amendments were made to the rules. At that time my hon. friend from South York (Mr. Maclean), spoke as follows:

I trust that this committee will in no way interfere with the liberties of Parliament, and especially with the liberties of individual members of this House. In the United States to-day we see that the popular Chamber has lost its liberties, and has passed under the domination of a Speaker who is now known as a Czar, and consequently that Chamber, which should have been the model Chamber throughout the world, has lost its prestige and its power, that power having passed to another body. I do not wish to see a repetition of that history in this country.

My hon. friend from South York was referring to the fact that the House of Representatives in Washington had been degraded by the introduction of the closure, and that since then in that Chamber they had not produced any eminent men like the Quinceys, the Everetts, the Adamses, the Websters, the Henry Clays, and the great men who graced that Chamber in the olden days. This change which has been brought about, by which the guillotine is brought down, has made Congress a sort of machine institution. It is pitiable to think that the same thing is going to happen in Canada. A certain reverence is growing up in this country for the House of Commons. The eyes of all Canada are directed towards this place. As a people we are proud of our history and have erected monuments on the Plains of Abraham, on the Field of Chateauguay and at the Fortress of Lunenburg, to commemorate the brave deeds of days past. After all, this Chamber is to the people of Canada a more sacred spot than any battlefield. It is the place where the destiny of this country is decided, where the character of the country is shaped and where the government of the country is conducted. Anything that is done to degrade it, to lessen its influence or to turn it into a place where machine politicians shall have full sway, anything that is done to take away the rights of the members and transfer them to a group of men called the Cabinet will bring about a very deplorable change in the House of Commons and totally destroy the respect held for it in the country.

My hon. friend the Minister of Trade and Commerce (Mr. Foster) also spoke on that occasion and said:

I for one have no idea at all of submitting without protest to any of the well-defined liberties of this House as a parliamentary body being infringed upon.

Just imagine the feelings of my hon. friend the Minister of Trade and Commerce when he comes back from the Antipodes and finds that this closure, which he denounced so strongly two or three years ago has come to pass, and that his colleagues are responsible for it.

Another hon. gentleman, the gallant Minister of Militia (Mr. Hughes), also delivered himself on that occasion. I shall only quote a very short extract from his speech, but he came out also as one of the champions of free speech. This is what he said:

I trust that in amending these rules there will be no attempt to curtail the liberty of debate, or to hamper members from discussing in a proper manner the views they may wish to utter concerning the welfare of the country.

I do not know whether my hon friend the Minister of Militia will vote for this proposal or not. I am afraid he will. He generally votes with his party. He has not yet expressed himself in regard to it but, as he held such strong views as that two years ago, I hope that he will hesitate before giving his assent to the measure that is now before the House.

The fears of these hon. gentlemen at that time were soothed and quieted by the speech of my right hon. leader (Sir Wilfrid Laurier.) He assured them that there was no danger. After all those speeches had been delivered and after these gentlemen had expressed their fears that the committee, that was then to assemble to revise the rules of this House, might go too far, my right hon. friend told them very plainly that they need not be afraid; that he was in favour of free speech. He was referring to a speech made by His Honour, the Speaker. This is what he said:

> I can assure my hon. friend (Dr. Sproule) that the Government has no intention of using the majority now supporting it in Parliament to curtail any of the rights and privileges of members of this Parliament. We prize them as highly on this side as hon. gentlemen do on the other side.

I am proud to think that the present leader of the Opposition made the same statement then that he makes to-day. That is the proof that he is not a machine politician, that he is a real statesman of whom every man in Canada has a right to be proud. He gives forth the same lofty views when he sits on the treasury benches as he does when he sits on the Opposition side of the House. There is no difference. On that occasion, sitting on the treasury benches, with a strong majority behind him, he said that hon. gentlemen need have no fear, that he was in favour of free speech; that he would never stand for the introduction of the closure. He makes the same statement to-day; but how does his attitude on that occasion and this occasion compare with that of the right hon. gentleman who leads the House to-day? I have read to you what he said three years ago; you saw what he did on Wednesday afternoon, and you can draw your own conclusions. The country will draw its own conclusions too.

My hon. friend from Portage la Prairie (Mr. Meighen) made a very interesting speech last night, and in the course of that speech he referred to the remarks made by my hon. friend from Richmond (Mr. Kyte). He congratulated my hon. friend from Richmond that he had risen so high above his old methods that he had undertaken to discuss a matter of public importance in this House,—meaning, I suppose, that the questions that my hon. friend from Richmond had been discussing in this House were somewhat unworthy of him. Now, I desire to protest against the attitude of the hon. member for Portage la Prairie. I submit that my hon. friend from Richmond performed a very proper duty when he brought these questions to the notice of this House and the country. That is one of the functions of the Opposition. Are we to be told that if the Government so far forgets the dignity that ought to characterize it as to appoint a criminal to a position of public trust, and afterwards pardon him and release him from jail that he may occupy that position, an hon. member of this House is not at liberty to rise in his place and draw the attention of the House and the country to that fact without being told that it is unworthy of him to do it? I submit it was unworthy of the hon. member for Portage la Prairie to make such references to my hon. friend from Richmond. But the hon. member for Portage la Prairie is generally regarded as a very fair gentleman and he discussed the question before the House, so far as I could judge, in a very fair and reasonable manner. I do not know whether he satisfied hon. gentlemen opposite, because in my judgment he gave away the whole case. He told us very plainly that more than one vote could be put through at a time, and he told us that length of debate would depend on the goodwill of the Government. He told us that the club could be used after twenty-four hours, and while he said the Government would not do it, yet he admitted that under these rules, if the Government is tyrannical, they can shut off discussion. That is the meaning of the speech of my hon. friend if one reads it carefully. It was a very frank utterance, and I think it stated the case very fairly. But he made one statement which I desire to criticise. It is as follows:

> I affirm, and I stand approved by the records of every charge made in this House during years gone by, that the hon. member for St. Hyacinthe will have just the same liberty to make his motion after these rules go through as he had before, and the motion will be subject to discussion in the same way; all discussion, of course, being subject to the general rule that there is power to terminate it—it cannot be endless. What will such a motion come under? It comes under routine proceedings.

There is the whole question. The hon. gentleman can make his motion, certainly —we can make any kind of motion when the occasion comes; but it is the discussion that counts on questions of that kind and not the formal motion, and the hon. member for Portage la Prairie practically admits that discussion will last just as long as the Government chooses to allow it, but no longer. That is the very crux of the question. It is the right of free speech, the

right to discuss these questions as long as they ought to be discussed that we are claiming in this House; and when the hon. member for Portage la Prairie tells us that we have the same right as before to make a motion, I agree with him; but that is not the question that is troubling me, it is the discussion of the question after the motion is made. If my hon. friend from St. Hyacinthe had simply risen and made his motion and had not been allowed to carry on a discussion, and other hon. gentlemen around him were not allowed to carry on a discussion, he would have made a very poor showing and a very poor case before the country. Consequently when my hon. friend admits that the discussion is only as long as the Government chooses to allow it to be, he gives away the whole case and completely justifies our objection to this proposal. Apart from that, when he says that we have the same rights as we had before, he forgot that on Thursdays and Fridays we have no rights at all. At the present time, if a motion to go into Supply is made on Thursday or Friday, every hon. gentleman knows he has the right to bring forward his grievances, and discuss them as long as he chooses. This right is taken away. It would be very easy for a Government that wishes to be tyrannical to devote Thursdays and Friday to Supply and to deal with legislation and other questions on other days, so that if that method were adopted—and it is a possibility that it might be adopted—there would be no chance of making a motion such as my hon. friend from St. Hyacinthe moved.

The Minister of Justice (Mr. Doherty) is of course the legal authority of this House, and what he said on this question should go, with most of us who know so much less about these questions than he does. That hon. gentleman practically told us the other night that we had no right to complain when the rules were applied to us. He was surprised at the leader of the Opposition complaining because a certain rule was applied to him. It is an indication of what we may expect from hon. gentlemen opposite, when the legal guardian of the rights of the members of this House makes a statement of that kind. In case he does not remember what he said, permit me to read it to him. These are words of the Minister of Justice on that occasion, referring to the right hon. leader of the Opposition:

> The right hon. gentleman throughout his speech was full of eloquent references to his 'never whining'—that is not an expression that I would have chosen, but he has chosen to boast that he never whines. And yet what was the opening of his speech, if it was not a complaint—as I would call it, whining as he would call it—because the rules of this House as they now stand were applied to him this afternoon?

Let me give an example. Suppose that an important Bill were before the House, regarded as very bad legislation by the members sitting on this side. Notice is given after one day's discussion, and then twenty-minute speeches begin. Only nine hours is allowed for discussion—twenty-seven speeches of twenty minutes each—and then the guillotine falls. We should be told by the Minister of Justice that we have no right to complain if the rules of the House are strictly applied to us. That is the reason we object to making rules of the House to be placed in the hands of hon. gentlemen opposite who have given us every indication of what they would do if they had the power.

Now, I listened with a great deal of interest to the very able speech delivered the other day by the Minister of Finance (Mr. White), in which he informed us that these three dreadnoughts that are proposed to be given to Great Britain will have a profound moral effect on the other side of the water. It has already been brought to the attention of the House that the effect will be ruined by the application of the gag in order to secure the passage of the Bill. Imagine the feeling of a high-minded Englishman when he is told that these ships were obtained by binding the representatives of half the people hand and foot, and gagging them so that they could not take part in the discussion, and thus passing a measure over their prostrate bodies, and calling it a 'free gift' to the Old Country from the Dominion of Canada. Would that, Sir, have a profound moral effect in the Old Country, or would it not rather tend to result in an opposite condition?

Many hints have been thrown out as to who is the author of this measure, but no one seems to be able to supply the necessary information. I wonder if the statements that have been made in the newspapers, and the hints that have been thrown out in this House, that my hon. friend the Minister of Public Works is really the author of this measure, are true? If they are, I am not surprised that he is unwilling to tell. I think it had better be kept a secret. We have heard of the Manitoba Wonder, but the kind of potato that grows in Manitoba will not flourish in Ottawa; it is not adapted to this soil. I wish to remind the hon. minister—because I know he is a man who studies the Scriptures—of that other citation which he did not quote the other night: 'With what measure ye mete, it shall be measured to you again.'

There is in this country an important society known as the Loyal Orange Order. I wonder what they think of this measure? We have had no expression of opinion from hon. gentlemen of this House who belong to that order as to whether or not they approve of this measure. I have no doubt

that you, Mr. Speaker, have often listened on the 12th of July to those eloquent discourses which are heard on such occasions in favour of free speech and an open Bible. These, I am told, are the watchwords of the Orange Order: 'Free speech and an open Bible.' I do not happen to belong to the order myself, but I referred to its organ the Orange Sentinal the other day, and I found on the corner, printed in prominent letters, the words: 'Our politics—special privileges to none; equal rights to all.' If the gentlemen who do belong to the Orange Order will live up to that doctrine, they will have to vote against the resolution now before the House, because a measure of this kind can never be described as extending equal rights to all.

I object to this measure, Mr. Speaker, for a great many reasons, and I shall mention a few as follows:

1. Because the proposed rules are tyrannical, and every free man hates tyranny.

2. Because no rules should be approved by this House that prevent fair discussion of grievances on going into Supply.

3. Because, under these rules in the hands of unscrupulous ministers, the whole estimates of a year could be voted through without explanation, and with only a few hours' discussion.

4. Because by the adoption of these rules the rights and privileges of the House of Commons will be transferred to the Government.

5. Because the House of Commons is the guardian of the liberties of the Canadian people, and should remain faithful to its trust.

6. Because these proposals place too much power in the hands of the ministry.

7. Because, under the proposed rules arbitrary and unscrupulous ministers can convert Parliament into an instrument for sanctioning and legislating corruption and wrong-doing.

8. Because closure should not be resorted to for the purpose of embarking on a new system of naval defence before the proposal has been submitted to the people at the polls.

9. Because the effect of these rules will be to place the treasury at the disposal of machine politicians, check exposure, and destroy the best safeguard the people now have against dishonest administration.

Mr. G. H. BOIVIN (Shefford): In rising to discuss the resolution submitted to the House by the right hon. leader of the Government, I wish to assure you, Mr. Speaker, that, although the twenty-minute rule is not yet in force, my remarks will be brief, because I do not consider myself to be an authority upon the use or the abuse of the rules of this House. I have been a member of this House for only a session and a half, and, to use a press gallery expression, I do not wish to take up the time of the House to measure the length, the breadth and the depth of these amendments, and explain exactly what they mean; neither do I wish to occupy two hours and forty-five minutes in an attempt to prove to this House that an hon. member can say all that he has to say on any given subject in twenty minutes, as the hon. member for Portage la Prairie (Mr. Meighen) did last night. I do, however, wish to be heard, perhaps for the last time in a free parliament, as the representative of 27,000 free subjects residing in the county of Shefford; I wish to be heard perhaps for the last time in a free parliament as the representative of the French Canadian minority in the Dominion of Canada, and that French Canadian minority in the province of Quebec, which is loyal to its King and its adopted Mother Country, that French Canadian minority ready to shed its blood in the maintenance of British supremacy in the country it calls its own, that French Canadian majority ready to give fair play and justice to the English-speaking minority in the province of Quebec, but jealous of the rights and privileges granted to our forefathers by the treaty of Paris and to our province of Quebec by the British North America Act of 1867.

I do not wish to compare the resolution introduced by the right hon. Prime Minister with the rules existing at the present time in the British House of Commons. I do not pretend to be in a position, Mr. Speaker, to decide whether these rules are more drastic or less drastic than those employed in the British House of Commons at the present time, but I can say that, when the closure was introduced in the British House, it did not meet with the approval of every Britisher in England—far from it. I read in the Citizen of Tuesday, April 8, an article entitled The Story of the Closure. I do not wish to read it in its entirety, but I do wish to cite this one sentence:

> Eminent Conservatives severely attacked the proposal to place an instrument like the closure in the hands of the Speaker, who would sooner or later inevitably be dragged down to the level of a partisan. An Irish member in an eloquent speech claimed that closure would rob the House of three historical pillars: the high impartiality of the Speaker, the readiness of the majority to allow the minority an influence on the despatch of business, and the readiness of the minority finally to acquiesce in the decision of the majority.

These words, which apply to closure in the British House of Commons, could very well be applied to the closure which is being imposed upon the Canadian House of Commons to-day—to the resolution introduced by the right hon. Prime Minister

in such a high-handed manner that the hon. leader of the Opposition, the most courteous statesman that Canada has ever known, was precluded from moving an amendment to the said resolution.

Redlich, in his authoritative work upon Parliamentary Procedure, commenting upon closure introduced in the British Parliament, says:

> The 'parliamentary guillotine' was then set up for a second time in the House, a desperate expedient for carrying out the inflexible will of the majority. However serious the political circumstances were which drove the Salisbury Cabinet to adopt this plan, there can be no doubt that their procedure was completely out of harmony with the historic character of parliamentary government.

If these remarks are true as applied to parliamentary procedure in England, how much more true are they as applied to parliamentary procedure in Canada, because we must not forget that Canada is not England. The day will come, when owing to its greater area and greater natural resources, Canada will be greater than England in both wealth and population. When that day does come, the rules then or now in force in the mother of parliaments may better suit our needs than the rules we have to-day. But, Mr. Speaker, England attained her greatness and won her reputation with rules similar to those we now have and why should we not wait until we have attained her greatness and her glory, before amending those rules? I say that the rules in Canada should not be amended because Canada is a land of minorities. Take any religion, take any class of citizens, take the descendants of any nationality in Canada to-day, and you will find that they are in the minority. As a minority they are obliged to rely upon the majority in the House of Commons for their rights and privileges. As a representative of the French Canadian minority I am proud to say that until to-day we have had ample opportunity to put forward in this Parliament what we consider our rights and privileges, and these rights and privileges have always been respected. What will happen when that right of free speech is taken away from us, when we can no longer expose to you and to the majority what we consider our rights and privileges, I cannot foretell. What applies to the French Canadian minority in Canada applies to every other minority. Take the British born in Canada to-day and put the rest of Canada against them and you will find that they are in a minority. Take the labourers of Canada to-day, place the remainder of Canada against them, and you will find that the labourers, who are to-day represented in this House by one sole representative, are in a minority. Take the manufacturers, who, perhaps are at the back of this closure, they, if taken individually or taken as a group, compared with the rest of the population of Canada are in a minority. Take the Roman Catholics of Canada to-day; numerous as they are, they have what they consider to be their just rights which they wish to maintain, but they are in a minority. Take the great Orange Order of Canada, with all its strength, power and prestige, and place against them the mass of the people of Canada who do not agree with them in politics and religion, and you will find that the great Orange Order is in a minority. This is a country of minorities with the possible exception of the poor farmers. The farmers of Canada are in a majority, but are they exercising the rights and receiving the privileges of a majority? They are considered in this Parliament as a minority, and they have been treated as a minority. The railway, manufacturing and banking magnates are always seeking privileges from Parliament and urging compensation for the great sacrifices as they call them, which they have made in building up Canada. This Parliament should consider the real sacrifices that are being made daily, without murmur, by thousands and tens of thousands of men and women in log cabins on the western edge of civilization, many miles from railways, schools or churches, rearing families and developing the country in the face of physical and spiritual and social deprivation, of whose hardihood a grateful nation might well afford some recognition.

In introducing this resolution the other day the Prime Minister spoke as follows:

> Mr. Speaker, the resolution which I have the honour to move this afternoon touches a very important subject, because it must be apparent to all hon. gentlemen in this House that unless we have such rules as will permit the reasonable transaction of public business, and prescribe the ordinary and proper conduct of debate, Parliament must fail in its chief function, and the proceedings of this House are liable to be brought into disrepute and contempt. No one is more ready than I to acknowledge that liberty of speech and freedom of debate must be preserved, but I venture respectfully to suggest that these privileges must be observed and maintained under such conditions that they shall not be allowed to degenerate into license and obstruction.

What does that mean? It means that the Prime Minister in introducing this closure resolution did so because he considered himself face to face with obstruction on this side of the House. Was he really in the face of obstruction? I claim that he was not. I claim that the amendment is unnecessary because only four times since Confederation has there been anything like obstruction in this House of Commons. In 1896 and 1911 that obstruction was justified by the verdict given by the people of Can-

ada in the general elections which immediately followed. In 1885 it was justified by Sir John Macdonald amending the legislation proposed. In 1908 it was justified by Sir Wilfrid Laurier withdrawing the measure opposed, and to-day the Prime Minister has two courses open to him; he can drop the Bill or he can appeal to the people. The better course would be to drop the Bill. We are not asking for power, we are not fighting merely for a chance to go before the electorate of Canada; we are fighting upon what we consider to be a vital principle, fighting for the autonomy of Canada. We are fighting to keep here in Canada $35,000,000 which the Prime Minister wishes to send to the mother country. That is all we are fighting for and we will be just as well pleased if we attain that end by the Prime Minister dropping the Bill as we would be if we attained that end by going to the country and receiving a favourable verdict from the people of Canada. His proper course would be to drop the Bill. I say that advisedly, I say that because, as I have already had occasion to remark in this House, he has not a majority of the people of Canada behind him when he presents this Bill. When he brought in this Naval Aid Bill he did not do it as the representative of the majority of the people of Canada.

An hon. MEMBER: Certainly he did.

Mr. BOIVIN: I was told that once before, 'certainly he did'—and I told the hon. gentleman who used that expression that the next time I spoke about that matter in the House of Commons I would demonstrate to him, figures in hand, that the Prime Minister had not a majority of the people of Canada behind him, and I propose to do it now. Let us take the Parliamentary Guide published by Major Ernest Chambers, Gentleman Usher of the Black Rod. In the edition of 1912, at page 276, you will find that the popular vote in the general election of 1911, counting the vote polled for Mr. Maclean in the Conservative column and that for Mr. Verville in the Liberal column was as follows:

Popular vote:	
Conservative..	669,557
Liberal..	625,096
Majority	44,461

But you will agree with me that the names represented in the columns which total up to that Conservative majority of 44,461 include a great number of members and candidates who sought election pledged to oppose the Naval Aid Bill or the Laurier Naval Service Act, pledged to oppose any aid to Great Britain without first submitting the question to the people by plebiscite.

Let us first take the list of those hon. gentlemen who though counted as Conservatives, felt obliged in order to be re-elected to vote against the Naval Aid Bill both in the resolution and second reading stage. They received the following number of votes:

Achim, Labelle..	2,902
Barrette, Berthier..	1,638
Bellemare, Maskinongé..	1,507
Boulay, Rimouski..	4,179
Guilbault, Joliette	2,239
Lamarche, Nicolet..	2,805
Mondou, Yamaska..	1,870
Total..	17,140

Let us now take the names of those hon. members who were elected, pledged against all naval aid to Great Britain, at least without a plebiscite upon the question. The votes received by them were as follows:

Blondin, Champlain..	3,811
Coderre, Hochelaga..	7,178
Forget, Charlevoix..	2,020
Forget, Montmorency..	1,359
Gauthier, Gaspé..	2,470
Girard, Chicoutimi..	3,798
Lavallée, Bellechasse	1,742
Lespérance, Montmagny..	1,653
Nantel, Terrebonne..	2,727
Paquet, L'Islet	1,578

Mr. SPEAKER: I would like to understand how the hon. gentleman intends connecting this with the resolution before the House.

Mr. BOIVIN: The way I intend to connect this with the resolution before the House is that I consider hon. members on the Opposition side should be allowed the right and privilege of answering speeches made by hon. members on the Government side. The right hon. the Prime Minister, in introducing the resolution, said that he was introducing this resolution owing to the obstruction which was at the present time going on in the House against the Naval Aid Bill. My idea is to prove, what I advanced a few moments ago, that the Prime Minister was not justified in calling this obstruction and that, if it were obstruction, it was obstruction which was justified as much as the obstruction was in 1911, and even more so. He also said that the majority should rule. The majority should rule, as I understand it, by the popular vote of the people. That is what I wish to prove and I am almost through with my citation.

Mr. SPEAKER: If that is the hon. member's aim, as he says, of course, I recognize that he is not out of order.

Mr. BOIVIN: I wish to thank you, Mr Speaker, for your ruling in this matter. I certainly do not wish to transgress the rules of the House, and I was about to ask the indulgence of the House if I was infringing the rules. I continue the reading of the list of those who pledged against all naval aid to Great Britain without a plebiscite upon the question:

Pelletier, Quebec county	2,295
Rainville, Chambly-Verchères	2,712
Sévigny, Dorchester	2,506
Monk, Jacques Cartier	5,782
Total	41,631

Mr. SHARPE (North Ontario): Will the hon. gentleman tell the House how many Liberals were elected in Quebec on the policy of spending $35,000,000?

Mr. BOIVIN: Not one of the Liberals of Quebec was elected upon the jingo policy of spending $35,000,000. The Liberals were elected upon the policy of building a Canadian navy, equipped and manned in Canada, and that is the policy we stand by to-day.

Let us now take the number of votes counted by Major Chambers in the Conservative column, but given by the free electors of the different ridings in Canada to defeated candidates, pledged to support the hon. member for Jacques Cartier (Mr. Monk) and oppose all naval aid to Great Britain until the people had been consulted by means of a plebiscite. The votes they received were as follows:

I will hand this list to 'Hansard' with the permission of the House.

Mr. SPEAKER: It would not be printed; it is not customary to print lists unless they are read.

Mr. BOIVIN: Then, I shall read the list, which is as follows:

T. Marcile, Bagot	1,750
Cloutier, Beauce	3,459
Mousseau, Bonaventure	1,395
Gilbert, Drummond-Arthabaska	3,533
Potvin, Kamouraska	1,754
Monette, Laprairie-Napierville	1,626
Morin, L'Assomption	1,209
Léonard, Laval	2,449
Bégin, Lévis	1,971
Laliberté, Lotbinière	1,520
Villeneuve, Maisonneuve	9,331
Huard, Mégantic	2,619
Pichel, Missisquoi	1,800
Marion, Montcalm	1,374
Asselin, St. James	3,154
Massé, St. Mary's	2,912
Grenier, Portneuf	2,105
Quesnel, Prescott	1,220
Hone, Quebec Centre	1,529
Vanasse, Richelieu	1,639
Dubreuil, Rouville	1,189
Guimont, St. Hyacinthe	2,155
Lareau, St. Jean, Iberville	729
Davidson, Shefford	2,245
Lortie, Soulanges	905
Labelle, Témiscouata	2,701
Normand, Three Rivers and St. Maurice	3,146
McDonald, Vaudreuil	1,130
Cousineau, Wright	2,819
Total	65,268

Mr. ROGERS: My hon. friend has overlooked the hon. member for Argenteuil (Mr. Perley).

Mr. BOIVIN.

Mr. BOIVIN: Yes, I have overlooked the hon. member for Argenteuil, and I have overlooked all honourable members and all candidates, Mr. Bergeron of Beauharnois included, who opposed honourable members on this side of the House, who ran as straight Conservative candidates in favour of the Borden policy at the last general election. Let us add these totals together:

Conservatives who voted against Naval Aid Act represent		17,140
Conservatives who in order to remain faithful to their pledges, should have voted against measure, represent		41,631
Conservative candidates defeated in last general elections who, if elected, were pledged to follow the policy of Monk and Bourassa		65,268
		124,039
Conservatives	669,557	
Deduct	124,039	
	545,518	
Liberals	626,096	
Add	124,039	
	749,135	
Against Bill: total votes		749,135
For Bill: total votes		545,518
Majority against Bill		203,617

The right hon. the Prime Minister looked for his authority to certain Liberal newspapers published in 1911. Why does he not read the Liberal press of to-day, and not only the Liberal press but some of the most faithful and best of the Conservative organs of the present time, and he will see that the people of Canada do not want to lose the privilege of free debate. The right hon. the Prime Minister referred also to statements made by certain ex-ministers of the Crown during and prior to the campaign of 1911. He cited extracts from the speeches of Hon. Mr. Fielding, Hon. Mr. Paterson and Hon. Mr. Aylesworth. He cited extracts from speeches delivered by the Hon. Mr. Fisher as follows:

I will quote three separate utterances of the then Minister of Agriculture, the Hon. Sydney Fisher. Speaking at Waterloo, Que., on August 1, 1911, he said:

'Now, if we are returned to power, we will pass reciprocity and we will also pass a measure changing the rules so that the business of the country may go briskly forward, without obstruction. It is only right that it should be so. Full investigation we believe in, but empty obstruction is a drag on the country.'

Speaking again, as reported in the Montreal Herald, on August 19, 1911, at Magog, Que., he said:

'So long as a small minority or any group can take up the time of Parliament in order to hear themselves talk, it is impossible to avoid waste of time——

I would like hon. gentlemen, and especially my hon. friends on the other side of the House, to note the language of Mr. Fisher that follows:

—'and I give my pledge that, if the Laurier Government is returned again, the rules of the House will be changed. I consider present conditions inimical to the proper conduct of public business.'

Speaking again at Knowlton, Que., August 21, 1911, as reported in the Montreal Herald, the Hon. Sydney Fisher said:

'The minister stated that it was the intention of the Government, should it be returned, to so change the rules of the House, that such obstruction would in future be impossible.'

The Prime Minister rejoices over these statements and uses them as proof that the people of Canada want closure. The right hon. gentleman should not forget that these speeches did not foreshadow such drastic amendments to the rules as he has now introduced without, as I said before, giving Canada's greatest statesman a chance to offer a single amendment. He should not forget that these speeches and these opinions were placed before the people justly and fairly during an election campaign; he should not forget that perhaps because of these speeches, the Laurier government was not returned to power; he should not forget that the Hon. Mr. Paterson, the Hon. Mr. Fisher, the Hon. Mr. Aylesworth, and the Hon. Mr. Fielding, are not in the House to-day, and he should interpret these speeches and the defeat of those who made them as a condemnation of closure as well as a condemnation of the reciprocity agreement which these same hon. gentlemen advocated at the same time. Why does he not look for inspiration to the utterances of hon. gentlemen who spoke in this House in 1910 and who since making those speeches, have been returned to this House and now occupy envied and honourable positions therein. The hon. member for Guysborough (Mr. Sinclair) read from 'Hansard' of 1909-10 the words pronounced in this House by Mr. W. F. Maclean, member for South York, Mr. Foster, member for North Toronto and Mr. Hughes, member for Victoria-Haliburton, against closure. Let it be remembered, the hon. member for North Toronto was returned to this House and became Minister of Trade and Commerce and that the hon. member for Victoria-Haliburton was returned and became Minister of Militia and Defence, while those who were in favour of closure were defeated. An opinion which will be, I am sure, received with much respect by gentlemen sitting on both sides of this House, and which was not quoted by my hon. friend from Guysborough, is the opinion of the hon. member for East Grey (Mr. Sproule) in 1909, when Sir Wilfrid Laurier moved that a committee be appointetd to revise the rules of this House. The hon. member for East Grey has gone through an election since then; he was elected a member of this House and he now occupies the honoured and enviable position of Speaker of the Canadian House of Commons. This is what the Hon. Mr. Sproule said in 1909:

Rumours have been prevalent for some time past in the government press that the Government intended to revise the rules of the House at an early date, and to introduce what is known as the closure. I would like to ask the First Minister if that is the intention in this revision of the rules. I would like to say that so far as I can judge the temper of parliamentarians generally, they regard the freedom of debate as one of the dearest rights of the representatives of the people, and if any attempt is made under the guise of amending the rules to prevent the freest discussion of all public questions, I can only say that in my judgment the Government will invite a good deal of trouble.

Mr. CARVELL: What did Sir Wilfrid Laurier answer to that?

Mr. BOIVIN: It might not be amiss to cite it again. Sir Wilfrid Laurier answered:

I can assure my hon. friend (Dr. Sproule) that the Government has no intention of using the majority now supporting it in Parliament to curtail any of the rights and privileges of members of this Parliament. We prize them as highly on this side as hon. members do on the other side.

That was the answer given by the right hon. the leader of the Government in 1909, (Sir Wilfrid Laurier), and that was the policy advocated by my right hon. leader in 1913. I might also add that the Right Hon. Sir Wilfrid Laurier was a candidate in two counties. He was returned in one county by acclamation, and the other county he took from the Conservatives with a handsome majority.

Mr. LEMIEUX: There was no previous question.

Mr. BOIVIN: I do not think the closure should be introduced in Canada at the present time, with or without the 'previous question,' because conditions here are not the same as in England. We are brought up in different spheres; we have attended different schools; we have inherited from our forefathers different qualities and different tendencies, but I believe that we are all, French Canadians and English Canadians, Tories, Grits and even Nationalists, imbued with love for our country and a desire to make that country great, grand and prosperous, which will enable us for many years to come to meet upon the floor of this House of Commons and to discuss without closure and without gag of any

kind the best means to attain our common end and the object of our common desire.

Mr. Speaker, let me, in concluding, tell the hon. Minister of Public Works (Mr. Rogers), who boasts of his ability to win elections, that it will take more than Manitoba methods to keep the people of Canada in general, and the electors of the county of Shefford in particular, from following and supporting Sir Wilfrid Laurier, that veteran statesman who takes Heaven as his witness that he would rather stand here to-day, defeated in opposition by an appeal to the people, than stand over there in office by the power of the gag.

On motion of Mr. Oliver, the debate was adjourned.

On motion of Mr. Rogers, the House adjourned at 10 p.m.

HOUSE OF COMMONS.

MONDAY, April 14, 1913.

The SPEAKER took the Chair at three o'clock.

OFFICERS OF THE HOUSE—SALARY INCREASES.

Right Hon. R. L. BORDEN (Prime Minister), moved:

That the recommendation of the hon. the Speaker, laid on the table of the House on the 7th April instant, relative to the yearly increase in salary to certain officers and clerks and employees of the House, including the clerks in the Joint Distribution Office of the House of Commons and Senate, pursuant to section 37 of the Civil Service Amendment Act, 1908, be approved.

Motion agreed to.

FIRST READING.

Bill No. 170, respecting certain patents of The Standard Paint Company of Canada, Limited.—Mr. Sharpe (North Ontario).

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

MAIL ROBBERIES.

*Mr. McRAE:

1. How many prosecutions for mail robberies have taken place in Canada during the years 1911 and 1912?
2. Were any of said mail robberies due to defective locks on mail bags?

Mr. PELLETIER:

1. During the years 1911 and 1912, there were twenty-two prosecutions for mail robberies. Many more robberies took place which could not be detected.
2. Many robberies took place in which the question as to the condition of the locks on the mail bags is not raised. It is easily understood that when a lock can be opened and replaced without the bag itself being damaged and without leaving any trace, it is difficult to locate the guilty party.

RURAL MAIL DELIVERY BOXES.

*Mr. LEMIEUX:

1. What is the price paid by the Post Office Department for each rural mail delivery box?
2. At what price is it sold to each patron?

Mr. PELLETIER: The price paid for each box is $3. It is sold to each patron for the same amount, but as many of these boxes were paid for by the previous Government before they were needed, the department has lost the difference.

*Mr. LEMIEUX:

Were the rural mail delivery boxes used by the Post Office Department manufactured in Canada or the United States?

Mr. PELLETIER: Partly in the United States and partly in Canada.

WICKHAM WEST POST OFFICE.

*Mr. LEMIEUX:

1. Has the Post Office Department received any complaints concerning the post office at Wickham West, Quebec?
2. If so, what is the nature of the complaints?
3. Has the assistant postmaster been sworn in?

Mr. PELLETIER:

1. Since the appointment of Mr. Evariste Roberge to the postmastership of Wickham West on the 26th October last, no complaints concerning the management of the office have been received.
2. Answered by No. 1.
3. Steps are being taken to swear in the postmaster's wife, who has succeded a Miss Robins as assistant.

ERINVILLE POSTMASTER.

Mr. SINCLAIR:

1. Has William McKinnon, postmaster at Erinville, Guysborough county, N.S., been dismissed?
2. If so, on whose recommendation?
3. Was there an investigation held? If so, what are the names of the witnesses examined?
4. If the said William McKinnon has been dismissed, who has been appointed in his place?

Mr. PELLETIER:

1 and 2. No. The postmaster of Erinville was not dismissed. The Erinville post office was closed and two post offices opened instead, one at East Erinville and one at

West Erinville, to improve the service of the district.

3 and 4. See answers to Nos. 1 and 2.

MAIL BAG LOCKS.

*Mr. CRUISE:

How many locks and keys for mail bags are used by the Post Office Department of the United States?

Mr. PELLETIER: This department is not in possession of this information, which would have to be obtained through the regular official channels of communication from the post office authorities in Washington, D.C., U.S.A.

*Mr. WARNOCK:

How many locks and keys for mail bags are used by the Post Office Department of the United Kingdom?

Mr. PELLETIER: This department is not in possession of this information, which would have to be obtained through the regular official channels of communication from the post office authorities in London, England.

Mr. CARVELL:

Did Lorenzo Grenier, of Quebec, take out, in 1911, a patent or make application for a patent, for padlocks for mail bags? If so, on what date?

Mr. BURRELL: No. On the 30th of December, 1911, Lorenzo Grenier filed an application jointly with P. V. Faucher and Aimé Dion, each to hold a third interest. The patent issued on the 17th of September, 1912, under number 142,823. On the 29th of October, 1912, all interest in the patent was assigned to the Ontario Equipment Company, in whose name the patent now stands.

*Mr. CARVELL:

1. On or about the 23rd September, 1912, did the Post Office Department give an order for 99,000 springs to improve the padlocks in use for the mail bags?
2. If so, to whom was the order given?
3. What was the price of each of these springs?
4. How many have been delivered to the department?
5. Was this order cancelled on or about the 2nd April, 1913? If so, for what reasons?

Mr. PELLETIER: No order has been given for springs to improve the padlocks.

*Mr. MARTIN (St. Mary's, Montreal):

1. Is Dr. Faucher, whose name has been mentioned in the matter of the new padlock sold to the Post Office Department, one of the members of the medical profession of Quebec?
2. What experience has he had in the padlock trade?

Mr. PELLETIER: The Post Office Department has no contract with Dr. Faucher, and, consequently, does not pay him anything. The hon. member who puts the question should communicate with Dr. Faucher himself for such information as he may desire to get.

*Mr. LANCTOT:

1. Is Aime Dion, whose name has been mentioned in the matter of the new padlocks sold to the Post Office Department, one of the members of the Quebec Bar?
2. If so, what experience has he had in the padlock trade?

Mr. PELLETIER: The Post Office Department has no contract with Mr. Aimé Dion, and, consequently, does not pay him anything. The hon. member who puts the question should communicate with Mr. Dion himself for such information as he may desire to get.

*Mr. WHITE (Victoria, Alberta):

Have any of the new locks and keys for mail bags been sent to any of the Post Offices in the Yukon? If so, when and where?

Mr. PELLETIER: This House has been already informed that no new locks and keys have been as yet received from the contractor.

*Mr. GAUVREAU:

1. What is the Capital Stock of the Ontario Equipment Company?
2. How much is subscribed, and how much paid up?

Mr. PELLETIER: According to information received from the provincial secretary's department at Toronto, the capital stock of the Ontario Equipment Company, is one hundred thousand ($100,000) dollars, of which fifty-one thousand ($51,000) dollars have been subscribed and paid.

*Mr. CARVELL:

1. Have any bags for mail purposes been purchased since 21st October, 1911, from the Ontario Equipment Company? If so, how many?
2. Were any tenders asked?

Mr. PELLETIER: No.

*Mr. CARVELL:

Are the padlocks purchased by the Post Office Department since October, 1911, of the same model as those purchased before that date, or are they improved padlocks?

Mr. PELLETIER: No padlocks of the new pattern have been purchased since October, 1911.

*Mr. MACDONALD:

1. Is the padlock for mail bags, specified in the contract entered into with the Ontario Equipment Company the old padlock improved?
2. If so, in what does the improvement consist?

Mr. PELLETIER:

1. Yes.
2. A check is introduced, which is intended to prevent the forcing open of the lock by other means than the use of the key.

*Mr. KYTE:

Has any comparison been made by the Post Office Department between locks for mail bags used in Canada, the United Kingdom and the United States? If so, when?

Mr. PELLETIER: No.

PICTOU-WEST RIVER MAIL SERVICE.

Mr. MACDONALD:

1. Has any change been made in the carrying of the mail between Pictou and West River, county of Pictou?
2. If so, what was the change, and for what reasons was it made?
3. Who is the new contractor?
4. Were any tenders called for since January 1, 1913?
5. What amount is being paid for the service now?
6. On whose recommendation was the change made?

Mr. PELLETIER: On a report of the superintendent, rural mail delivery, the department is arranging for the establishing of rural mail service in the district served by the Pictou and West River mail route. Rural mail routes starting from West River station and Salt Springs will supersede a portion of the present route. Tenders have been invited for the new services and the contracts have been awarded, but they have not yet been executed. As soon as this is done, the department will give the information.

MILLVILLE-DALHOUSIE MOUNTAIN MAIL SERVICE.

Mr. MACDONALD:

1. When was the change made in the mail contract between Millville and Dalhousie Mountain, county of Pictou?
2. For what reason was it made?
3. Who is the new contractor?
4. How much is paid him?
5. What was paid the old contractor?
6. On whose recommendation was the change made?

Mr. PELLETIER: A clause in the contract of G. McIntosh provided for its termination on three months' notice being given. This has been done and the contract was terminated on the 30th September, 1912. A new contract was made with John R. Ross at the price paid to McIntosh, viz., $160 per annum.

MONTREAL MAIL DELIVERIES.

Mr. MARCIL:

1. Does the Postmaster General consider as being satisfactory the postal service by which a registered letter bearing a special delivery stamp and the frank of a member of this House, mailed in the post office of the House of Commons at noon on Saturday, the 5th of April last, and addressed to a residence on St. Denis street, in the heart of the city of Montreal, is only delivered the following morning at ten o'clock; and the case of another letter sent from the Commons post office on the previous Saturday, and also bearing a special delivery stamp, and which being addressed to a member of this House at his residence on Sherbrooke street, Notre Dame de Grace ward, Montreal, is only delivered the following Monday morning?
2. Will the Minister inquire into this special delivery system with Montreal and see what improvement can be made in it?

Mr. PELLETIER:

1. From such inquiry as could be made in the absence of definite particulars, it was ascertained that a letter, which was apparently the one posted at noon on Saturday, the 5th of April, was received at the Ottawa post office, under registration, No. 1762, in the mail which left the House of Commons post office at 4.20 p.m. Had this letter not been registered it would have been despatched on train leaving for Montreal at 5 p.m., but as a registered despatch is not made up for that train, it was due for despatch on Canadian Pacific railway train No. 6 which on that date did not reach Ottawa until midnight. Consequently the letter was made up in a direct despatch from Ottawa for Montreal and Toronto railway post office east and sent to destination by the next outgoing mail, via Brockville and Ottawa train leaving Ottawa at 6.45. This mail would not be due at Montreal until about 7 o'clock Sunday morning. It is not the duty of post offices to deliver mail matter on Sunday, but to accommodate the public, 'special delivery' letters are sent out when possible on Sunday and this appears to have been done in connection with this letter. As the House of Commons post office is not under the jurisdiction of the Post Office Department, it cannot be stated why the letter was not sent out from the House of Commons post office to the Ottawa post office in the despatch which was sent to the Ottawa post office at 2.35 p.m., on the date of mailing.

As regards the letter posted on the previous Saturday, also bearing a 'special delivery' stamp, it is understood that it was not registered and cannot, therefore, be traced, unless definite particulars are given.

2. The department is not in receipt of complaints showing that there is a defect in the 'special delivery' system at Montreal. To make suitable inquiry on this point, it would be necessary that definite particulars be given by furnishing the envelope in question.

DALHOUSIE STEAM SERVICE.

Mr. MARCIL:

1. Has a contract been entered into by the Department of Trade and Commerce and any party for a steam service between Dalhousie, N.B., and Niguasha, St. Omer and Carleton, Quebec, or any other point in Quebec, or is one in contemplation?
2. Has a contract been entered into for a steam service between Bathurst and Petit Rocher, N.B., and Bonaventure, Quebec, or any other point in Bonaventure county, or is one in contemplation?

Mr. PERLEY:

1. A contract has been entered into for a service between Gaspé Basin, Dalhousie and Campbellton, calling at Carleton and a number of other points in Quebec. This is the only subsidized service contemplated from Dalhousie at present.
2. No. No such service is contemplated at present.

NEW CARLISLE PUBLIC BUILDING.

Mr. MARCIL:

1. Has a site been acquired for a public building at New Carlisle, Quebec?
2. If so, where is it situated, what is its area, from whom was it purchased, and at what price?
3. If a site has not been acquired, does the Government intend obtaining one?
4. Did the municipal council of New Carlisle offer such a site, or was it suggested that one should be obtained from the Quebec Government?
5. Does the Government intend erecting a public building at New Carlisle, and what steps have been taken to that end?

Mr. ROGERS:

1 and 2. No.
3. Matter not finally disposed of.
4. (a) Yes; (b) No.
5. Matter not finally disposed of.

MONTCALM POSTMASTER.

Mr. LACHANCE:

1. When did Mr. H. M. Côté cease to act as postmaster of the town of Montcalm, Quebec, and on whose request and recommendation and for what reasons?
2. What was his salary and emoluments?
3. How much did the rent of the post office cost, and who paid it?
4. Had he an assistant? If so, who paid his salary, and how much?
5. Who has the Government appointed in place of Mr. H. M. Côté, when and with what salary and emoluments?
6. Has this substitute an assistant? If so, what is his name and salary?
7. In what building or property in this post office located since the appointment of the substitute for Mr. Côté, and is this building the property of the Government?
8. If not, what is the annual rent paid and for how many years has this rent been paid?
9. How much has been the cost for the repairs made to this latter post office?

Mr. PELLETIER:

1. Mr. H. M. Côté, postmaster at Candiac, not Montcalm, tendered his resignation on the 15th August, 1912, as he considered the salary of the office insufficient, and the post office was transferred, by direction of the Postmaster General, to his successor, on the 3rd September, 1912.
2. They amounted to $135.14 per annum.
3. The postmaster provided accommodation for the post office at his own expense.
4. The department does not know who his assistant was as the postmaster furnished and paid for such assistance as he required.
5. Mr. J. A. Delisle, on the 3rd September, 1912, salary $500 and the usual commission on money order and savings bank business.
6. The department has no specific information on this point. The postmaster is required to provide whatever clerical assistance is needed at his own cost.
7 and 8. The building is owned or rented by the postmaster, who is granted a rent allowance of $50 per annum in addition to his salary.
9. The postmaster paid for his own fittings.

MOOSEJAW POST OFFICE INVESTIGATIONS.

Mr. TURRIFF:

1. What sums have been paid to John E. Chisholm, of Moosejaw, for services, and what sums for expenses, in connection with investigations conducted by him under instructions from the Post Office Department in connection with charges against postmasters in the Moosejaw electoral district?
2. What accounts of said J. E. Chisholm for such services and expenses are outstanding?

Mr. PELLETIER:

1. Tugaske, services, $45; expenses, $12; Alsask and Marengo, services, $90; expenses, $39. Services, $135; expenses, $51.
2. None.

AVIGNON POSTMASTER.

Mr. MARCIL:

Who has been appointed postmaster of Avignon, Quebec, in place of Octave Martin, resigned, and on whose recommendation was the appointment made?

Mr. PELLETIER: Mr. Mathias Blaquière, by direction of the Postmaster General.

EMPLOYMENT OF MAURICE LEBLANC.

Mr. MARCIL:

1. Is Maurice LeBlanc, of Bonaventure, Quebec, in the employ of the Department of Public Works, in what capacity, and at what salary?
2. When was the appointment made, and on whose recommendation?
3. Is it temporory or permanent?

Mr. ROGERS:

1. (a) Yes; (b) general foreman for the county of Bonaventure; (c) $100 per month.
2. (a) In May, 1912; (b) Mr. J. A. Mousseau.
3. Temporary.

WORKS OVERSEER IN BONAVENTURE.

Mr. MARCIL:

1. Has the Department of Public Works a general overseer, superintendent or foreman of works in Bonaventure county?
2. If so, what is his name, residence, salary and duties, and on whose recommendation was the appointment made and when?
3. If the department has not now such an official, did it have one within the last two years? If so, who was he and on whose recommendation was he appointed?
4. If the service of such an official has been dispensed with, what was the reason therefor, and on whose recommendation was the change made?

Mr. ROGERS:

1. Yes.
2. (a) Maurice LeBlanc; (b) Rivière Bonaventure; (c) 100 per month; (d) to superintend works under construction and to instruct other foremen; (e) Mr. J. A. Mousseau; (f) in May, 1912.
3 and 4. Answered as above.

FLORENCEVILLE-UPPER WICKLOW MAIL SERVICE.

Mr. CARVELL:

1. Who is the present contractor for rural mail service from Florenceville, N.B., to Upper Wicklow, Summerfield, and return?
2. What is the amount of the contract?
3. Has the department decided to divide this service into two contracts?
4. If so, what will be the cost of the service when divided?
5. who has the contract for that portion the service starting from Bath, N.B.?
6. What is the amount of his tender?
7. What is the amount of the contract entered into with him?

Mr. PELLETIER: This service was superseded on March 1, 1913, by two rural mail routes. (a) Bath Rural Route No. 1, under contract with J. Drost at $332.80 per annum. (b) Florenceville Rural Mail Route No. 1, under contract with J. D. Oliver at $300 per annum. Both contracts were awarded after public tenders had been invited.

ST. ANDREWS-BAYSIDE MAIL SERVICE.

Mr. CARVELL:

1. Were tenders called for the mail service between St. Andrews and Bayside, N.B.? If so, when?
2. Who were the tenders and the amount of each such tender?
3. Were any of the tenderers asked to reduce their offers?
4. Did any of such tenderers reduce their former offers? If so, to what amount?
5. To whom was the contract awarded and at what amount?

Mr. MARCIL.

Mr. PELLETIER: This contract not having yet been awarded it is thought advisable to give this information a little later on.

BATH MAIL SERVICE.

Mr. CARVELL:

1. Who has the contract for carrying the mail from the railway station to the post office at Bath, N.B., and return?
2. How many trips does he make daily?
3. Was the service put up to public tender?
4. What amount is paid annually for the service?

Mr. PELLETIER:

1. Ezekiel Secord.
2. Two.
3. No. The contract was arranged, the amount being under $200 per annum.
4. $100 per annum.

GRONDINES TELEPHONE OPERATOR.

Mr. DELISLE:

1. Is the Government aware that, as alleged, it is not J. O. Paradis, but Telesphore Paradis, who does the duty as operator of the Maritime telephone in the parish of Grondines?
2. Is the Government aware that it is one M. Paradis, of Rawdon, who performed the duty for two months at the same telephone?
3. Does the Government know that Laurent Paradis, who performed this duty last year, was only fifteen years of age?

Mr. HAZEN:

1. The Department of Marine and Fisheries, on inquiry, learns that, while Joseph Odilon Paradis was the person who was appointed operator, the duties of the office have been performed by his brother, Joseph Octave Telesphore Paradis. The latter is reported as being one of the best operators in the service, and steps will be taken at once to appoint him if Joseph Odilon Paradis will not attend personally to the work.
2. The day operator, Mr. J. O. T. Paradis, was replaced by his nephew, Mr. W. Paradis, from 1st November to 15th December, 1912. He obtained leave of absence from the superintendent of the signal service on account of illness. Mr. W. Paradis performed his duties very satisfactorily.
3. It was known that Laurent Paradis was about seventeen years of age. He was only employed temporarily, and is not now in the service.

RIGAUD ARSENAL REPAIRS.

Mr. BOYER:

1. To whom has been granted the present contract for repairing the arsenal at Rigaud?
2. What is the amount of this contract?
3. Were requests for tenders made in the newspapers?
4. If so, what are the papers?
5. How many persons tendered, and for what amount each?
6. What is the date of the report of the engineer recommending the works in progress?

7. From what authority did the contractor receive permission to enter into the arsenal for the purposes of his work and to go about it freely?

8. On what date was this authority given him?

9. Who is the officer commanding the military force of the place, and having charge of the arsenal, before the said contractor took possession of the premises?

10. If the material now exposed without supervision, such as harness, equipment, armament, &c., be damaged or stolen, who will be responsible for it?

11. In what consists the repairs to be made?

12. Has an engineer visited these places in relation to these works since the making of the report which recommended them and since the commencement of the works?

13. What is the name of the engineer, and the date of his visit?

14. Did the Government do any work to strengthen the building in 1910? If so, what was the nature of the work?

15. Is there in existence a report of the engineer since establishing that these works have not been sufficient?

16. If so, what is the name of the engineer and the date of his report?

Mr. HUGHES:

1. John Lowrey, Ottawa.

2. $2,245.

3. Yes.

4. Gazette, Montreal, four insertions; Star, Montreal, four insertions; La Patrie, Montreal, four insertions; Journal, Ottawa, four insertions; Citizen, Ottawa, four insertions.

5. One, $2,245.

6. 6th October, 1912.

7. By the official acceptance of his tender and award of the contract.

8. 27th February, 1913.

9. Major G. B. Boyer, M.P., 33rd Vaudreuil and Soulanges Hussars.

10. The special circumstances in connection with the loss or damage to harness, equipment, armament, &c., would have to be considered before the responsibility could be fixed.

11. The construction of a concrete buttress against the east retaining wall and the driving of a double row of wood piles at the west end next river, making good the old masonry foundations and structural woodwork of building.

12. Yes.

13. Captain W. G. Tyrrell, 8th April, 1913.

14. The Department of Militia and Defence did not.

15. Not in the Militia Department.

16. Nil.

CARLETON, QUEBEC, MAIL SERVICE.

Mr. MARCIL:

1. Has the Post Office Department annulled the contract of Napoleon LeBlanc, for the carrying of the mails between Carleton, Quebec, railway station and the post office at Carleton and Carleton centre, Quebec?

2. At whose request was this contract annulled, and on what grounds?

3. When was the contract first entered into, and was its execution satisfactory to the department?

4. Has a new contract been entered into? If so, with whom, for what service, at what rates, and has there been an increase in the price thereof?

Mr. PELLETIER: The Post Office Department has not annulled the contract of Napoleon LeBlanc for the Carleton Centre and railway station mail service. The contract expired on 31st March, 1913, and the department authorized a new contract from 1st April, 1913, with Clovis Leclerc at the price of the former contract, viz.: $161 per annum.

RESTIGOUCHE BOOM COMPANY.

Mr. MARCIL:

1. Has the Department of Public Works approved of the plans and works of the Restigouche Log Driving and Boom Company in the Restigouche river?

2. Has any objections been made to the minister to the adoption of such plans by riparian owners and fishermen and others? If so, on what grounds?

3. Has any action been taken by the minister in regard to such protests, and what was the action?

Mr. ROGERS:

1. No.

2. (a) Yes; (b) that the public are being deprived of the use of the river, more especially the north channel.

3. The whole question is now under consideration.

DISMISSALS.

Mr. BOURASSA:

1. Has Mr. Joseph Verrault been dismissed as postmaster of one of the divisions of the town of Lévis? If so, on what date?

2. For what reasons, and who asked for his dismissal?

3. Were any investigations held? If so, how many, when were they held, and what are the names of the inquiring commissioners?

4. Were accusations brought against him? If so, who is the accuser and what is the nature of the complaint?

5. Were witnesses heard at each inquiry? If so, what are the names of the witnesses at each inquiry?

6. Was the evidence taken down in writing at each inquiry?

7. Who represented the Government at each inquiry?

8. How much did these inquiries cost?

9. To whom was the cost paid, and what amount to each?

10. Since when was Joseph Verrault postmaster, and were complaints ever brought against him concerning the proper administration of his office?

Mr. PELLETIER:

1. Yes. Mr. Joseph Verrault, postmaster of Guay, county Lévis, on the 1st April, 1913.

2. For political partisanship, by direction of the Postmaster General.
3. Yes. Two, one on the 26th, 29th and 30th July, 1912, Charles Smith, commissioner—the other on the 7th, 10th, 17th and 18th March, 1913, P. J. Jolicœur, commissioner.
4. Yes. Mr. M. J. Emile Demers,—political partisanship.
5. Yes. The report gives the general nature of the evidence but does not give the name of the witnesses.
6. No.
7. The commissioners.
8. $168.45.
9. Mr. C. Smith, $65.45; Mr. Jolicœur, $103.
10. He was appointed 1st November, 1896. The only complaint was partisanship.

Mr. MARCIL:

1. Has Madame Z. Marcotte, postmistress of Nouvelle West, Bonaventure, Quebec, been dismissed? If so, on whose recommendation?
2. Was there an investigation held? If so, what are the names of the witnesses heard?
3. If the said Madame Marcotte has been dismissed, who has been appointed in her place?

Mr. PELLETIER:

1. Yes. By direction of the Postmaster General.
2. It was not necessary to go to the expense of an investigation. There was sufficient evidence in support of the charges.
3. Mr. Lazare Fallu.

Mr. MARCIL:

1. Has Alex. Labillois, postmaster of Miguasha, Quebec, been dismissed?
2. What were the charges made against him, by whom, and were these charges investigated?
3. Did Mr. Labillois have an opportunity of meeting the charges?
4. Who has been appointed in his stead, and on whose recommendation?

Mr. PELLETIER:

1, 2, and 3. Yes. By direction of the Postmaster General, on charges of neglect of duty and political partisanship, which were considered sufficiently established. The revenue of this post office is only $35.25.
4. Mr. John Caissy, by direction of the Postmaster General.

Mr. MARCIL:

1. Has Louis Bujold, keeper of the lighthouse at Carleton Point, Quebec, been dismissed?
2. If so, on what grounds did this dismissal take place?
3. Were any charges made? If so, what was their nature, and by whom were they made?
4. Was an investigation held? If so, by whom, and what witnesses were heard?
5. Who conducted the said investigation?
6. Was the said Bujold given an opportunity of meeting the charges made?
7. Who is the new keeper, if one has been appointed, and what is his salary?

Mr. HAZEN:

1. Yes.
2. Political partisanship.
3. (a) Yes; (b) of a political nature; (c) Mr. W. S. Montgomery, Mr. J. I. Boudreau, Mr. N. Bourg, Mr. J. A. Mousseau, Mr. N. Boudreau, Mr. W. Boudreau.
4. No.
5. See answer to No. 4.
6. Yes.
7. (a) Mr. Louis LeBlanc; (b) $380 per annum rising by annual increments of $15 to $440, with $25 for hand fog horn.

Mr. MARCIL:

1. Has P. B. Bourdages, keeper of the lighthouse at Bonaventure Point, Quebec, been dismissed?
2. If so, on what grounds did this dismissal take place?
3. Were any charges made? If so, what was their nature and by whom were they made?
4. Was an investigation held? If so, by whom and what witnesses were heard?
5. Who conducted the said investigation?
6. Was the said Bourdages given an opportunity of meeting the charges made?
7. Who is the new keeper, if one has been appointed, and what is his salary?

Mr. HAZEN:

1. No.
2. Answered by No. 1.
3. Yes. Charges of political partisanship were preferred against him by Mr. Ovide Bourdages, Mr. Raymond Bourdages, Mr. Pierre Henry, Mr. J. A. Mousseau and Mr. D. Champoux.
4. An investigation has been held by Mr. W. A. E. Flynn. Report not yet received.
5. Answered by No. 4.
6. Yes.
7. Answered by No. 1.

Mr. MARCIL:

1. Has Alexis Bourque, an employee of the Department of Marine and Fisheries at Bonaventure, Quebec, been dismissed?
2. What were his duties and what were the charges made?
3. Was Bourque given an opportunity of meeting the charges made, if any were made?
4. Who has been appointed in his stead, if an appointment has been made, what are the duties of the new appointee, and what is his salary?

Mr. HAZEN:

1. Yes.
2. (a) Storm signal agent; (b) political partisanship.
3. The charges were so definitely made that it was not considered necessary at the time to inquire further respecting them.
4. Mr. Frederick Arseneau, storm signal agent, salary $60 per annum.

UNOPPOSED AND UNDISCUSSED MOTIONS.

For a copy of all correspondence between the Post Office Department and Edouard Lapointe, of Quebec, concerning locks for mail bags.—Mr. Carvell.

For a return showing what public officers have been appointed in the city of Quebec, in the Departments of Inland Revenue, Post Office, Railways and the Transcontinental, Customs, Immigration, Marine and Fisheries, Public Works and Militia, since the 1st October, 1911, up to this date; together with the names and duties of these persons, the dates of their appointments, the salary paid in each case and the increases granted since; also the date of these increases, and which ones of these officers have passed the Civil Service examinations required for the positions which they occupy, and on what dates they passed such examinations; and also a copy of all correspondence, requests, recommendations and reports relating to the appointment of these officers.—Mr. Lachance.

For a return showing the detail and number of dismissals from public offices in the Department of Marine and Fisheries from December 5, 1912, to this date, in the county of Bonaventure, the names of the dismissed occupants, the reasons for their dismissal, the complaints against such officials, and a copy of all correspondence with respect to the same, and of all reports of investigations, where such were held; as well as a list of the new appointments made by the department, with names, residences, salaries and duties, and a copy of all recommendations of such appointments.—Mr. Marcil.

For a copy of all correspondence exchanged between the Department of Railways and Canals at Moncton and the same department at Campbellton, on the subject of the collision which occurred at St. Moïse, during the month of February, 1913, between the trains of E. Smith and the regular train No. 99, omitting from it the inquiry held in the matter.—Mr. Boulay.

For a return giving the names of the various railway mail clerks employed, respectively, on the Montreal and Quebec divisions and the date of the appointment and residence of each.—Mr. Bureau.

For a copy of all letters, telegrams, &c., exchanged between the Militia Department and Messrs. Archer Macdonald, Elz. Monpetit and others since the 21st September, 1911, respecting all repairs about to be made to the arsenal at Rigaud.—Mr. Boyer.

For a copy of the contract between the Post Office Department and Napoléon Le-Blanc, for the carrying of the mails between Carleton Centre and Carleton, Quebec, railway station, and of all correspondence, petitions, and other letters bearing on the cancelling of that contract and the awarding of a new one, with a copy of said new contract.—Mr. Marcil.

STE. VICTOIRE POST OFFICE.

Mr. CARDIN moved:

For a copy of all correspondence telegrams, complaints, affidavits, reports, recommendations, requests, certificates and other documents relating to the dismissal of Mademoiselle Paul Hus, as postmistress of the parish of Ste. Victoire, county of Richelieu and the appointment of Mr. Paul Bardier, of the same place, as postmaster.

Mr. PELLETIER: I have no objection to the motion, only this lady has not been dismissed, as I understand it. She never was postmistress.

Sir WILFRID LAURIER: Is she in office yet?

Mr. PELLETIER: She never was there; her father was.

Sir WILFRID LAURIER: It is a mistake.

Mr. PELLETIER: I have no objection to my hon. friend amending his motion. I know what he means, but he will not achieve his object through this.

Motion stands.

THE IMPERIAL CONFERENCE OF 1911.

On the Orders of the Day being called:

Sir WILFRID LAURIER: Mr. Speaker, I would like to call the attention of my right hon. friend the Prime Minister (Mr. Borden) to the speech delivered by him on the 7th of April. He made a statement which I did not notice at the time, or my attention was probably called elsewhere; but I could not help noticing it when I read it. It will be found at page 7414 of 'Hansard.' My right hon. friend said:

> And that brings me to another consideration—the right hon. gentleman is concerned about the representation of Canada on the Imperial Defence Committee. As I understand it, the right hon. gentleman himself agreed that Canada ought to be represented on the Imperial Defence Committee,—

Which, of course, is very true. (Reading):

> —and further than that—although I did not know it until last summer, the matter was kept entirely confidential at the time, for what reasons I do not know—the right hon. gentleman agreed to establish a defence committee in Canada in close co-relation with that Imperial Defence Committee.

That is perfectly true; we agreed to that at the last Imperial conference. (Reading):

> No announcement of that kind was made to Parliament by the right hon. gentleman at the time we might have expected the announcement to be made, and it remained for the Colonial Secretary a few weeks ago to make that belated announcement, as the right hon. gentleman had not seen fit to do so.

That is the point to which I desire to draw the attention of my right hon. friend. I do not know what he means when he says that I did not bring that matter to the attention of the House. May I ask him what he refers to?

Mr. BORDEN: I did not know that my right hon. friend had brought it to the attention of the House. If he can show that he did so, I shall be very glad to make the correction.

Sir WILFRID LAURIER: Yes, it was brought to the attention of the House on the 28th of July. On the 27th of July I laid on the table of the House the report of the conference, and it was shown in the report that, on the 20th of June, which was the last day of the conference, Mr. Harcourt made this declaration:

Then there is the report of the Committee of the Imperial conference convened to discuss defence, military matters, at the War Office. That is before the conference now in a paper. Assuming that that report is approved, it is proposed that the précis of today and the proceedings of the conference when published should contain the following statement on the matter: 'The conference received and approved the report of the Committee on Military Defence, which had held two sittings at the War Office, under the chairmanships of the Chief of the Imperial General Staff'—and the report will be included in the papers of the conference.

The committee had sat on the 17th of June. I was not a member of it, but I knew the tenor of the report. It was not ready for the conference on the 20th of June, but we approved of it, knowing the contents. Then, Mr. Pearce, Minister of Defence for Australia, made this statement:

Mr. Pearce here referred to the question of conferences which were taking place at the Admiralty with the representatives of the Dominion of Canada and of the Commonwealth of Australia with regard to the status of the dominions' naval forces and their co-operation with the Royal navy, and it was agreed, on the suggestion of Mr. Harcourt, that a memorandum embodying the conclusions reached should be incorporated among the papers published in connection with the Imperial conference.

On the 27th of July, I brought down the report of the conference. I was at that time in consultation with the War Office to obtain permission to bring down the other two papers regarding military and naval defence, which were not included in the report, and on the 28th of July I made this statement to the House:

In laying upon the table of the House yesterday the report of the Imperial conference, I stated that the rules or regulations adopted by the Committee of Defence, which were to be put in the volume, had not yet been printed, but had been received by His Excellency to be laid on the table of the House, and are upon the tables of the different parliaments interested. Yesterday we made a strong representation to the Home Office that these papers should be brought down at once to the attention of the Canadian Parliament and the Canadian people. His Excellency the Governor General received the following communication from the Colonial Office:

Mr. Harcourt to Lord Grey.

London 27th July, 1911.

My telegram of to-day—on further consideration, in view of your telegram of 26th July 'Confidential,' and of 27th July 'most urgent,'—I am prepared to acquiesce in immediate publication of both papers in Canada and I have informed Fisher that in deference to Sir Wilfrid Laurier's wishes I have felt it right to do so. Papers will be published here on Monday.

Harcourt.

Mr. BORDEN: At what page of 'Hansard' will that be found?

Sir WILFRID LAURIER: At page 10468 of 'Hansard,' 1911. On that same day I laid on the table of the House the report of the Committee on Imperial Defence convened to discuss matters in the War Office and also the other papers in regard to naval defence. I moved that they be printed, and they have been in this blue-book ever since My right hon. friend was altogether misinformed when he made that statement. I saw it again and again in the Conservative papers, and did not pay any attention to it; but when it came from the Prime Minister, I thought it my duty to correct the false impression which had been created.

Mr. BORDEN: I was alluding to the statement in regard to the establishment of a defence committee in Canada. I will look at the documents to which my right hon. friend has directed my attention, and, if there is any correction to be made, I shall be most happy to make it.

MARTIN LANIGAN DISMISSAL.

Mr. EMMERSON: This being Monday, formerly private members' day, it would seem to me to be an opportune time to take up that oft-repeated question of the return of the papers relating to the dismissal of Martin Lanigan, postmaster at Rexton, in Kent county, New Brunswick. The order appears in public bills and orders, No. 29. I observe that the hon. member for Kent (Mr. Robidoux) is here. The hon. Postmaster General (Mr. Pelletier) is also here, and as these somewhat unusual circumstances now synchronise, perhaps my right hon. friend the Prime Minister (Mr. Borden) will permit the motion to go through. I simply want to get the return of the papers, and I would like to have this order resurrected. It has been impounded for some time in public bills and orders, and, perhaps if we had the papers, they might throw a little light on the subject.

Mr. ROBIDOUX: I have no objection whatever to the adoption of the motion, provided that I am afforded an opportunity of offering a few observations in reply

to the statement made by my hon. friend (Mr. Emmerson) in reference to it.

Mr. BORDEN: I had intended to appropriate to this question some time that the hon. member for Westmorland (Mr. Emmerson) took up the other evening in discussing the Japanese treaty.

Mr. EMMERSON: I did not take up any time. I have nothing further to say.

Mr. BORDEN: I was speaking of another occasion. I had intended the other evening to bring this motion up; but my hon. friend took up a good deal of time, and we were not able to do so. I think, however, it can be arranged to take it up at an early date.

INQUIRIES FOR RETURNS.

Mr. KYTE: Before the Orders of the Day are called, I desire to call the attention of the hon. Minister of Marine and Fisheries (Mr. Hazen) to what appears to be an incomplete return brought down from his department. I moved some weeks ago for the papers relating to the dismissal of William A. Duann, lighthouse keeper at Green Island, Richmond county, including the evidence which Mr. Duchemin took at the inquiry. That evidence has not been brought down, and I should be glad if the hon. minister would supplement the return by bringing down the evidence as soon as possible.

Mr. HAZEN: If that return is incomplete, I will call the attention of the officers of the department to the matter, and at the earliest possible moment bring down the completed return.

Mr. KYTE: I would like to direct the attention of the hon. the Postmaster General (Mr. Pelletier) to several returns which were ordered by this House in the early part of the session, but which have not been brought down, namely: relating to the dismissals of Norman McAskell, postmaster at Framboise; Charles J. Lafford, postmaster at Grand Grave; John R. Morrison, postmaster at Oban; Abraham LeBlanc, postmaster at West Arichat; Frederick A. Martel, postmaster at L'Ardoise; J. Scott Nelson, postmaster at Louisdale; Leon N. Poirier, postmaster at Descouse, all in the county of Richmond; also relating to the dismissal of D. Boivard, employed in the marine shipyard at Prescott, Ontario.

Mr. PELLETIER: I am sure that the return relating to the dismissal of the Oban postmaster has been laid before the House to-day, and I think one or two others. I happened to see some of the returns in the office. They were being compared and will be brought down at an early date.

Mr. LAW: I would like to call the attention of the hon. the Postmaster General to three returns which I moved for nearly two months ago, namely, relating to the dismissals of Jesse L. Morton, postmaster at Lower Argyle; Mrs. M. Gaudet, postmistress at West Pubnico; and W. S. Porter, postmaster at Port Maitland. If the closure rule has not been applied to the Post Office Department, I should like to be favoured with the returns as soon as possible.

Mr. PELLETIER: I think that statement is not quite fair. I am doing my best to bring down these returns as soon as possible. I have brought some down to-day, and I hope to bring down some more in a day or so. I hope those of my hon. friend will be included in them.

Mr. JOSEPH DEMERS (St. Johns and Iberville: (Translation.) Mr. Speaker, before we proceed with the Orders of the Day, I wish to draw the attention of the hon. Minister of Inland Revenue (Mr. Nantel) to a return in connection with the dismissal of Mr. A. N. Deland, collector of inland revenue at St. Johns.

I understand that the above return does not include a letter from Mr. Deland addressed to the Minister, asking for an inquiry, and also a copy of the Minister's answer to such request. These papers are not included in the return, and I trust the hon. Minister will see that they are brought down.

An hon. MEMBER: The Minister of Inland Revenue has not answered.

Mr. SPEAKER: I understand the hon. member for St. John has asked a question, and awaits an answer.

Mr. PELLETIER: He has his answer.

Sir WILFRID LAURIER: I do not understand the Minister of Inland Revenue has answered—he did not rise from his seat.

Hon. Mr. NANTEL: (Translation.) I answered in a way to be understood by the hon. gentleman from St. Johns. I took note of what he said, and if the return is incomplete, I shall have it completed.

Mr. DEMERS: (Translation.) The hon. gentleman was content with nodding to me in answer to my inquiry.

QUESTION OF PRIVILEGE.

Mr. MACLEAN (Halifax): Mr. Speaker, I desire to refer, for the purpose of eliciting some information, to an incident which occurred in this House on Wednesday last in connection with and at the time of the introduction of the resolution respecting the closure. It will take me just a moment to explain the matter to the House.

Mr. SPEAKER: I think the hon. member is hardly in order in discussing that subject just now.

Mr. MACLEAN: It is a question of privilege, Mr. Speaker. A day or so after the occasion to which I refer I noticed that some of the London press and some of the Canadian press, notably the Montreal Herald, stated that on that Wednesday evening, at six o'clock, when the House rose, there appeared on the floor of the House several policemen for the purpose of maintaining order and preserving peace between the members. After observing these statements, I recollected quite clearly that at six o'clock and immediately after you, Sir, left the Chair, there did appear in this Chamber some policemen. Whatever be the indiscretions of hon. gentlemen in this House, on either side, during the business of Parliament, in my judgment, it is not and never will be necessary to invoke the intervention of any police. An incident of this kind tends to bring this House, its members, and its proceedings, into disrepute; and I say emphatically that there was no reason whatever why policemen should have been seen upon the floor of this House on that occasion. With all due deference to you, Sir, or to such persons as saw fit to order the presence of policemen upon the floor of this House, I would say that it was absolutely unnecessary, and I think that hon. gentlemen on both sides of the House are entitled to some explanation of this incident.

Mr. BORDEN: As far as I am concerned, I saw neither the paragraph to which the hon. member alludes nor the policemen.

Some hon. MEMBERS: Oh, oh.

Mr. MACLEAN: My right hon. friend need have no doubt as to the presence of policemen in this Chamber on that occasion. That statement of mine need occasion no laughter on the part of hon. gentlemen opposite.

Mr. BORDEN: So far as I am concerned, it is the first that I have heard of it; and no one on this side of the House, so far as I am aware, had anything at all to do with the presence of the policemen, if they did appear.

Mr. SPEAKER: No order was given for any policeman to be in the House or to come to this House; nor were there any other policemen than those two or three who are usually around the House. Occasionally one takes charge of the Chamber from six to eight o'clock. That was the only one who was in the House that evening. I do not know whether he was in the Chamber or not that evening at six o'clock; I did not see him.

Mr. HAZEN: While these matters are before the House, Mr. Speaker, I might rise to a question of privilege. A paragraph appeared in the Toronto Globe, and also in Le Canada published in the city of Montreal, stating that on Wednesday at six o'clock, when you left the Chair, I immediately rushed to the room of the chief whip and demanded protection. It is hardly necessary for me to say that the statement does not contain anything of the essential element of truth, but is entirely false in every respect. I am generally able to defend myself, and I was able on Wednesday night to defend myself had there been any necessity to do so.

NATURALIZATION—RUSSIAN-CANADIANS SENT TO SIBERIA.

Sir WILFRID LAURIER: Referring to what my hon. friend the Minister of Marine and Fisheries (Mr. Hazen) has said, everybody will believe that he needs no protection against our side, seeing that they are about fifty stronger than we are. I rise to call the attention of the Prime Minister to a despatch from Calgary recently published, which is as follows:

Calgary, Alta., April 5.—Gersha Tarsus, a Russian, is raising a fund in the prairie provinces to bring about the pardon of three brothers, Alberta homesteaders, who have been exiled for life to Siberia for alleged evasion of war service during the Russo-Japanese struggle. The brothers took out homesteads here and prospered, and last year visited relatives in their native town in Russia. On their arrival they were arrested by the Russian authorities, tried by court martial for evasion of military duty, and, although citizens of Canada, were sent to Siberia for life. A peculiar phase of the case is that if the men had taken out naturalization papers in Great Britain, England could have prevented the exile, but as they are Canadian citizens and not British subjects, the British authorities declined to interfere.

This brings up in concrete form a matter which we debated in this House some time ago—the effect of naturalization in Canada. It was stated at the time, and quite correctly, that, under the law, although foreigners may be naturalized and become British subjects in Canada, one so naturalized ceases to be a British subject the moment he leaves Canada. As will be noticed, the despatch goes on to state that the British authorities declined to interfere on behalf of these men. I do not know whether the matter has been called to the attention of the Prime Minister; but, if not, I will place the paper in his hands. He may find some way to call the attention of the authorities to the matter for the benefit of these Canadian citizens.

Mr. BORDEN: The paragraph had not come to my attention. I will mention the matter to the Minister of Justice, to see if we can make any representations in the matter which will be useful.

THE PILOTAGE COMMISSION.

Mr. H. BOULAY (Rimouski): (Translation.) Mr. Speaker, before the Orders of the Day are called, I wish to draw the attention of the hon. Minister of Marine (Mr. Hazen) to an editorial appearing in Le Progrès du Golfé, issue of March 7 last, and which reads as follows:

At a sitting of a commission appointed to enquire into the pilotage of the St. Lawrence on Friday last, Captain Belanger, commander of the Eureka, on being called to give evidence in connection with the enquiry as to the conditions under which the work was being carried on at Rimouski, endeavoured, if newspaper reports are to be credited, to show that the men employed on the Eureka, in the course of the last season, were incompetent.

Just now, do we read in L'Action Sociales account of the captain's evidence, the boat is manned by Rimouski farmers, appointed for party considerations, on the recommendation of the member for the county and who have no knowledge whatever of navigation. These men are sent on board by Mr. Boulay, member for Rimouski.

Now, Captain, it will not be said that you were permitted to make such a false statement uncontradicted by any one. You insinuate, Sir, that only since Mr. Boulay is our representative is the pilotage service carried on by people from Pointe au Père and neighbouring places, people whom you brand as incompetent. However, that is false. You know as well as I do that the pilotage service here has always been performed by men of this locality and neighbouring points, barring one occasion. Once, while Mr. Ross was the representative of the county, you were allowed to choose your own men to man the ship, and you hired them in Quebec. Now, it is notorious that the pilotage service on that occasion was far from satisfactory, that several of your 'strangres' departed before their time was up and that you were under the necessity to replace them by men from Pointe au Père and the county. Which shows that then as to-day, we had in the district competent men, handy men, capable of handling the oars on the high sea.

And such are the men who were employed on the Eureka, on Mr. Boulay's recommendation.

But why, Captain, instead of making such absurd statements before the enquiry commission, did you not make reference to insufferable captains, surly, ill-tempered growling, cavilling and quarelsome captains.

There are some such, Captain, as you know, but you did not refer to them in any way. We will do that for you one of these days. You will not be the loser for waiting a while, Boss.

To set the matter right, I may say that at the time the crew was engaged in April 1912, out of nineteen men, there were twelve I had recommended, and among them some men who had been formerly employed, who had served during the year previous.

By the month of July, Captain Belanger had managed things so well that, of the men I had recommended, only six remained, he having recruited substitutes for them among his own friends.

That Mr. Belanger is still in the employ of the Government this year. He is a mischief-maker not only for the people of the locality, but for the whole of his crew, so much so that he dispenses with the services of thirty or forty men every year.

I wish to draw the attention of the Minister of Marine to that state of affairs, and to request that the Government should dispense as promptly as possible with the services of that troublesome man who is unwilling to tell the truth before a commission of enquiry.

Mr. HAZEN: While I did not follow my hon. friend (Mr. Boulay) very closely, I understand that he is making reference to certain evidence given before the Pilotage Commisson consisting of Mr. Robb, Captain Lindsay and Mr. Lachance, I expect, probably to-morrow, to be able to lay the report of these gentlemen upon the table, and perhaps it would be better to defer any discussion until the evidence is before hon. members of the House.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Consideration of the proposed resolution of Mr. Borden, to amend rule 17 of the House of Commons, and the proposed motion of Mr. Hazen, that this question be now put, resumed from April 11.

Hon. FRANK OLIVER (Edmonton): In discussing the proposed resolution, I do not wish to be considered as objecting to amendment of the rules of this House. As there is change of conditions, it is right and reasonable that there should be amendment of the rules. But, in objection to and emphatic protest against the resolution now before the House, I take the position that it is not a mere amendment of the rules; that it is a reversal or subversion of the principles upon which those rules are based; that it changes the constitution and purpose of this House of Commons in vital respects. I have followed the discussion in regard to the proposed rules, and, to my mind, the reasons which have been given are more objectionable than the rules themselves, if that were possible. It appears to me that this resolution is based upon an idea of the purpose of Parliament that is diametrically opposed to everything that we have been accustomed to believe in regard to that purpose. If I understand the purpose of Parliament correctly, it is to permit of discussion. Parliament represents the people of all parts and sections of Canada, and the purpose of the meeting of Parliament is that the views and opinions

of the people may be freely put forward and discussed, and, from time to time, crystallized into legislation and given effect to. The purpose of these amendments is that discussion shall be restricted, and that members of this House, coming here from all parts of Canada and representing the interests of all the people of the country, are, in respect of debate, to be subject to such limitations and restrictions as may express the will of the Government of the day. It is a proposal to change a free Parliament into a dictatorship; to change free discussion into a mere assent to propositions laid down. Parliament has, up to the present time, been the clearing house for the thought of the people of Canada; hereafter it is to be a place where the will of the Government of the day is to be registered, with or without discussion, as may suit the head of the Administration. This is surely a radical change, which should not be made without good and sufficient reason, or without due and thoughtful consideration. What reason is there for projecting such a radical change, not only into the proceedings of this Parliament, but into the political relations of the people of this country? It would have been reasonable to suppose that such a radical proposition would have been made only after the fullest consideration, and after every opportunity for discussion, amendment and improvement; but we find that immediately after the resolution is proposed by the Premier, a motion is made by the Minister of Marine and Fisheries, by which the House is compelled to accept or reject this proposal as first introduced, with the least possible amount of discussion or consideration. I ask you, Mr. Speaker, is that fair play to the people of Canada? Is it right that the expression of views in this free Parliament should be restricted by this resolution at the mandate of the right hon. Prime Minister, backed by his majority in this House?

What reason is there, in the occurrences during the life of this Parliament, to warrant such a course? Has there been delay of public business? I venture to say that in the Parliament of no other country has the public business been transacted with greater regard to the saving of time and to fair discussion and consideration than during the late and present sessions. This restriction of the liberty of debate, this limitation of the right of free speech in Parliament, is based upon the attitude of the Opposition to a single measure proposed by the Government. In regard to no other portion of the public business has there been anything but prompt consideration, and, in regard to the naval question itself, so long as that question was before the House, there was only that fair consideration and discussion which its importance and far-reaching consequences warranted. It was only when the naval question ceased to be the question before the House and the rights and privileges of the House were placed in issue that there was any action that could be construed as obstruction. There was no obstruction to legislation, but there was the defence of obstruction against coercion. Up to the passing of the resolution there was debate by both sides of the House. The votes on the resolution and the second reading of the Bill were reached by agreement between leaders of the two sides of the House. It was only when the Bill came into committee and when the Government, without bringing down information that was properly demanded undertook to say that this House must sit in continuous session until the second clause was passed, that any action was taken that could be construed as obstruction. I say that an Opposition of eighty-six members in a House of two hundred and twenty, representing within a small fraction as many people in this country as the Government majority, would certainly have been doing very much less than their duty to the people who sent them here of they had not met the attempted coercion by obstruction.

Let me call your attention to the occurrences in connection with this Naval Bill, a question that everyone will admit to be of far-reaching importance. It involves inter-Imperial relationships beyond any question and an amount of money sufficiently large to startle the taxpayers of Canada. Instead of the Government of the day coming forward with facts and arguments and reasons in support of the proposition to which they asked the assent of this House, their first move was to apply closure to their supporters. That act of theirs made it impossible for the country to learn what the position of the Government really was. I venture to say that in no other parliament was such a position ever taken by a government on such a question. No other government ever dared to defy parliamentary propriety and constitutional usage to such an extent as to gag their followers in debate instead of welcoming the opportunity to place before the people of Canada whatever reasons there may have been for the proposal that they were submitting. The fact that the Government refused to disclose its position or allow its followers to disclose their position necessarily laid upon the members of the Opposition, whose duty as members of this House it was to bring to the attention of the country whatever merits or demerits there might be in the proposal, an obligation to debate this measure fully. Notwithstanding that attitude of the Govern-

ment of the day, which was, I will not say an insult to Parliament but an insult to Canada, an arrangement was arrived at so that the vote on the second reading was taken. Then came the committee stage of the Bill. It might have been expected that the attitude of the Government during the debate on the second reading would be amended when the Bill came into committee so that the information and explanations that they had refused on the second reading would be forthcoming in committee. That is the usual course with the most insignificant private Bill; it receives consideration and explanation in Committee of the Whole. But the Government of the day saw fit, instead of acceding to the custom of Parliament, instead of recognizing the purpose for which the House sits in Committee of the Whole, again refused, specifically and deliberately refused, either to bring forward the information that was wanted or to substantiate as correct the information that they had brought forward. Was it the duty of members who sit on this side of the House representing, within a fraction, one-half of the people of Canada, to ask for full information and full explanation? Would they have been right if they had not asked for full information and explanation? Would they not have been absolutely and palpably wrong if they had not done so? And to that demand, which was made in the name of the whole people of Canada by those who represent nearly one-half of the Dominion of Canada, the answer of the Government was the answer of physical force: You must sit continuously until you pass that clause. When the ultimatum was issued, I submit that there was only one course for the members of the Opposition to pursue. They were not prepared to abdicate their functions as the parliamentary representatives of a free people. I need not call your attention to the fact, Mr. Speaker, that the second clause of the Bill is not yet passed; and I say here and now that it should never be passed unless and until the Government gives to this House that information in regard to their policy and its details to which the country is absolutely and unquestionably entitled. But there was something more than merely compelling the House to sit in continuous session. There was something more than the application or the exercise of physical force. While we have, under the rules, a chairman of committee, duly elected and salaried by Parliament, responsible for the decisions which he gives, we had placed in the Chair from time to time members of Parliament without that responsibility. We had decisions by those members of Parliament on points of order upheld by the Government majority. May I be permitted to say, Mr. Speaker, that during twenty-four hours there was a deliberate attempt by the Government of the day, backed by their majority, with no greater authority than that of a fraction of the people of this country over those represented by the Opposition, to carry that project by means of the misapplication of the rules of this House, and without giving information?

Mr. SPEAKER: I think the hon. member is going too far. He seems to me to be imputing motives, which is not allowable, as well as questioning the action of the House, which can only be done by giving notice and by bringing it to the attention of the House. In both those respects I think the hon. member's remarks are out of order.

Mr. OLIVER: I did not imagine, Mr. Speaker, that I was trespassing. If I am, I wish to place myself in order. I was stating what I understood to be facts not subject to dispute. I wish to be understood as placing myself entirely under your ruling, and I will not discuss that point further. But I may be permitted to point out that as a last effort to pass this Bill in committee, the Chairman ignored the rules of the House, and undertook to give a ruling while a member had the floor. I make these allusions not for the purpose of casting reflections at all but to bring out a condition in rebuttal of the contention of the Government that the Opposition has unduly exercised its prerogative of discussion in the House. I want to establish beyond question the point that coercion was attempted by the Government, and that it was not until it was attempted and continued that it was met by obstruction on the part of the Opposition. May I point out that in regard to these very resolutions that are now under discussion, a rule of Parliament has been invoked that had not been invoked within the quarter of a century before, and that rule was brought into play by the application or use of a rule that had never been invoked before in the history of this Parliament. It is true that these rules are in the book; it is true that hon. members had the power to use these rules, for the purpose they had in view. But you know, Mr. Speaker, and this Parliament knows, that rules are placed there for certain purposes, and it is thoroughly realized that the rules of Parliament up to the present time have been for the purpose of regulating, and not of prohibiting discussion; that when these rules were applied, as they have been applied, their application was unprecedented, and to that extent was an infringement upon the rights and liberties of this House. And when, not only was the application of these rules made, but my hon. friends boasted of it, and declared that it was for

the purpose of preventing that consideration of this measure to which its importance surely entitles it—I say that if the Government is justified in so applying these rules in order to gag discussion, in order to prevent the consideration of this question to which its importance entitles it, then the Opposition is entitled to resort to obstruction to prevent the success of the application of the gag.

In regard to this matter of closure, or the application of the gag to debate, is there any evidence that such rules will facilitate the business of Parliament? What is the evidence of that, Mr. Speaker? Assuming Parliament to be constituted, as the evidence is that this Parliament is constituted, and that there has been nothing but fair consideration and fair discussion, what is the result? It is true that by the application of the gag the Government can prevent the proper consideration of any matter. They can force through any provision that they wish, but they cannot prevent obstruction. Let me suggest that if a free Parliament is prevented from the free consideration and fair discussion of these questions that are of vital importance to the people of the country, they are driven to methods of obstruction in order that they may make their influence in Parliament felt. Has the closure in Great Britain prevented obstruction? Is it not a fact that ever since closure was introduced there have been amendments and amendments and amendments? If anyone will look at the 'Hansard' of the British House of Commons, he will reach a conclusion as to whether debate has been prevented by closure. Where we have two volumes of 'Hansard' they have five, six, seven or eight, or more. It is true that this closure measure can protect the Government in driving through a specific proposal, but it cannot facilitate the business of parliament and I would suggest to the Government side—I would suggest to the Government itself—that they consider that question carefully before they carry their resolutions through.

It would be begging the question, Mr. Speaker, to consider these resolutions as having relation to the ordinary business of the House. They are not necessary, they are not called for by reason of the ordinary business of the House. They are prepared for the purpose of protecting the Government from being driven to a dissolution on any important question of public policy. That is the only legitimate purpose that they have. In regard to the question of dissolution, the Government take the position that they have a majority in the House and that, having that majority, they are entitled to legislate as they please. That is not the proper expression of the terms of our constitution. It is notorious that the Government do not hold their control of legislation longer than they are able to hold the approval of the majority of the people of the country. It is an essential part of the constitution of our country that Parliament may be dissolved on the order or mandate of the Governor General, the representative of the King. Although the Government may have a majority in the House, it is still within the power of a Governor General to ask for their resignations and to require a dissolution of the House. Why is that? It is so that it shall be established beyond any question that the Government in Parliament represent a majority of the people of the country. There have been instances in the history of Canada in which this action has been taken and when the Government, which held a majority in the House, as this Government hold a majority in the House, were sent to the country. Parliament was dissolved and the country disapproved of the Government so sent. It is not so much a question as to who sends the Government to the country; the question is that it is a fundamental principle of our constitution that the Government of the day shall be representative of the majority of our people, and so, in pursuance of that idea and of that principle, occasions have occurred in times past when the Government has been forced to the country by an opposition exercising its right of discussion and debate on matters of sufficient importance. It is to defend the Government against that contingency and, in the first instance, I will say that it is only for that purpose, that this provision is introduced. It is to protect the Government of the day, representing what they know to be less than a majority of public opinion in this country, from having to face that public opinion and abide by its results. That is the great infraction of the constitution that is being perpetrated by these resolutions.

The attitude of the Government upon this naval aid question is such, and is so strongly persisted in, that the only way in which public opinion and Parliament can be brought into accord is by means of a general election. This naval Bill is not a policy. The Government has declared time and time again that it is not a policy. It is an emergency but the existence of the emergency has been disapproved and still we are unable to get any declaration as to policy. We are to be asked to vote $35,000,000 without an understanding, without reasons given and without knowledge as to obligations created or discharged. It has been advertised as a gift; it turns out to be a loan and surely the people of Canada are entitled to know upon what terms this loan is being made and upon what terms it will be repaid. The Government up to date have absolutely refused that information; their answer is that they and the Admiralty have decided and that the people of Canada have no concern in the matter. Our contention is that the people of Can-

ada have every concern, that they are entitled to know from the Government; and we believe that we would be doing less than our duty if we did not insist to a last degree on that information being given. There never was an occasion before in the Parliament of Canada when a question of such financial importance and far-reaching consequence was treated as this question has been treated by this Government, ignoring the right of the people to information and, when asked for information, replying with the gag.

Of course, it is admitted that there is restriction of debate in the British House of Commons and also in other legislatures. If there is restriction of debate, it must or should be for good reasons, and should be based upon fair dealing. No one will suggest that the restriction of debate which prevails in the British House of Commons is based upon anything but fair dealing or that it is not for good reasons. No one who has followed the course of this discussion up to date will be hardy enough to say that the resolution submitted by the right hon. the Prime Minister, with the motion of the Minister of Marine and Fisheries (Mr. Hazen) is based on good reasons or on fair dealing. In the British House, as has already been said, the Speaker is the controlling factor in the application of the closure. There the Speaker is a judicial officer. Every care has been taken, at every stage of the amendments that have been made to the closure rules in the British House of Commons, to safeguard, so far as they could be safeguarded, the rights of the representatives and to keep to the front the idea of British fair play, British justice, and British liberty. I must say that our experience here in the debate on these resolutions does not lead us to the conclusion that they are good samples of British fair play, British justice, or British liberty. It is a question of the liberty and the rights of the people who are represented in this House. You cannot have a gagged parliament and a free people.

To what end has free speech been made a fundamental principle of Parliament? Why is it that we read so much of the securing of the right of free speech? Everybody knows that the right of free speech in Parliament was secured as a defence of the people against the tyranny of kings. Tyranny is tyranny, whether it is of a king, of a parliamentary majority, or of a political boss. I am not so sure, if I had to take my choice, that I would not choose the tyranny of a king who has some sense of dignity, some sense of responsibility and obligation, rather than the tyranny of a political boss. We have in this country enjoyed liberty so long and so fully that we have ceased to value it.

Mr. BUREAU: Except in Manitoba.

Mr. OLIVER: Most of us on this side of the House have not lived in Manitoba.

When I say the tyranny of a political boss, I am not using a figure of speech. We know that in the great cities of the United States, where the municipal politics of each city is admittedly under boss rule, there is a condition of tyranny that never was exceeded in the old days, in the palmiest days of the tyranny of kings. Men are murdered by the order of the political boss to-day in the city of New York, in Chicago, in San Francisco; and where is the justice that revenges the murder? We must understand that like conditions will produce like results; and that, if we see fit to change the political conditions of this country from government by means of a parliament to government by a parliamentary majority, constituting a political machine, controlled by a political boss, we must accept the same conditions as prevail in other countries where they have a like system. We have no immunity in Canada. If we forego our liberties, we must accept the consequences of tyranny.

The naval question is the stalking horse by which it is proposed to establish machine politics in the Parliament of Canada. We get, in this measure, and in the conditions that have led up to it, in the means that are being taken to pass it in this House, a taste of that side of politics which so long cursed this country, and which again being triumphant is giving us a taste of its quality. This Government has been in power for eighteen months. Eighteen months is not long in the life of a government, and still this Government has quite a record. In the very first few days of its advent to power, it signalized that advent by such wholesale dismissals of public servants as had never been seen before in Canada or in any other country except the United States, where is accepted, as a part of the politics of the country, the same sort of machine politics as is now being so successfully introduced into this House. The slogan of the 'Civil Service reform' which we heard so frequently from this side of the House before 1911, was changed to the slogan of ' to the victors belongs the spoils.' The party that attained power by demanding that Canada should adopt the ideals of Britain instead of the ideals of the United States, signalize their advent by enforcing the Yankee doctrine that public office is a private snap. Ably to assist them in this process they established a commission at high salaries, of which commission two members at any rate only waited long enough to have attention drawn to their records, and the commission dissolved in thin air. They attempted to defeat the government of the province of Saskatche-

wan by terrorizing the homesteaders of that province. And let me point out that the homestead entries in western Canada are decreasing, not increasing; and may I suggest that the preaching of the doctrine that a man shall hold his homestead only as he votes for the Government of the day must necessarily have an important influence in producing that effect. They undertook to coerce the electors of the constituency of Macdonald by the aid of the provincial government, prostituting the processes of law, arresting without warrant, holding without trial and publicly threatening wholesale arrest and detention. I ask you, what difference is it to the men in Macdonald whether they were arrested by order of the party boss or by order of the Czar?—the result was the same. They laid a tax on the lumber of the settlers in the name of the law which the courts have said was contrary to the law. They juggled with the customs duties on cement and steel rails at the proper time to affect elections, but not long enough to substantially relieve the people. It is admitted by the minister concerned that his department handed out to party friends without notice to the public of any kind property of this country to the amount of $100,000. They defied all precedents of constitutional government and all decency in public life to influence the federal election in Richelieu and the provincial election in Antigonish.

Mr. SPEAKER: I would remind the hon. member that the resolution before the House relating to the rules of the House, and would direct his attention to the rule with regard to relevancy of debate.

Mr. OLIVER: Mr. Speaker, I wish to ask you for some leniency, for this reason. The resolution is placed before the House in such a form that there is no possibility of introducing amendments to the resolution that would bring out the reasons that could be brought to bear against its passage. The supporters of the resolution on the Government side admit that this resolution is a restriction on debate, but they ask this side of the House to trust the Government not to exercise that authority unduly. I am pointing out to the House that the Government, by reason of its record, is not entitled to that trust, that their actions, so far as they have gone, do not warrant this House in reposing trust in them.

I wish to say that to the charge solemnly made in this House that a member of the Government was elected by flagrant conspiracy they refused consideration by their majority vote, on the ground that the question was one for the courts; yet to-day, by order of Parliament for which this Government and its majority is responsible, a citizen of Canada, a British subject, accused of no crime, lies in the common jail in this city of Ottawa, because he refused to disclose his private business that was then, and still is, under consideration by the courts. The Government has introduced a Bill to spend $35,000,000, and refuses to give information to the House as to the policy or as to the details of the proposal.

Closure is not a blow at the Opposition of this House, it is a blow at the rights of the people of Canada represented in this House. The possibility of bringing his wrongs to the attention of Parliament has been the great protection of the homesteader of the West. Establish closure as it is proposed to be established by the resolution before the House, and the reign of terror begun in the Saskatchewan election becomes the normal condition throughout the three prairie provinces. And what is the effect in regard to the homesteader is not less the effect in regard to every citizen who is unfortunate enough to have direct dealings with the Government of the day. No such conditions ever prevailed in Canada even in the palmiest days of Toryism as it used to be. Then there was regard for precedent, for personal reputation, for free discussion, there was power to force a dissolution; but to-day, precedent is ignored, personal reputation is disregarded, discussion is gagged and dissolution is defied. Machine politics on the American plan is established; we have Toryism triumphant at last.

I suggest that this proposal to gag Parliament for the purpose of enabling the Government to put through a measure that they are either unable or unwilling to justify or explain to the people of Canada must look strange to the people who have recently come to our country; they will wonder where they are to find the liberty, the justice and the fair play that they looked for under our constitution. I ask you, are we likely to inspire appreciation of and reverence for the ideals of British liberty, British justice and British fair play by preventing the representatives of our people from giving free expression to their views in a free parliament? I say this resolution is a crime against liberty, and an offence against Canada and against the Empire; and all the greater because it is committed under the pretence of British precedent. The conditions here and in Britain are not parallel, the terms of the closure resolution are not parallel, none of the reasons which require closure there exist here. The attempt to shelter the establishment of boss rule in Canada, according to the American practice in its lowest form, behind the need

of expediting work in the parliament of the Empire—which transacts the business of forty-five millions of people directly, and indirectly the business of nearly half the world—and doing so in the name of loyalty to the Empire, is outrageous beyond expression. I say, Mr. Speaker, that political brigandage never went further in cowardice and treachery under any circumstances in any country.

Hon. RODOLPHE LEMIEUX (Rouville): I do not know what I can add to the eloquent, indeed the masterly, address to which it has just been the privilege of the House to listen; but, having been elected to this free Parliament seventeen years ago, and desiring to remain a member of it for many more years, if possible; having due regard to the constitutional liberties of the people, I consider it my duty to register my protest against the drastic resolution which was so tragically introduced into this House by the Prime Minister (Mr. Borden). This is a most important question, more important perhaps than the one which has preceded it. It affects the rights and privileges not only of the members of this House, but the rights and privileges of the people whom we represent. It is no less than a coup d'état which has been perpetrated by the right hon. gentleman, and, Sir, he might well have paused and considered his political past before consenting to go down to posterity as the perpetrator of this coup d'etat. Sir, England has seen tyranny personified by King Charles; as an antithesis the statue of Cromwell at St. Stephens is not far from that of King Charles near Whitehall. In France, Sir, Louis XIV personified absolutism itself; but at his zenith he began the ride which resulted in the fall of monarchy in that country. When I saw the right hon. gentleman the other day coolly proposing to this House a resolution which dashes to the ground the privileges and liberties which we enjoy, I was reminded of Louis XIV himself, who, entering one day his parliament where the peers of the realm were assembled, made the historic declaration: 'l'Etat, c'est moi'—'I am the state.' If the rules which are embodied in this resolution are passed by the Canadian Parliament, well might the Premier say: 'l'Etat, c'est moi.' Yes, henceforth the state is the Cabinet; we have no more government by the people; but government by the Cabinet—it is a revival of the Star Chamber.

Truly, this is a session of wonders; each day and each week a surprise is sprung on hon. gentlemen in this House and on the people of this country. First, with great éclat, preceded, it is true, with much mystery and secrecy, the right hon. gentleman on the 5th of December last, speaking as with words of weight and excessive wisdom —he did not deliver his speech as a member of this House should deliver it, but read it—declared that an emergency existed in regard to the defence of the Empire, and his emergency policy was produced. At first, it was a gift which this great Dominion was called upon to make to the Mother Country, but later on it developed into a loan. At first Canada was to be on the firing line—the danger was in the North sea; later on we learned that the firing line was to be located at Gibraltar; that we were not to fight side by side with the jack tars in the North sea, but were to effect an alliance with the Sultan of Perak, and that our base was to be at Gibraltar. As so tersely and vividly termed by an English newspaper published in London, the emergency policy has ended in an Imperial tragedy. And now we have suddenly had thrust upon us the introduction of closure, of the guillotine, and of that other process of killing amendments by compartment, so cleverly devised by hon. gentlemen opposite. All this has been sudden, all this has been unexpected, and, as the hon. member for Edmonton (Mr. Oliver) said, it is typical of the new Tory regime. The new rulers, the new Czars, have played fast and loose with our Imperial relations; but, not satisfied with that, they must now stab the Canadian Parliament—nay, the Canadian people—by depriving us of one of our dearest privileges, that of freedom of speech. I repeat, Sir, this is a session of wonders. The whole legislative programme of the Government since the Royal summons which gathered us on the Hill, reminds me of the box of Pandora. The moment the lid was lifted, all the evils came out of the box. Mythology teaches us that the only thing which remained in the box was hope, but, from the attitude of the right hon. gentleman and his friends, I am led to believe that hope is no longer in the box but that despair is in it. Our hon. friends find comfort in the opinions which some years ago may have been expressed in favour of a revision of the rules of this House by some of their opponents. They forget, in finding that comfort in our opinions, their own former opinions, the opinion of their leader, the opinion of the front benchers of their party, who, two or three years ago, including yourself, Mr. Speaker, all pronounced against closure and guillotine. I am quoted as having stated at the famous meeting of St. Hyacinthe that a vice existed in our parliamentary procedure and that it ought to be eradicated, that I then advocated a revision of the rules of the House. Sir, I do not go back on the opinions I expressed two years ago. They are not binding, it is true, on the Liberal party; they are not binding, surely, on the Liberal leader; but they are binding on myself, and I have no hesitation in saying that I am ready to study and frame new rules if only the right hon. gentleman will

accept the amendment of the right hon. leader of the Opposition; but such a revision must be made by a joint committee, by mutual consent, as has been done in the past in the Canadian Parliament and in the British House of Commons. I advocate a revision of the rules on which both sides of the House agree; but I strenuously object to gag and guillotine imposed on His Majestys' loyal Opposition by an arrogant majority. Sir, the Government is already ashamed of its action and in the country through its devoted press it is spreading, I shall not say lies, the word is not parliamentary, but mis-statements. I have seen headlines in the Tory press of Canada: Laurier caught in his own nets.

Some hon. MEMBERS: Hear, hear.

Mr. LEMIEUX: The hon. gentlemen cheer that statement; they accept it. More than that, my hon. friend, one of the most distinguished members of this Parliament, the member for Portage la Prairie (Mr. Meighen), did not hesitate to state the other evening, in answer to a question which was put to him, that the right hon. the leader of the Opposition was himself the author of clause 17 of the rules of this House.

Mr. MEIGHEN: As it now stands, in its present form.

Mr. LEMIEUX: That is a quibble, and I shall explain my hon. friend's evasion in one moment. I interrupted the hon. member the other day. He was saying:

When Sir Wilfrid Laurier was Prime Minister of this country on the 9th of July, 1906, he, in pursuance of a long evolution leading to perfection of the rules of this House, placed rule 17 there just in the form in which it is to-day. Did he place it there that it might never be acted upon? Did he place it there that whenever it was acted upon for a definite and perfectly legitimate purpose hon. members opposite should howl themselves hoarse shouting shame?

Mr. Lemieux : Does my hon. friend mean to say that the inventor of the previous question was the right hon. the leader of the Opposition?

Mr. Meighen: I say that rule 17, which this Government availed itself of in order to permit the previous question to be moved, was placed in the rule book by the right. hon. the leader of the Opposition.

Worse still, in the press of my own province, the reptile press, it is stated that the leader of the Opposition is himself the inventor of the previous question. Let us settle this point. Rule 17 has been, word for word, the rule of this House since Confederation and it was in existence under the Union. On December 20, 1867, a motion was made by Sir John A. Macdonald, who was not a gagger, who never used guillotines to suppress his opponents:

M. LEMIEUX.

Sir John A. Macdonald moved, seconded by Hon. Mr. McDougall:

Resolved, that this House will immediately resolve itself in a committee on the report of the Select Committee appointed to assist Mr. Speaker in framing rules and regulations for the government of this House. The House accordingly resolved itself into the said committee and after some time spent therein, Mr. Speaker resumed the Chair, &c.

First, we have the regulations and then come the rules of debate:

(11) When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place; but a motion may be made that any member who has risen ' be now heard ' or ' do now speak.'

Is the right hon. the leader of the Opposition the inventor of rule 17, which is the reproduction of rule 11? Is the right hon. gentleman the inventor of that procedure which is as old as Confederation, and was in the rules accepted by the legislative assemblies of the Union? My hon. friend, I know, quibbled by saying that this rule has been amended, and that the right hon. gentleman was a member of the committee who amended it.

Mr. MEIGHEN: The hon. gentleman states that the rule in the form in which he read it was placed there by Sir John A. Macdonald who was not a gagger; is the inference that the right hon. the leader of the Opposition, who added to it the clause that it should not be debatable, a gagger?

Mr. LEMIEUX: My hon. friend should be worthy of himself and live up to his reputation. He made a fair defense the other evening of the tyrannical resolution proposed to this House, but he should not stretch too much on his ingenuity and his adroitness. I may say that rule 17 has been in force in Canada ever since Confederation, but this is the first time it has been applied. To my hon. friend from East Hastings (Mr. Northrup) and my hon. friend the Minister of Marine and Fisheries (Mr. Hazen), belongs the credit of having first availed themselves of that obnoxious rule. Against whom, Mr. Speaker? Against the dean of the House of Commons, not in age, but in experience, in prestige and in statesmanship; against the nestor of the Imperial conferences, as he was declared to be by no less an authority than the Prime Minister of England. The previous question has been put in this House on four occasions only since Confederation, once by Mr. Holton in 1870; later on in 1879 at the time of the Letellier case, by one of your predecessors, Mr. Speaker, the Hon. Mr. Justice Ouimet, who was then member for Laval; by the late Minister of Public Works, Sir Hector Langevin, in the Riel case, and the other day when my hon. friend (Mr. Hazen)

moved it for motives which we now know. The Letellier case was a most important constitutional case, and the Riel case was a most important criminal and political case. One can quite understand the Government of the day availing themselves of the use of the previous question in such cases, but Mr. Speaker, in the present instance, as I shall explain later on, there was no reason; indeed there were many reasons why such a drastic measure should not have been made use of at the present juncture. Rule 17 has never been applied in Canada, and my hon. friend the able and distinguished member for Portage la Prairie (Mr. Meighen), will look in vain in the journals of the House of Commons in England for many years back before he can find a record of its application there. As an old parliamentarian, Mr. Speaker, you know perfectly well that it is the unwritten law, the custom, the well-known usage, that after a great public measure has been placed before the House by the Prime Minister, your eye catches the eye of the leader of the Opposition. That is how the duel is engaged in; or rather that is how parliamentary battle is given. Therefore, it was a most unusual proceeding, and I regret for the reputation of fair play enjoyed so far by my hon. friend the Minister of Marine and Fisheries, that he should have availed himself of that drastic and unusual privilege against the leader of the Opposition.

But if I was surprised at the conduct of my hon. friend the Minister of Marine and Fisheries, I can in a sense understand the satisfaction that he could extract from it. I know he is a Tory of the Tories. I know that by education, by temperament, he intends to fight the Liberal party so long as there is a breath in him. But I was amazed at the sneers of my hon. friend the Minister of Justice (Mr. Doherty) against the right hon. the leader of the Opposition. I might have expected sneers from other quarters, but not from the Minister of Justice, he a home ruler. He knows that home rule is in sight to-day because of the obstruction raised in the British House of Commons thirty years ago. I would have thought that as a home ruler who owes so much to obstruction he would have spared the right hon. the leader of the Opposition in the present instance. I declare that it is rank ingratitude on his part, when, as an Irishman he knows that Home Rule for Ireland never had a more convinced, a more powerful, and a more loyal friend in the Dominions overseas than the right hon. the leader of the Opposition. My hon. friend the Minister of Justice seems to be greatly exercised over the idea of obstruction. At first, I dare say there was no obstruction, but even if there was, he should be the last man to show resentment. Let me recall a little incident which took place in the good old city of Montreal in the nineties, when I was practising law. My hon. friend the Minister of Justice was then a judge of the Superior Court. He was also the president of the Land League. I remember that after the death of Mr. Parnell, when Mr. John Redmond was selected as the leader, not of the Irish party, because Mr. Justin McCarthy was made the leader of that party, but of the Parnellite party, he paid a visit to Montreal. A meeting was held at the Windsor Hall, and it was presided over by my hon. friend the Minister of Justice, then Mr. Justice Doherty. I admired his pluck at the time. The speaker of the evening was Mr. John Redmond, and I need not say that he delivered a most eloquent address. The subject of the lecture was 'Parnell and his Methods,' and how graphically he described the methods by which Mr. Parnell had organized and systematized obstruction in order to wreck the parliamentary machinery at Westminster. Mr. Justice Doherty, now the Minister of Justice, congratulated Mr. John Redmond. The next day I had a case to argue at the Superior Court, and to my astonishment I found John Redmond, who the day before had exalted Parnell and obstruction, sitting on the bench of the Superior Court with Mr. Justice Doherty. And yet to-day, my hon. friend the Minister of Justice sneers at the right hon. the leader of the Opposition and at the Liberal party. This new loyalist is shocked at the idea that the Liberal party should strenously resist the adoption of the Naval Bill! What a change of heart, what a right-about turn!

This brings me to a very short history of how closure was adopted in England. The events which have led to its introduction in Canada are not parallel at all with those which brought about the use of obstruction as a parliamentary weapon in England. To make a long story short, will you allow me to read just one page from Mr. Justin McCarthy's History of our Own Times from 1880 to the Diamond Jubilee. On pages 78 and 79 of that work, Mr. Justin McCarthy explains the tactics adopted by Parnell and his supporters:

> Parnell's appearance was much in his favour, and suited exactly with the position he occupied. He was tall, stately, with a clear-cut, handsome, pallid, statuesque face. Strangers coming into the House of Commons, not knowing who he was, were attracted by that pale, marble-like face, and asked, who is that?
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> Parnell did not begin the policy of obstruction. The policy of obstruction had always been a more or less recognized weapon in the House of Commons. There was an

organized obstruction to Lord John Russell's Reform Bill in 1831 and 1832. Mr. Gladstone obstructed the passing of the Divorce Act to the very best of his power. Sir Charles Dilke, Mr. Leonard Courtney, and Mr. Chamberlain kept, with Mr. Parnell's assistance, the House of Commons at work for more than one all-night sitting. But there was a very distinct difference between Mr. Parnell's policy and that of other men. Obstruction in other cases had to do with some particular measure, which its opponents were determined not to allow to pass into law if they could by any constitutional process forbid to go further; or, with regard to certain questions, it was an obstruction which said to the Government of the day: 'You shall not have this measure at all unless you allow into it certain amendments which we propose to make.' But Mr. Parnell's obstruction had a different and a wider object. It is not likely that he saw in the first instance the full use that might be made of the instrument he was employing. But the idea soon dawned upon him and overspread his strong mind. He was not a lover of England; he was not in feeling much of a Democrat. But he was thoroughly convinced that if the attention of the English people, and more especially of the English democracy, could be really aroused to the Irish national claim, the conscience of the majority of Englishmen would be compelled to recognize its justice and the cause of home rule would be gained. Now, that and nothing else was the meaning of Mr. Parnell's policy of obstruction—the policy which he carried on for example, after Mr. Gladstone had come into office in 1880, and when Parnell was made leader of the Irish party. Many people set him down merely as a man who, out of some sort of sinister purpose or malignity, wished to interfere with and harass, obstruct, and irritate every English Government and the whole House of Commons. Mr. Parnell had no feeling of the kind. His was a deliberate purpose, and it was even by the process of exasperation that he tried to fix the attention of the House and the country on the fact that there was an Irish national demand, which it would be necessary to listen to and to take into consideration. Parnell's creed was that the House of Commons was the one great public platform of the country. From that platform he was determined to appeal to and arouse the English people. Therefore he said in substance to the House of Commons: 'If you will not listen to our Irish national claim, then we will not allow you to discuss any other question whatever of which we can prevent the discussion.

You have there a description of the modus operandi adopted by Mr. Parnell and his gallant followers in 1880. They had one object in view—the disruption of the whole political machinery so as to call the attention of England and of the world to their Irish national claims. Mr. Justin McCarthy continues:

He acted on the inspiration of the woman in the Eastern story—of which woman he had probably never heard—who, having tried in vain to get a petition delivered to the Sultan, took her place with her little children in the public street, and waited until the Sultan rode that way, and then flung herself and her babes in front of his horse's hoofs, and declared that she would not move from that spot until he had listened to her appeal or had trampled her and hers to death. That was the real meaning of the later policy of obstruction.

Sir, our position is not parallel, is not analogous and, therefore, we should not find our precedents in the rules and regulations adopted during those stirring times, in the English House of Commons with a view to prevent freedom of speech in this Canadian Parliament. Closure and the guillotine were resorted to in England to meet special conditions. A desperate remedy was invented to meet a desperate condition. What do we read in the life of Gladstone? My right hon. friend the Prime Minister and my hon. friend from Portage la Prairie (Mr. Meighen) quoted Gladstone. He seemed to take pleasure in the fact that the great Gladstone had established closure in the British Parliament. What does Morley, the historian of Gladstone, say when he speaks of that subject? Morley, in his life of Gladstone, volume 3, page 124, says:

The remedies proposed from time to time in this Parliament by Mr. Gladstone were various, and were the occasion of many fierce and stubborn conflicts. But the subject is in the highest degree technical, and only intelligible to those who, as Mr. Gladstone said, 'pass their lives within the walls of parliament'—perhaps not by any means to all even of them. His papers contain nothing of interest or novelty upon the question either of devolution or of the compulsory stoppage of debate. We may as well, therefore, leave it alone, only observing that the necessity for the closure was probably the most unpalatable of all the changes forced on Mr. Gladstone by change in social and political circumstance.

Mark the expression: 'most unpalatable.' Sir, closure was a desperate remedy invented in order to meet a desperate condition; but Gladstone who applied it found it 'most unpalatable' to his ingrained liberalism and to his conscience. The first step towards closure was taken in 1880 when a member was named for having wilfully obstructed, having declared that he would oppose all business of whatever kind at all hours. In February, 1880, the House of Commons in England decided that a member named for wilfully obstructing could, on motion, without debate, be suspended and, if he was named three times, he would be suspended for a week. Then the general election of 1880 took place and Mr. Gladstone was returned by a large majority. He met again Mr. Parnell,

whose gallant band of seven followers had been increased to more than eighty, and we know what took place then in the House of Commons. Obstruction was systematized and when, in January, 1881, a Bill for the protection of persons and property in Ireland was proposed, it was strenuously opposed by the Irish members. It was then that Mr. Speaker Brand intervened and put the question on his own motion. On February 2, Mr. Gladstone gave notice of the urgency rule, that, if the House so resolved by a majority of three to one, that the state of public business was urgent, the whole power of the House to make rules, would be, and would remain, with the Speaker until he should declare that the state of public business was no longer urgent. Grave scenes followed, all of the Irish members were ejected but the rule of urgency was passed. In 1882, closure was formally established. It was applied when called for by more than two hundred members, or, when less than forty members had voted against it, by more than one hundred members. In 1887, a Conservative Government came into office. The Crimes Act was introduced and the rule was further amended. Any member during the debate might move that the question be now put. Thus the initiative was transferred from the Speaker to the House, of course with the consent of the House; but Mr. Gladstone opposed this. In 1888, the closure was again strengthened by the reduction of the majority necessary for its enforcement from 200 to 100. In 1887 a time limit, in other words, the guillotine, was also invented and applied. It means that the House decides how much time shall be devoted to certain stages of a measure, definite dates being laid down at which the closure shall be enforced and division taken. Then later on, a Supply rule was adopted. The old rule, that the redress of grievances should precede the voting of money, was also altered. In fact, the House of Commons in Great Britain has lost steadily its power. That, Sir, has been the evolution of parliamentary government in Great Britain since 1875.

Mr. Speaker, all of a sudden, in this Parliament of Canada, where different conditions prevails, we are face to face at one fell swoop with closure, guillotine and Supply rules. Sir, I say that the conditions are radically different. First of all, the Irish members in the British House of Commons were opposed not to one measure, but to all measures. Consequently, the rules of the British House of Commons were amended so as to enable the King's Government to be carried on, but only after years of elaboration and years of discussion. The two great historical parties, the Conservative party and the Liberal party, met in joint committees and amended those ancient rules. There is this further point to consider. The House of Commons in England is composed of nearly 700 members. It has not even a seating capacity for its full membership; and on what the English people are pleased to call a field day in the House of Commons you can see members crowding the galleries. It is well known that there is and has been for a long time a congestion of business in the British Parliament. I do not wish to detain the House more than is necessary; but on this point let me quote the leading parliamentarians in England. Indeed, it is that very congestion of business in the British Parliament which will make it possible for Ireland eventually to obtain home rule, for Wales to obtain home rule, for Scotland to obtain home rule, and for England to obtain home rule. I would not be surprised if in England proper, in Northumbria for instance, there would be an English local legislature. The whole plan of devolution has been devised, has been accepted of late by Liberals and even by Tories on account of the congestion of public business in the British House of Commons. What did Mr. Gladstone say on this subject? Speaking so far back as 1879, in his second Midlothian speech, Mr. Gladstone said:

> The Parliament is over-weighted. The Parliament is almost overwhelmed. If we can take off its shoulders that superfluous weight by the constitution of secondary and subordinate authorities, I am not going to be frightened out of a wise measure of that kind by being told that I am condescending to the prejudices of the Home Rulers. I will condescend to no such prejudices. I will consent to give Ireland no principle, nothing that is not upon equal terms offered to Scotland and to the different parts of the United Kingdom. But I say that the man who shall devise a machinery by which some portion of the excessive and impossible task now laid upon the House of Commons shall be shifted to the more free, and therefore more efficient, hands of secondary and local authorities, will confer a blessing upon his country that will entitle him to be reckoned among the prominent benefactors of the land.

He made a similar speech at Edinburgh in 1890. Sir Henry Campbell-Bannerman, speaking in 1895 at Stirling, used the following language:

> The excessive burden of work now imposed upon Parliament can only be relieved by a large system of devolution. It is for this reason, as well as from a sense of right and justice to the nationalities concerned, that I regard as urgently necessary the creation for the three kingdoms of subordinate legislative assemblies dealing with the distinctive features of each.

Mr. Asquith spoke along the same lines in 1901. Mr. John Redmond said at Dublin in the same year:

> When Home Rule was next proposed it would not be in answer to an abject appeal from Ireland, but it would be proposed by

some English party for its own sake, for the sake of England, for the sake of the English Parliament, and for the sake of the British Empire. When that proposal was made it would be time enough to consider whether it could be accepted as an honest compromise or not. He, for his part, did not believe they would have very long to wait until some such proposal was made.

Sir Robert Reid, in 1902, speaking at the National Liberal Club, used the following language:

He had always been of opinion, and had publicly expressed it, that the Irish question was incapable of solution except by a system of general devolution. It was not Irish affairs merely that obstructed the business in the House of Commons. It was English and Scottish and Imperial business that stopped the way.

I could also quote Mr. Chamberlain, Lord Rosebery, Mr. Balfour, and several others; but this shows that, at all events, if since the obstruction of Parnell and his followers in the House of Commons, both great historical parties in England have limited debate, by establishment of closure, guillotine and supply rule, it is because of the extreme congestion of public business in that House. Sir, is that the case with us? Has it any analogy to the case of the Canadian Parliament? Here, who thinks, as in the case of Parnell and his friends, of opposing all the measures of a government—of discrediting the machinery of government? We oppose the bad measures. We oppose at present one measure because we believe that it is detrimental in its effects to the constitution of this country and to our relations with the Mother Country. We say that it is an attempt to do away with the autonomy of Canada. We oppose one measure, not all measures. Have we refused supply? Indeed we have helped and materially helped the Government in passing supply, and I only regret that we were too generous because there are many instances, in the Post Office Department for example, where I would like to have a sharp look.

Mr. BUREAU: Don't forget the locks.

Mr. LEMIEUX: The present resolution tends to put majority rule tyrannically over the minority in this House. It serves only party ends; moreover, it will incense public opinion, and we fairly represent a good half of the Canadian public. Sir, the revision of the rules of the Canadian House of Commons should be submitted to a joint committee, and it is not too late yet for the right hon. leader of the Government to accept that suggestion.

There is not in this Parliament any great congestion. Of course, Canada is increasing in population, and we have great national enterprises, which require large expenditure of money; but after all we can deal with the business of this country in a fair manner. There are no seven hundred members as I have said, and if it is found that the work of this House is somewhat congested, why not originate more of the legislation in the Upper House? The Senators themselves complain that there are in the Senate every year too many adjournments and that not enough legislation originates in their Chamber.

Besides, and I wish to speak with the greatest reserve in making this argument—this is not a uni-lingual parliament; this is a bi-lingual parliament where both the English and the French languages are on a footing of equality by the constitution of the country. I thank the Lord that since Confederation no encroachment has ever been made by the Conservative leaders on the right of the minority to use its own language in this Parliament. But fine words butter no parsnips, as the old adage says. We are told by the right hon. leader of the Government that under the closure all rights will be protected, all privileges will be respected. But what of that rule which at one moment will confine our legislative work to a very few hours of the day? It may happen under certain circumstances that those of us who generally speak the English language will consume all the time allowed before the guillotine falls; and then, if a member of the minority who uses the French language, should rise to address the Chair, he will be told: 'Time is up, the guillotine is applied, you have no right to speak.' I do not say that this will happen; I hope it never will. I have enough confidence in the sense of fair play, of justice, of generosity, of liberality, in the majority of this House to believe that it will never happen. But still it might happen, and you cannot juggle with the rights of the minority. It is my duty to speak thus as a representative of a constituency in the province of Quebec. My province at the time of Confederation accepted the compact of Cartier and Macdonald that the rules, usages, customs of the British House of Commons up to 1867 should be binding in the Parliament of Canada in future. Therefore you have no right to impose on the minority in this House rules which have been created since 1867, and which tend to abridge the rights of the minority.

Sir, I do not know that the measure introduced by the right hon. leader of the Government is constitutional. I do not argue the point, but I leave it to your judgment. Has anyone the right to alter a compact, to change the constitution? For the rules adopted in 1867 are embodied in that compact, in that constitution, and you cannot deface them. Sir, what does the resolution mean? As I stated a moment ago, Canada with such drastic rules

is no longer governed by Parliament but by Cabinet; it is a revival of the Star Chamber. The Opposition is completely ignored. And yet, Heaven knows, an Opposition is necessary in Canada at the present time. The immemorial right of any member of the House to express his views as often as he sees fit on any phase of a question in committee goes by the board. We are compelled, being a new country, to make great expenditure every year in public works; that expenditure must be scrutinized by the representatives of the people, and it must be scrutinized freely and lengthily. Yet supply can be rushed through, railroaded, when a minister so notifies the House. The old rule of exposure of grievances before supply is curtailed to two days in the week. That resolution, when one reads it coolly, constitutes a violation of the fundamental principles of British parliamentary government. It is more than a resolution; it is a revolution. One has to return to the days of Runnymede, when the barons of England—and they were Norman barons—exacted from King John the famous article 12, of Magna Charta, that no taxation should be levied on the people of England without the free consent of the common council of the realm. Sir, the Government is doing away, partially at least, with that old time-honoured rule of British parliamentary government, that no taxation for any public expenditure shall be levied on British subjects without the free consent of the commons. And, after all, why this radical change—aye, why this coercion? Because of the jingo stampede organized by a coterie in England, by a few busy empire saviours, in Ottawa, in Montreal, in Toronto, in Winnipeg—which is not the public opinion of the country. Because the Government having no mandate for such a policy, will not seek that mandate at the hands of the people. Because the Tory-Nationalist alliance must be maintained at all costs in order to remain in office. Sir, the novel proposal involved in these constitutional changes, the question of representation in the Imperial Council, is above all one that should come before the people. We were all united in 1909 on a Canadian navy, built, manned, maintained by Canada, ready to hoist the flag, and, subject to the control of Parliament, to defend the Motherland against the King's enemies. You have gone back on that resolution, and we must ask the people to approve or disapprove of your treason. Besides, we desire to keep the control of public expenditure within our own hands. The Churchill letters have also created a new situation; they have complicated our present relations with Great Britain. We have just tasted of Downing Street rule; the people must know more about what that means. A policy of centralization is heralded and advocated by this Government as against the policy of local autonomy—a cherished policy up to the present time. You cannot trifle with such important principles, and you cannot impose such radical changes on the people's representatives without consulting your peers, the people. We on this side represent half the people of Canada; let us test public opinion and see whether it will be responsive to the new proposals of the Government. Do not silence the House of Commons; the Liberal party is too proud of its traditions to stand gag rule. Sir, I would commend to the Government the advice given by the ex-Minister of Public Works (Mr. Monk) in the parting shot fired by him at his former allies. In one of to-day's papers I find the following statement made by Mr. Monk:

> I expressed such an opinion before a special commission of the House that such a modification should be made at a period of calm, when everyone could study fully the question and not in the course of a crisis as exists now.
>
> I still believe that a referendum is the only logical solution of the navy crisis—the only one that would give a real value from an Imperial point of view to our contribution if such contribution is voted.
>
> I would have voted against both the Borden and Laurier naval proposals and I am sorry to see that a closure law is proposed at a time which prevents a serious study of it and appears like a way of forcing the adoption of a policy which I disapprove.
>
> I sincerely believe that those who oppose the naval policy of the Government cannot accept a proposal which under the circumstances is but a way to assure the adoption of a policy which they condemn.

All that we, the opponents of the Borden proposal and the friends of a Canadian navy, require, and ask for, is a fair chance and fair play. Let us go before the people, and we will fight one of the most glorious battles of Liberalism. We stand for free speech, and in favour of Canadian autonomy. The prayer of the Grecian combatant, when enveloped in unnatural clouds and darkness, is at present the appropriate political supplication of the Liberal party to the powers that be:

> Dispel this cloud, the light of heaven restore,
> Give me to see—and Ajax asks no more!

At six o'clock the House took recess.

After Recess.

The House resumed at eight o'clock.

Mr. O. TURGEON (Gloucester, N.B.): It is not my intention to discuss the technicalities of the amendment under consideration. As you know, I have never been an obstructionist in this House. You, Sir, have been here during all the years I have

been a member and you know that I have spoken only on occasions when I felt it to be my duty to my constituents and to the country, as a member of this House, to address you. Nor have I ever taken any part in the discussion of parliamentary rights or technicalities or questions of detail, leaving such discussions to others with more legal acumen and better training for such debating. I deem it to be my duty to this House to discuss the reason and purposes of the amendment to the rules now before the House and the consequences which will flow from the adoption of this amendment. I also feel it my duty to refer to the manner in which this resolution has been placed before the House. We had all known for some days past that we could expect some form of Closure Bill to be placed before the House; the Prime Minister had given notice of this resolution and therefore we were prepared to learn of something which perhaps we might not care to accept. But no member on this side of the House, from the right hon. leader of the Opposition down to the humblest member, expected to witness such a spectacle as we witnessed on Wednesday last when this resolution was introduced and forced upon this House. Coming from one of the smaller provinces of the Dominion, from the Maritime provinces, one of the smaller bodies in the Confederation, I was perhaps more struck by the proposed amendment than most members of this House. We in the Maritime provinces have always been solicitous of the rights of minorities, rights consecrated by the British North America Act. We in the Maritime provinces, no matter what our religion or position in life may be, are all in a minority and we have attached great weight to the guarantees given to us by the fathers of Confederation, those great principles which were fought for by Joseph Howe in Nova Scotia and Wilmot in New Brunswick. We have felt that however great the prosperity of the West might be, we in the East, we of the minority, could always depend on the good will and generosity of the majority. We never expected that a Prime Minister from the Maritime provinces—and we have had others from those provinces, like Sir Charles Tupper and Sir John Thompson—would bring before the House such a resolution as this, in such a manner as this has been presented to us. Some of the newspapers of this city, notably the Ottawa Journal, have referred to riots which have commenced in the House of Commons. I would like them to tell me, if riots have been commenced in this House, where they have commenced; I would ask the leader of the Government or any of his colleagues if they did not commence within the precincts of the council chamber last October when the Hon. Mr. Monk, the Minister of Public Works in the Prime Minister's Cabinet, finding that the Government were not keeping the pledges and promises which he had made to the people of his province forced open the door, broke his locks and chains and left the Government. During the last forty years we have never doubted the ultimate preponderance of the West, due to the great increase of population there. I have always maintained that we had nothing to fear from the West, and that whether a member came from the Yukon or from Alberta or from British Columbia, the moment he entered the sanctuary of the Canadian nation, he would at once become a champion of British liberty and freedom and authority and so we felt that the lower provinces had nothing to fear from the preponderance of the West. It may be that I am still justified in holding that opinion and that we in the East have more to fear from the forgetfulness of our old friends and neighbours, their faithlessness or the promises made to the people by their predecessors. I have taken pleasure on vaunting the good qualities of the Minister of Marine and Fisheries, as a citizen and as a public man. Permit me to say that the action of the right hon. gentleman, the Prime Minister and the Minister of Marine and Fisheries on Wednesday last have affected my feelings perhaps more than anybody else, because they come from the smaller provinces to whom protection has been promised, and there can be no better protection than freedom of speech. We, the minority have had to contend for those rights and privileges which were guaranteed to us minutely and particularly by the actual terms of the Confederation Act, and we have had to secure them through the good will of the majority. We might have expected closure of some kind, like that perhaps in use in the British Parliament or in the United States Congress. But we are not to be compared in this Parliament to the British Parliament or to the Congress. We have rights in this House which must be respected, and I believe that the Maritime provinces would not have come into Confederation, which has been a blessing to the whole of Canada, if it had been known that the members of this Parliament would be subjected to closure which would interfere with the liberty of speech. My hon. friend the member for Portage la Prairie (Mr. Meighen), has endeavoured to explain away the position taken by the right hon. the Prime Minister. He is a young member for whom I have the greatest respect and consideration. He has shown a great deal of learning and legal acumen, and he has endeavoured to make an apology for the Prime Minister's introduction of this resolution and for the use of the previous

question rule. But he has not been able to give a complete explanation or apology worthy of his abilities. If the right hon. the leader of the Government had resolved to use the previous question, which I am sure my right hon. friend the leader of the Opposition did not expect he would do, why did he not inform the leader of the Opposition of his purpose? Why did he not say: I have decided to bring in this resolution in such and such a form? A week previously the Prime Minister asked my right hon. friend the leader of the Opposition to grant one-sixth of the Supply necessary to carry on the business of the country, and he was granted that Supply in the most generous manner, and yet, almost immediately afterwards the Prime Minister brought in this resolution and availed himself of the previous question without notifying the leader of the Opposition. I cannot help expressing my regret that in his speech introducing the resolution, the right hon. leader of the Government did not say: Do not rise after me, because I have in my hands a dagger to strike you down lifeless. I would rather have trusted my hon. friend the Minister of Public Works (Mr. Rogers), for he boasts only of the one virtue, that of winning elections. In elections it is the unexpected and unlooked for that happens often, but the unexpected might not have happened if the Minister of Public Works had introduced this resolution, or made use of the previous question. At any rate, he would not have told us that he was going to do such and such a thing unless he intended to. When the Minister of Public Works wanted to send my boy to jail he did not tell me that he would not do so. He gave his instructions, and if my boy had not had the privilege of free speech and had not availed himself of the opportunity to obtain assistance, he would have been put in jail. But my hon. friend the Minister of Public Works did not say he was not going to do it. The manner in which this resolution was introduced occasions me keen regret. You, Mr. Speaker, in the proper exercise of your authority, called upon the hon. member for Quebec East and gave him the right to speak, and yet he was not allowed to do so. The country knows as well as we do, that when the hon. member for Quebec East and Soulanges rose to reply to the right hon. the leader of the Government, it was not as member for Quebec or as member for Soulanges, that he did so, but as leader of His Majesty's loyal Opposition, exercising the parliamentary right given by the constitution since 1867. He did not rise as a private member. If a private member had been prevented from speaking, we could have forgiven what was done on that occasion, but my right hon. friend rose as leader of the Opposition, than whom no man in the Dominion of Canada is entitled to more respect. He has been called the Nestor of the Imperial parliaments, and he is one of the most admired men not only in Canada but throughout the British Empire. But they did not want him to speak; they did not want to listen to him. Other men have listened to the right hon. leader of the Opposition with respect and attention. Men like Balfour and Joseph Chamberlain and Asquith have listened to him and have bowed to his word when he proclaimed that the unity of the Empire was based on the autonomy of the dominions. And yet the Government members in this House tried to gag him. But the shades of William Ewart Gladstone, Daniel O'Connell and Edmund Burke, awake to the name of Wilfrid Laurier and with a fraternal smile, invite him to share with them a common glory acquired in the work of a common cause, the harmony of races and creeds and to perpetuate the principles that have long governed the British Empire. My hon. friend the member for Portage la Prairie with his subtle legal acumen explained that it was only for one minute that the right hon. leader of the Opposition was prevented from speaking. But, Mr. Speaker, it is not the length of time that counts, it is the action itself. I observed with regret my compatriots from Quebec on the other side of the House, rise one after another to vote for taking away the freedom of speech from the right hon. the leader of Opposition who governed this country for fifteen years and showed great generosity towards the members of the Opposition who to-day are acting so unworthily. I have noticed that my young friend the hon. member for Bellechasse (Mr. Lavallee) stood up and voted at that time against the leader of the Government. He has risen from the plane of patronage to the higher and loftier plane of true Canadian patriotism. He is young; long may be his public career, to whatever party or policy his honest convictions may attach him. With him blood is thicker than water and with every man who is worthy of his race blood is thicker than water. Our hon. friend from North Cape Breton (Mr. McKenzie) told us the Roman eagles never displaced the Scotchman from the glens, the hills and the rocks of Scotland and that Scotland is still unconquered. If the blood of the Scotchman had not been thicker than water they would have been conquered long ago. If the blood of the Irishman had not been thicker than water and if the Irishman had not retained the fighting qualities of his race, Ireland would not be getting

home rule next month. If blood had not been thicker than water, the Papineaus, the Vigers, the Taschereau's the Lafontaines, the Cartiers, the Dorions, and all those other great men, would not have been able to give us the privileges which we enjoy to-day, and hon. members from the province of Quebec would not have been able to speak their own French language in this House a fact which nobody would have regretted more than my hon. friend from Peterborough (Mr. Burnham).

What are the general purposes of these resolutions which have been brought before the House. To stop freedom of speech? To stop freedom of speech and no doubt more particularly with reference to this very question which is now before the people, a question in regard to which every freedom and liberty of discussion should be given. This question is more important than that of Confederation, and its discussions in which our forefathers engaged, whether in Quebec or in the Maritime provinces, the Howes and those other great men, because it means striking at the precious right of free speech for which they fought and which may be lost forever to this country if this measure is carried. We are told that we have abused freedom of speech and that we have endeavoured to prevent this Naval Aid Bill from passing. We are told that we have stopped public business. When did we stop public business. As it has been stated and repeated in this House, every time Supply has been asked we have given Supply. My right hon. friend the leader of the Opposition (Sir Wilfrid Laurier) offered one-sixth of the Estimates without discussion, or the necessary amount to carry on the business of the country for the next two months, and yet hon. gentlemen say we have interfered with public business. What has been our purpose? The purpose has been to prevent the passage of a law providing for a contribution of $35,000,000 to England and for what? We were told at first it was a gift to England in a moment of emergency five months ago. During that five months England has been waiting, attending to other business, and was not this Opposition perfectly within its rights in endeavouring, by all possible means at its command under the principle of freedom of speech, and by virtue of our parliamentary procedure, to prevent the passage of such a law, not in the mere spirit of obstruction as some hon. members, as well as some of the newspapers, on the Government side are trying to convey to the public mind, but with a loyal and patriotic purpose and from the sincere conviction that such an Act should not be recorded at this one session. We and particularly our leaders, are supposed to be gifted with sufficient intelligence, with sufficient knowledge, to know that with time developments will come that will justify the action of the Opposition who claim to represent the majority of the people on this question. At the moment their representatives happen to be in the minority in this House, but they would not be in the minority, as we know, if hon. members from the province of Quebec, elected chiefly to oppose the measure which is before the House to-day, and to secure the passage of which closure is now proposed, had been faithful to their mandate and promises, as the hon. ex-Minister of Public Works (Mr. Monk) has been, and voted with the Opposition. We believe that we represent the majority of the people of the country and it is the duty as well as the right of the majority to enforce as far as possible their opinions upon the members of the Opposition—the temporary opposition—and endeavour to bring about delay by every justifiable and constitutional means at their command pending further developments because, since we have undertaken to delay the coming into effect of this measure, we have had developments which have justified more and more the Opposition without a single justification on the Government side. We have had expressions from the country, we have had expressions from Australia commending the people of the Dominion of Canada for the stand which they have taken and urging Canada to carry out her agreement made with Australia in 1911 by which Canada was to have built her own Canadian navy and taken charge of the trade routes on the Pacific. Australia has proceeded with the construction of her own navy and to-day expects that the Parliament of Canada will, before the end of this session, come to the decision of putting into effect our part of that agreement. We have had expressions from the other side of the ocean to the effect that the Laurier policy in favour of a Canadian navy is the best one suited to the interests of the Empire as well as the interests of Canada. Convinced as we are to-day by the expression of opinion in London and England as well as in Australia and other places, was it not our right as well as our duty to postpone the passage of the Bill proposed by the Government? Notwithstanding the condition in which we are threatened to be placed by this last Act of the Government, we expect that within one or two months the people of Canada will have expressed their opinion strongly enough that the Parliament of Canada will not sanction the Bill which for the purpose of passing this new resolution is placed before the House.

As I said a short time ago, I would be surprised to see all my compatriots on the other side of the House rising in their seats to vote for this tyrannical resolution, after the appeal of their old chief, the ex-

Minister of Public Works (Mr. Monk), who appeals to those who have, apparently at least, remained faithful to him. This is what he said:

I sincerely believe that those who oppose the naval policy of the Government cannot accept a proposal which under the circumstances is but a way to assure the adoption of a policy which they condemn.

This is the position into which this Parliament and the country are brought by the firm determination of the right hon. the leader of the Opposition and his followers in their efforts to safeguard the liberty of speech and other rights of minorities. Hon. gentlemen opposite say it is a gift to Great Britain It was a gift at first. Later, we have been told that it was a loan. If I meet a man in the street who is a Conservative, more particularly one of the followers of my friends opposite from the province of Quebec ,and ask him what he thinks of this Bill, he is induced by newspapers like L'Evenement to believe that this contribution of $35,000,000 is the end of everything for naval purposes; that, after that sum of money is paid there will be nothing more done for the Empire and he glories in the fact. That is the education which is given him by the French members on the other side of the House. If I tell him that it is only a beginning, he says: No, I know this is going to be the end of it; L'Evenement has told me so. He goes further than that; he says that the province of Ontario and the provinces of the west are going to pay four-fifths of that amount, and that therefore he will get off very easily. If my friends on the other side of the House will not tell the people of this country and the members of this House what it means, I shall do so. It is $35,000,000 paid for the opening of the door to Imperial federation; the people of Canada are not prepared to pay $35,000,000 to open the door to Imperial federation until their voice is heard. The leader of the Government has told us many times that we cannot stay in the position in which we are—that we have to get representation for contribution. On this side of the House, and with the majority of the people of Canada behind us, we say that we are willing to contribute to the assistance of the Empire, as far as our means will allow us to do, without quid pro quo of representation which could only be to the great detriment not only of Canada but of the Empire. As I said some time ago, the disintegration of the Empire, if it were to be accomplished under such conditions, would not be done by Canada. Those taken first into Imperial federation would be the first to get out of it. It would come from some of the other sister nations who would not allow themselves to be interfered with by Downing Street rule. There are men in this country who are not prepared to say that Canada shall go blindly into Imperial federation, and that she should pay $35,000,000 for it without receiving any authority from the people. It is not the amount of money involved that I am concerned about. If $35,000,000 could do any good to Great Britain, it would very willingly be given by members on this side of the House. It is not the amount in cash that Great Britain wants. She wants the expression of the loyalty of the people of the sister nations and the devotion which will make them ready in the future to render any sacrifice for the maintenance of her principles and to spend, when emergency requires, not $35,000,000, but the last dollar and the last man to protect her against any flag under the sun.

Once introduced, this guillotine would not be used for this purpose alone. There are other purposes for which it could be exercised. I for one, as one of the minority, have reason to be doubtful—I will not say of the honesty of purpose, but of the intentions of the Government, by the experience which we had last session. It is a Government of centralization in this matter, centralizing every sister nation in the Government of Great Britain. We had enough experience of this last session, to put the people of every province on their guard. This Government is imbued with the spirit of centralization; and therefore by it provincial rights are in danger in this Dominion of Canada to-day. We had this experience last year when subsidies were given to certain provinces without due consideration and without respect to the constitution. When the question of giving the province of Manitoba a subsidy with extent of territory was before the House, the hon. member for St. John (Mr. Pugsley) introduced an amendement begging the Government of the day to wait for six months, not to pass that legislation but to leave it in abeyance, and to call a conference of the premiers of the different provinces in order to discuss the question of subsidies. It was not a question of the amount of money. The point involved was that the money should be distributed on the basis of justice and in accordance with the terms of Confederation, that is each province to receive an amount according to population. And I supported the amendment of my hon. friend from St. John to that effect. But that amendment was carved away, and no conference has taken place ever since. When the measure was introduced here by the leader of the Government, my hon. friend from St. John fought hard to have this money distributed according to the terms of Confederation. And had it not been for the Senate exercising its authority and performing its proper functions in the protection of the minority, the

Government of the day would have had imposed upon Canada a law under which the Government of the Dominion could go to any one province at any time and say: I have $1,000,000 to expend in your province for highways. If you do not wish to accept that sum for your roads we will build the roads ourselves in view of the next election. And so that province would have been placed in the position of either refusing the amount of money or allowing its provincial rights to be subverted so that provincial rights would have been non-existent in the country in a few years. Of course, we had the promise of the right hon. the Prime Minister that everything should be done on the basis of equity. But, especially since the spectacle we had here last Wednesday, we cannot—I do not say personally—but politically—feel the same admiration for him that we formerly felt, nor in such a matter can we take his word. As I have said, had it not been for the Senate, provincial rights would have ceased already. And if the Senate does its duty this session the result will be equally beneficial. I know very little of the senators, and have no means of judging what they will do. I know very well what I would do if I were in the Senate. My right hon. leader (Sir Wilfrid Laurier), if he were in his seat, would do me the justice to say that I willingly gave my claim to a man of my own race in the province of Nova Scotia, who has since been called to a higher and happier chamber. I have every confidence in the members of the Senate, not as Liberals but as representatives of Canadian public opinion and as public men of high position and I hope they will, when the occasion rises, do their duty as members of the great body given to the people of Canada by the constitution for the protection of minorities and of provincial rights. I say I have every confidence in the Senate. You have heard me, Mr. Speaker, in reply to the motion for the abolition of the Senate moved by the hon. member for Lincoln—who has not brought in that motion since the change of Government—declare that I believed the people of the Maritime provinces especially would not consent to the abolition of the Senate, and also gave my own opinion which I have just repeated here that the Senate was placed by the founders of Confederation aside from the turmoil of politics to act as watchful guardians over the rights of minorities. It was known at Confederation that the Senate might not have to act in defence of the principles specially put in its charge more than once in twenty-five years, but it was felt that if the Senate rose to the right true limit of its duty when the interests of which it was the guardian were attacked, it would well repay the people of Canada for all the expense involved in maintaining that body.

I may be asked: What are we to do? I do not wish to see disturbances in this House or in the country; but I say, it is worth while, in the interests of the country, that the Opposition may be able to set forth intelligently as well as forcibly reasons why such a Bill as the Navy Bill should not pass without the consent of the people. If I were asked what I would suggest, I would say to my right hon. friend the leader of the Government: Withdraw your Closure Bill; then, withdraw your Naval Act; and then go on with the business of the country. To hon. gentlemen opposite I would say: Put into effect the naval law of 1910, which was based upon the unanimous resolution of this House in 1909; do this, and we will give you every cent of the money you want. Call for tenders, and have the ships built in Canada by Canadian workmen and with Canadian material, thus building up a Canadian navy for the protection of the trade routes of Canada, ever ready to go to the defence of the Empire at such time as the Government may deem necessary or advisable; then the business of the country will go on.

We have received suggestions of conciliation from other quarters. Yesterday or the day before, Sir Thomas Shaughnessy said in London that he hoped that Sir Wilfrid Laurier and the right hon. leader of the Government would come to some harmonious understanding as a result of which some unanimous conclusion in regard to the matter would be reached. But on March 29, 1909, the loyal and the unanimous sentiments of the House were expressed by the resolution brought forward by the greatest parliamentarian on the other side, the member for North Toronto (Mr. Foster), and, if hon. gentlemen opposite have gone back on that resolution, it is not our fault. Harmony would once again be established if hon. gentlemen opposite would, to-night or to-morrow, decide to withdraw——

Some hon. MEMBERS: Oh, oh.

Mr. TURGEON: Hon. gentlemen opposite laugh, but some time they will laugh on the other side. Public opinion in this country will always find a means to be heard, with respect, and, before another four or six weeks have passed, perhaps hon. gentlemen on the other side of the House will realize that their position is neither patriotic nor Imperialistic, and that the advice given at the present time by hon. gentlemen on this side of the House should have prevailed.

Hon. gentlemen opposite say that closure has been adopted in the Parliament of Great Britain. Great Britain, with her

population of forty-five or fifty millions of people, has but one House, and all business of local or international concern is dealt with by that Parliament. Some amendments have been made to the rules with a view to bringing about, not what this resolution is intended to do—to stop the freedom of speech of the people of Canada by their representatives with respect to a certain question—but to provide for and facilitate the despatch of public business. In this country we have a population of seven or eight millions of people, and, in addition to the central Parliament, we have nine legislatures, whose function it is to attend to local and provincial business; to say nothing of the municipal councils, which take charge of a large portion of the local business of the country. And, apart from this fact, the conditions with respect to the rights and privileges of the minorities in this country are different from what they are in Great Britain. Hon. gentlemen opposite have said that the United States Congress has adopted closure. Can you compare the Congress of the United States with this Parliament? The President and the members of Congress are elected for a term of four years, during which they can do anything at all they wish, and the administration of the day cannot be forced to go to the country. What is the consequence? With every change of administration, the whole civil service is thrown out, and a new one put in, with all the unfortunate consequences attendant upon such a condition. The hon. Postmaster General has said that this Parliament is elected for five years, and that there will be no general election within that period of time. It is true that this Parliament is elected for a period of five years, but that is subject to any appeal which may be made to the people by the leaders of the administration, and subject to the will of the people as expressed either by themselves in public meetings or by their representatives in the House. Many parliaments have been dissolved within a very short time after their inception. The Government of Sir John A. Macdonald was elected in 1873 by a large majority, and four months afterwards another election was held, and Sir Alexander Mackenzie was placed in charge of the Administration. In the provinces of Quebec, from Confederation until ten years ago, the average existence of a Government was a year and a half or two years. And why? Because the people of the province of Quebec, after the elections had taken place, voiced their opinions to such an extent that the leaders of the Government realized the necessity of appealing to the people, and, if the circumstances warranted, coming back with a fresh mandate from the people. If the present Government think they can do it, let them go to the people and come back with a fresh mandate from them. Under such conditions, and after such expressions of sentiment on the part of hon. gentlemen opposite, I say the refusal of the present Government to go to the country is their own condemnation. If they think they can get a mandate from the people, why do they not go and get it? We on this side of the House are willing to run the risk.

There are many things in connection with this matter with which one might deal, and I have spoken at much greater length than I had intended, but I hope that before the end of the week a better and wiser counsel will prevail in the mind of my right hon. friend the Prime Minister. My hon. friend the Minister of Public Works seems to be very seriously considering the situation, and, as he claims to be able to win elections, let him advise the Government to allow this Parliament to retain the conditions which are essential to the liberty of speech of its members. After having promised to do what I have advised them to do, let the Government ask the balance of the Supply for the year and we will give it to them and let the Minister of Marine, if he has found the ships that were recommended by the Admiralty in 1911, obsolete before they were contracted for, ask the Admiralty to give him new plans and then open a shipyard in St. John, Halifax, Montreal or Quebec; and let him start right away to build ships and we will vote him $15,000,000 or $20,000,000 as he wants it for each years work until the $35,000,000 is expended. Let him be courageous and be Canadian and he will have our support.

Mr. E. B. DEVLIN (Wright): In view of the extraordinary action of the Minister of Marine and Fisheries (Mr. Hazen), in proposing the previous question to the resolution introduced in this House by the Prime Minister last week, it would be idle further to discuss the matter. If no amendments may be proposed to a resolution, a motion or a Bill before the House, words are altogether useless, and this is a case where we are in this position, that a Government majority sets down a rule for the House to follow, tell us we must adopt it, and then coolly asks the House what we think about it. While I do not feel disposed to discuss this at length, I wish to say a few words in order that the public may appreciate the circumstances surrounding this extraordinary procedure on the part of the Prime Minister, the Minister of Marine and Fisheries, the Government, and their supporters. The rules which govern us in this House regulate the conscience and the conduct of the members of this House, and we are in the ex-

traordinary position of being asked to bind our conscience and our conduct as members of the House without being able to say whether the rules which are to bind us should govern or should not govern our procedure. It has been laid down by all constitutional authorities in this House that there is a procedure to be followed in amending the rules of the House. You, Mr. Speaker, are supposed to be one of the guiding spirits in the amendment of the rules of this House. A motion is generally placed in your hands that a select committee composed of a certain number of members be appointed in order to consider the rules, amend them if necessary, and after their report has been presented, a resolution has been brought into the House embodying their findings. Bourinot at page 305 says:

> Whenever it is necessary to appoint a committee in the Commons to revise the rules and standing orders of the House it is customary to place it under the direction of Mr. Speaker, the motion being:
>
> That a special committee of.....members be appointed to assist Mr. Speaker in revising the rules of the House, &c.
>
> When this committee has reported, its proceedings will be ordered to be printed with the amendments in brackets, generally in the Votes and Proceedings; and after some time has been given to members for the consideration of the proposed changes, the House will resolve itself into a Committee of the Whole on the report. When the rules or amendments to the rules are reported from the committee, they must be formally concurred in like any other resolutions; and when that has been done they regulate the procedure of the House.

The Prime Minister has not told us why he has disregarded all constitutional usage in this country and what principle or principles have guided him in following out the rules laid down by Bourinot in amending the rules of the procedure of the House.

Let me, for a moment or two, refer to the circumstances which brought about this extraordinary resolution. In 1909 a resolution was unanimously passed in this House respecting a naval policy for this country. In 1910 a Bill founded upon that unanimous resolution was presented to the House by the present leader of the Opposition, then the Prime Minister, and that Bill passed and became the law of the Parliament of Canada. The then Opposition, the present Government, contended that the policy which was then adopted, founded upon the resolution passed by the unanimous consent of the House, should be altered and they brought in what did not seem to meet with the approval of the electors of this country, a policy of contribution to the Imperial navy. The discussion, as you know, took some time. Members upon this side of the House, representing millions of the people of Canada, thought it necessary to exercise all the privileges of their mandate in contesting a policy which was altogether contrary to the policy unanimously adopted by the House in 1909 and in the course of that discussion, when simply exercising the privileges accorded to members of this House, the Government, finding that the discussion did not entirely suit them, awakened one day to the thought that the arguments of the Opposition were too strong, that they were appealing to the country and that the country would not have their policy. They therefore decided to bring in some measure that would stop the discussion. The Opposition, as I take it, are not opposed to the amendment of the rules of debate in the House. We are not contesting the right of the Government to have the rules amended; we are contesting the manner in which the rules are being amended, the time at which they are being amended and the procedure followed by the Government in making the amendment. I did not propose to speak at any length upon this question. I said that discussion was useless but I do wish to give more than my silent protest against the manner in which the Government has dealt with this question. I would like to point out that when hon. gentlemen opposite say they are basing their procedure upon the English procedure, they are acting in ignorance of what has been done in the English Parliament.

It has been asserted during the course of the debate that the Right Hon. William Ewart Gladstone introduced closure along similar lines. Mr. Speaker, you, who have devoted so much of your time to the study of the procedure which is followed in the English House; you who have made a special study of the debates which have taken place in the English House understand how fallacious such a statement made by hon. gentlemen opposite is. You remember, Mr. Speaker, that when Mr. Gladstone proposed the amendment of the rules in order to introduce closure, he allowed every possible latitude in the discussion of the question. You remember that Mr. Gladstone found that proper time could not be given to the reasoning out of these rules, and to the proper discussion of them, and he, of his own motion as Prime Minister, adjourned the English House of Commons from the month of August until the 24th of October, and called a session specially to consider the amended rules and the amending of the rules. You remember also what took place during the debates, and if any man in this House or in this country should remember why it was that Mr. Gladstone refused to allow closure to be placed in the hands of a

minister of the Crown, or of a member of the House, to judge whether closure should be introduced or not, you should remember it, Mr. Speaker, because Mr. Gladstone wished to keep up the dignity of the position of Speaker of the House of Commons. And yet to-day the right hon. the Prime Minister forgets the impartial position which the Speaker of the House of Commons should occupy and does occupy. He is not satisfied that in your hands this motion of closure would be in impartial hands. What does he do? He places it in the hands of a minister of the Crown. Are we not right in objecting to the procedure followed by the Prime Minister in introducing his motion of closure? Mr. Gladstone has been wrongly quoted in this House. Mr. Gladstone would never have put up with the indignities that have been offered to the position of Speaker in this House. What did Mr. Gladstone say? I refer you, Mr. Speaker, to a memorable speech of his which is reported in English 'Hansard' No. 274, on page 492. Here are Mr. Gladstone's words:

We have said that the Speaker, the one great impartial authority of the House—I am now speaking of the full House and not of the House in Committee, though we think the Chairman follows in the train of the argument—shall exercise this function; but in the exercise of this function that he shall appear as what he is—the officer of the House, not of the majority of the House. We will carefully keep away every semblance of a connection between the Speaker and the majority in the formation of his judgment or in inciting him to move.

Again, further on, on page 493, Mr. Gladstone is reported as follows:

We fundamentally and practically object to such a scheme——

That was a scheme of allowing any latitude to the majority in influencing the Speaker of the House of Commons.

We fundamentally and practically object to such a scheme; we would rather at once throw over this proposal with regard to the closing power than contaminate it by bringing the action of a party and party influence into connection with the Chair.

Again, Mr. Gladstone said:

It would be as possible, Sir, for a despot or a tyrant under our constitutional laws to sit on the throne of this country as it would be for a Speaker to retain the Chair of this House when once he had visibly and appreciably and practically made himself the slave of party passions.

For that reason, Sir, Mr. Gladstone placed upon the Speaker of the English House of Commons the duty of saying when the previous question should be moved, and when closure should be applied. Had that procedure been followed in this Parliament, perhaps the Opposition would have felt more secure. But what happened? The right hon. the Prime Minister, discarding the rule, that has been usually followed in this House, of placing in the hands of a committee the amending of the rules of procedure proposed of his own motion a resolution to amend the rules in a most unintelligible manner. I defy any hon. member of this House to understand thoroughly the meaning of those amended rules. No hon. member is capable of doing so, or of applying them for practical purposes. The right hon. the Prime Minister presented that resolution to stop discussion upon a vital question in this House, that of naval aid to Great Britain. After that had been done, the right hon. the leader of the Opposition naturally got up, as you would have done, Mr. Speaker, if you had been a private member of this House, and, using the experience which you had acquired during long years, you would have offered certain suggestions in respect to the amending of those rules. But in order to prevent that, the right hon. Prime Minister put up a member of the House of Commons and his Minister of Marine and Fisheries to prevent the right hon. the leader of the Opposition from offering any amendment. Of course the procedure was irregular. In the English House of Commons, Mr. Gladstone allowed hundreds of amendments. He himself proposed any number of amendments. The procedure which has been followed in this House is without precedent in the history of any civilized country. Hon. gentlemen opposite say that closure operates in certain countries, and they have instanced Belgium, Spain, and Poland. They could have gone further away and they could have come nearer home. They could have said that such a rule had been introduced in Victoria, Australia, and that it had been discarded and they could have said that, although it was in existence in other countries, it was rarely applied. Do you know, Mr. Speaker—you must know—why the previous question was first introduced? In an old edition of Mr. Todd's Parliamentary Law, 1840, we read the following:

When a proposition is moved which it is useless or inexpedient to discuss at the time, the previous question has been introduced for suppressing temporarily, the motion and its discussion.

Note the words. Was the naval question a question which it was useless or inexpedient to discuss? I should rather judge that would be inexpedient for the Government to discuss it. Mr. Todd goes on to say:

The proper occasion for the previous question is, when a subject is brought forward of a delicate nature, as to high personages, &c.,

or the discussion of which may call forth observations which might be of injurious consequences. Then the previous question is proposed, and the discussion of the main question is suspended, and the debate confined to the previous question. The use of it has been abusively extended to other cases; but in these it is an embarrassing procedure, and the intention would be answered fully as well by more simple parliamentary forms, and therefore it should not be used, but restricted within as narrow limits as possible.

Neither Mr. Todd, nor any other historian, has ever been known to find a case wherein the previous question has been proposed to prevent the discussion of rules of procedure. Let me put it for the last time to hon. members seated opposite; they still have a recourse. The hon. the Minister of Marine and Fisheries, who is the personification of everything that is dignified, has still a right. He may stand up in his place and beg leave to withdraw his motion. He must have seen, since the discussion has taken place, that the phraseology of the amended rules is all wrong. He must know that, as long as his motion stands before the House, the phraseology cannot be changed. Why does he not act in his own dignified manner, stand up and recognize that he has made a mistake, that it has been unknown ever to move the previous question on amended rules and withdraw his motion. Then, discussion may be useful. Until he does that I feel that we are perfectly helpless. A certain hon. member on the other side of the House, speaking to this question, said that the hon. the Minister of Marine and Fisheries proposed the previous question just to prevent the leader of the Opposition from speaking for a minute and a half. Did it appeal to you, Sir, that during that minute and a half, the leader of the Opposition might have said things that would not nave been to the advantage of the Government? Is that what they feared? What could he say in a minute and a half that would have been so detrimental to the interests of the Government? Was it not a childish action on the part of the men who are charged with the administration of affairs of this country. Was it acting in a manly way? Is that what the country expects of the Government? What is the position of the leader of the Opposition in this Parliament? What is the position of the Opposition? Have we no rights? Have we no privileges? Are we not to be left to the exercise of our rights and our privileges? Have the people sent us here for no purpose, but simply to sit and listen to what may be enacted by the Government? My hon. friend from Rouville (Mr. Lemieux) suggests to pay for the padlocks. Well, there is a great deal of sense in saying that. What can happen? My hon. friend the Postmaster General (Mr. Pelletier) orders 350,000 padlocks, makes a contract, says they are standard padlocks, that they cost more than ordinary padlocks, that Parliament may be burnt, that we may all die, that the Postmaster General may disappear from the country and that in order that there may be no mistake about it and that the business of the country may go on he wants to order enough padlocks to do for forty years to come. Now they introduce a rule which may prevent us from discussing that. I ask you, Sir, I ask the Government, is that a manly attitude for the Government to take? Why introduce this closure at the present time? Why prevent our discussion?

An hon. MEMBER: Why obstruct the Bill?

Mr. DEVLIN: What does the hon. gentleman say? I would like to hear his wise remark. Has some hon. gentleman opposite been getting leave to say a word? He is in exactly the same position as we are; he may talk till Doomsday but he cannot amend a single, solitary rule introduced by his Government. He must swallow it and he must swallow it without protest. But, if we are obliged to swallow this procedure, we will swallow it at least after having made a protest, after saying that we believe that never was such an iniquitous measure presented to this Parliament or to any parliament by any government. Having said that, we have said all that we are able to say upon the subject. There are several amendments that I might like to offer myself to the rules and I might wish to speak to these amendments. I ask the Government, will they withdraw their motion and allow me to propose some amendments? Not one. I resume my seat protesting as energetically as I am able, as a member of this House representing thousands of electors, against the attitude of the Government and I say that one of the darkest pages in the history of this Parliament was the day when the right hon. the Prime Minister introduced the closure and the other will be the day when the majority sitting behind the right hon. gentleman shall enact it into law.

Mr. A. K. MACLEAN (Halifax): Mr. Speaker, in rising to address the House upon this resolution, it is my intention to do so in the briefest manner possible. It is not my intention at all to discuss the scope and effect of the proposed amendment to the rules of the House of Commons, as contained in this resolution, but rather to discuss the propriety and necessity of any amendment to the rules. At the outset, I feel that I must concur in the protests which have been registered by my fellow-members on this side of the House against the method of procedure adopted on Wednesday of last week when the resolution which we are now discussing was moved by the Prime Minister. This House and the country generally will long regret that the distinguished leader of the Opposition, long a prominent and conspicuous figure

in the affairs of this country, was not permitted to continue in the debate on the resolution after having been first assigned the right to speak by you, Mr. Speaker. I do not imagine that it was the intention of rule 17 that, after the Speaker of this House saw first the leader of the Opposition, that right could have been taken from him under any of the provisions of that rule.

Before I proceed to discuss the resolution, I wish to refer to another rule of this House. It is quite clear that the motion made by the Prime Minister the other day in introducing the resolution was not in order, upon the ground that he did not give to the House the necessary notice. Rule 40 is to the following effect:

Two days' notice shall be given of a motion for leave to present a Bill, resolution or address, for the appointment of any committee, or for the putting of a question.

The rule further says:

Such notice shall be laid on the table before five o'clock p.m., and be printed in the Votes and Proceedings of that day.

I contend that this rule was not observed by the Government, and accordingly, the resolution is improperly before the House. I am not going to argue what is two days' notice under this rule; but I think it is quite clear that the requisite notice was not given to the House. I remember very well on Monday night of last week, after the House had adjourned, the Minister of Public Works (Mr. Rogers), in my presence, gave notice to the leader of the Opposition that the Votes and Proceedings of the following day would contain notice of closure, which is the resolution before us. I think I am perfectly safe in saying that that notice was not filed with the clerk on or before five o'clock on Monday afternoon, and, that being the case, I think beyond peradventure the resolution is not properly before the House. When I conclude the very brief remarks which I am going to make, I shall ask for your ruling, Mr. Speaker, upon that point.

Before proceeding further, I wish to point out that rule 40 says further, that two days' notice is necessary for leave to present a motion for the putting of a question. In my judgment, without having had the opportunity of giving very much study to that particular part of the rule, I think it must refer to the putting of a motion such as moved by the Minister of Marine and Fisheries (Mr. Hazen) on Wednesday last, immediately after the resolution was moved by the Prime Minister. In any event, Mr. Speaker, I am submitting this rule to you for your consideration, feeling that the contention which I am putting forward is amply supported by the rule, that the resolution is out of order for want of notice; and, further, that for want of notice the motion of the Minister of Marine and Fisheries is out of order, and that, if the main resolution is in order, it would be subject to an amendment.

I do not propose to discuss the scope and effect of the amendment proposed to be made to the rules of this House by this resolution. I do not deny that it is possible that some of the rules of the House might with propriety be amended. I do not think that any hon. gentleman on this side of the House will contend that the amendment of any rule which circumscribes within proper bounds the debates on any matter is not perfectly proper. If hon. gentlemen opposite are moved sincerely with the desire of reforming the rules in the interest of the business of the House and the country, they will have the cordial support of hon. gentlemen on this side of the House.

I wish to present some objections to the resolution and to answer briefly some contentions which have been urged in support of the resolution by hon. members opposite.

Mr. MEIGHEN: Does the hon. member argue that, inasmuch as the notice was not given in time to be in the Votes and Proceedings of Monday, as a consequence its being taken up on Wednesday was premature and out of order?

Mr. MACLEAN: Yes.

Mr. MEIGHEN: Just because it was not in the Votes and Proceedings of Monday?

Mr. MACLEAN: I say that that notice was not laid on the table of the House before five o'clock on Monday afternoon, and consequently the appearance in the Votes and Proceedings on Tuesday would count for nothing.

Mr. MEIGHEN: I would inform the hon. gentleman that it was in the Votes and Proceedings of Monday.

Mr. MACLEAN: That is a matter which I shall leave to the Speaker for inquiry. As it is a question of fact, he will have to determine that and to announce to the House his grounds for his finding. In any event, provided the notice was placed on the table before five o'clock in the afternoon of Monday last, even then I do not think the rule was complied with so far as time is concerned, as there was not the full two days' notice.

I was saying that all hon. members would view with favour any effort on the part of the Government to amend our rules so as to expedite the business of the House. In this connection, I wish to

say that the amendment of the rules of the House is a matter which falls within the purview and jurisdiction of Parliament alone, and not of the Government. Proposals to amend existing rules should not and cannot properly emanate from the Government, but they must proceed from the House. I doubt if there is another instance in the history of this country when proposals to amend the rules of Parliament have ever emanated from the Government. The reason for this is manifest and obvious. Parliament will respect its own rules, rules which it initiates, carries forward and concludes; but it is only natural to expect that hon. gentlemen sitting upon this side of the House, opposing the Administration of the day will hardly entertain the same respect for rules initiated and promulgated by the Government alone. It has been the traditional policy of this Parliament and of the British Parliament, and so far as I know of all parliaments, to place the amending of the rules of procedure in the hands of a committee representing Parliament and not a government or one political party. There has been given to the House no reason for this departure from a rule so long observed in this and other parliaments, a rule whose wisdom I think must be obvious to every hon. gentleman. Then, I think, we on this of the House may fairly object to the spirit manifested by the hon. gentlemen opposite in introducing this resolution and in considering the proposals to amend the rules of the House. I take it that everything would indicate that hon. gentlemen opposite have introduced this resolution for the purpose of securing the passage of the Naval Bill and not primarily for the purpose of amending the rules of the House. If they were animated solely by a desire to amend the rules of the House, they surely would not have moved, as they did, the previous question, which has prevented any amendment. And I am sure that public opinion in this country will dissent from the position taken by hon. gentlemen opposite, and will condemn the manner of their procedure to amend the rules of the House.

The friends of the Government also urge that because other countries have adopted parliamentary rules similar to the one we are now considering, that is a reason why the resolution before the House should be accepted. I submit, and in all fairness, that the fact that the British Parliament or the parliament of any other country has adopted the closure or anything approaching it is not conclusive upon the point so far as we are concerned. Conditions may be absolutely different in other countries. Therefore it is not of any great importance to us in the consideration of this resolution to know that in other parliaments rules somewhat similar have been adopted in the past. It is many years ago that closure was adopted in England, and it is only proper that we should inquire why closure was introduced there. It has been stated by several hon. gentlemen on this side already, and I need not repeat the argument, that closure was first adopted in England because obstruction was practised by a small group not allied with the great political parties of the country, a group not protesting against any paritcular legislation, but indiscriminately opposing and obstructing all business of every character brought forward by the Government of the day. That was obstruction, obstruction of a nature alogether unknown in this House and this country, and obstruction of a nature ctrtainly not practised in this Parliament during the present session. I say the adoption of closure under such circumstances was perfectly justifiable, but similar circumsances do no exist, and have not existed in this country, therefore no conclusion or deductions that are at all relevant may be made from the fact that closure was adopted years ago in the English Parliament. Further, closure never was adopted in the English Parliament or any other parliament, so far as I know, in order to secure the passage of a specific measure which had been the cause of protracted debate as is the case in this House. I presume that I may with propriety and within the rules of this House, say that the purpose for introducing this resolution is to secure the passage of the Naval Aid Act. I say there should be more and greater reasons for the introduction of closure than that a single important public measure has met with delay and with protracted debate. Further, closure was never adopted in England upon any great public measure and to secure the enactment of such a measure or any of its provisions until it had them passed upon by the people. I doubt that it has been done in any other country. I propose to show it is highly improper and is against the best traditions of British countries to ask for the enactment of closure to secure the passage of a measure which has not been submitted to the people. Further, as stated by many on this side, there are other reasons why closure or something in the nature of closure was adopted in the British House of Commons. That was a Parliament of over six hundred members, while we have just over two hundred; they legislate not only for the United Kingdom, but for a vast Empire; they deal with so many important subjects that it was only natural and inevitable that there

should come a time that the parliamentary rules involving closure would be adopted. Hon. gentlemen opposite have said that all European countries have adopted rules equivalent to the English closure rules, and similar to those now sought to be adopted by this House. But in respect of European countries, there is at least one reason why such a rule is quite proper, and, in fact, inevitable. There may be other reasons which do not come to my mind; but in all European countries, without exception I believe, there are groups of parties—more in some countries than in others. In those countries there does not obtain, as in this country, a division of political bodies into two great forces; and, consequently, in the Parliaments of Europe it is impossible to obtain what the Prime Minister referred to the other day as closure by consent. In a sense, we have had closure in this Parliament for years, but it has been by consent, and I submit that closure by consent for the future would have been quite sufficient for the needs of this Parliament.

It has also been said that the United States House of Representatives years ago adopted rules for the restriction of debate, and that we should follow the example of our republican neighbours. I submit that no conclusion is deducible from the fact that the House of Representatives of the United States has adopted such rule. The House of Representatives is numerically a very much larger body than the Parliament of Canada; the period of its sitting is, at least for some sessions, fixed by the constitution of the country, and it was inevitable that rules should be adopted to circumscribe debate in some degree. During the past two or three years I have followed rather carefully the debates of the United States Congress and there is no lesson in the matter of procedure which the Parliament of Canada can gain from them. The curtailment of debate by congressional rules was the beginning of that other regulation which enabled members of the House of Representatives to obtain the leave of the House to have their remarks inserted in the Congressional Record without delivering them verbally upon the floor of the House. This has led to a state of affairs which, I think, is very much condemned in the United States, and it is a practice which I am sure we in this country should not care to follow.

Therefore, when hon. gentlemen opposite point to the fact that in Great Britain, in European countries, and in the United States parliaments and legislative bodies have adopted closure rules, it affords no argument for similar action on our part at this particular time. Debating this resolution from the standpoint of a Canadian. I do not admit that there has been any obstruction in this House during the present session which justifies the adoption of a closure rule. Any delay in the passage of particular legislation which hon. gentlemen designate as obstruction was entirely referable to one Bill, and hon. gentlemen cannot therefore properly or fairly urge that public business has been delayed or obstructed because the passage of one particular measure was impeded by a somewhat protracted debate. Judged from other viewpoints, I say there is no necessity for the adoption of closure in Canada. Our Parliament is numerically small; our membership is about two hundred and twenty, not nearly so large as the legislative bodies of many other countries of the world. Our experience in this Parliament from Confederation down to the present time does not prove that there is any necessity for the adoption of closure.

Hon. gentlemen opposite have urged, as a reason for the adoption of the proposed amendment to the rules, the fact that on previous occasions opinions have been expressed by members of the late government upon the desirability of the enactment of the closure rules. From no standpoint, whatever, am I impressed with this argument. Even if it be true that closure was urged as being desirable by the Hon. Mr. Fielding, Hon. Mr. Paterson, or by any other members of the late government, that is no argument which proves the necessity or desirability of the enactment of the amendments to the rules. Furthermore, I desire to say that when these opinions were expressed, they were merely obiter dicta, or opinions which did not relate to any concrete proposal to amend the rules of the House. I think hon. gentlemen on both sides of the House will recognize the force of the contention that when hon. gentlemen are expressing opinions on any matter, not having before them for discussion and for adjudication any particular concrete facts, the opinions expressed are apt in some cases, or to some degree at least, to be irrelevant. Therefore I say that the opinions expressed by hon. gentlemen who were members of the late government are not binding or conclusive upon hon. gentlemen on this side of the House on the present occasion. I do not know what amendments those hon. gentlemen had in their minds; they may have been quite proper and necessary, but, until it is stated to the House what particular amendments to the rules these hon. gentlemen had in mind, we cannot pass judgment as to their propriety or impropriety. But this should be borne in mind. The opinions expressed by the Hon. Mr. Fisher and Hon. Mr. Paterson were made, I think, in 1911, during the election of that year, when the question of reciprocity between Canada and the United States was the issue, and,

from all I can gather from remarks made by hon. gentlemen on the other side of the House, the statements made by Mr. Fielding, Mr. Fisher, and Mr. Paterson were to the effect that if the Government of that day were returned to power they would so amend the rules as to secure the passage of that particular measure. That was a perfectly proper comment and remark to make. Parliament was dissolved and the Government of the day were obliged to appeal to the people upon a particular measure whose enactment was prevented by the action of the Opposition of that day; and the Government of that day, had they been returned to power with that particular issue ratified by the people, would have had, impliedly, ample justification for the establishment of rules of closure to secure the passage of that measure and to make sure that the will of the people could not be blocked by the obstruction of a minority.

In 1907 I placed upon the Order Paper of the House an amendment calling for a two-day's notice of any motion made for the adjournment of the House or on going into Supply in order to discuss any matter. I was moved to place that motion upon the Order Paper in that particular session because on one or two occasions it had happened that very important measures were brought up for consideration by members of the Opposition of that day without the House having due notice. I thought it was unfair, and for a time I did think it was a fit and proper amendment to be made to the rules of the House that two day's notice of such motion should be given. The ultimate effect of that rule was not to limit debate; it was only to give ample notice so that the debate could be ample and complete. No rights of hon. gentlemen were affected nor could debate have been curtailed by such an amendment to the rules of the House. In moving the motion, I intimated that I did not intend pressing for a vote, but nevertheless the right hon. gentleman who leads the House (Mr. Borden) on that occasion said:

> It rather takes the House by surprise to have a proposal of this kind made. The rules of the House are not lightly dealt with in this way. The universal practice is that so important a matter as an important amendment to the rules of the House should be submitted in the first place to a committee, considered by that committee and reported to the House, when the House would take it into consideration.

I quite agree with the position taken by the Prime Minister on that occasion, and it fortifies the position which I myself take this evening, that the amendment of the rules of procedure of this or any other parliament is a matter strictly and justly within the purview of Parliament, and that there is no authority, written or otherwise, to justify a government in assuming the right of initiating amendments to parliamentary rules. The Prime Minister proceeded:

> We revised the rules of the House two years ago, and in the opinion of the House there was no occasion at that time for any such far-reaching amendment as is now proposed.
>
> It would prevent the discussion of any grievance to go into Committee of Supply unless two days' notice were previously put upon the Order Paper.

The Prime Minister objected to what I do not think was a restriction upon debate or the presentation of grievances on going into Supply. But he seems perfectly contented with the rules which he has presented for our consideration, which will undoubtedly limit the opportunities of members to discuss grievances upon going into Supply. Nothing has happened in the history of this House since 1907 which would justify in the slightest degree the adoption of closure rules as proposed by the resolution.

As I have already said, it has been contended as a justification for this resolution that specific business, definite legislation, has been impeded by hon. gentlemen on this side of the House during the present session. In other words, the reason assigned for the passage of this resolution is that there has been a delay in the passage of the Naval Aid Act. I say that this does not afford sufficient justification for the enactment of this resolution. I say there has been no obstruction to the Naval Aid Act. The term obstruction, I believe, has been used on this side of the House. I perhaps might differ with some of my political confreres upon your left, but I say that at the most, admitting that there has been a very lengthy discussion on that particular Bill, all you can say is that the debate has been protracted. There was two weeks of continuous debate. But I hardly consider that as obstruction offered by hon. gentlemen upon this side of the House to the passage of the Bill. I look upon it as the answer to a challenge of the Government to all-night sittings, only that and nothing more. In a large sense, it was more a physical contest than a contest between the two parties of the House over the merits of the Naval Aid Act. Before an Opposition occupy more than the ordinary time of Parliament in opposing any parliamentary measure, there must be some reason for it. They must be in receipt of support from the public, otherwise they would not continue that protracted debate. They must feel that they have some manifestation from the

electorate that public opinion is with them in their attitude.

It is true that gentlemen opposite did not debate the Bill as much as we did on this side. One hon. gentleman justified this resolution by the fact that we upon this side of the House spoke more columns in 'Hansard' than hon. gentlemen on that side of the House. Hon. gentlemen opposite could not debate the question. When the Bill was first introduced, it was upon the theory, and upon the basis that there was an emergency. That was the reason assigned by the Prime Minister. The debate had not continued very far when that reason was adandoned.

It followed quite logically that hon. gentlemen could not participate in the debate because the reasons which they gave originally for introducing the Bill had been abandoned. Now, if our Opposition was justified against the emergency reason, when that was abandoned by the Government itself, surely there was greater justification for continued opposition to the Bill. I say to the Government that when they introduced that Bill they gave only one reason, and according to their own statements, that reason has vanished, and therefore I say the Bill itself should vanish.

Hon. gentlemen opposite say that not only has a specific measure been impeded in its passage through this House, but that public business has been delayed by obstruction practised by hon. gentlemen on this side of the House. Now, Mr. Speaker, I think I can, with all truthfulness, deny that particular assertion. Let me repeat that opposition to one Bill is not obstructing the conduct of public affairs of this Parliament. There is no reason in the world why the Naval Aid Bill should have occupied the time of this Parliament since December 5 to the exclusion of every other piece of public business standing on the Order Paper. There is no reason whatever why a considerable number of the estimates should not have been passed, why we should not have been further advanced in our consideration of the Banking Act, or why the West Indies treaty should not have been long since passed by this House, and sent to the Senate for their consideration. There is no sound or logical reason why we should not have dealt months ago with the Highways Act, and with other important legislation presented by the Government. Therefore, when hon. gentlemen opposite say that we on this side of the House are responsible for impeding public business, they are not justified by the facts, and it is due altogether to themselves.

Now, Mr. Speaker, as I have already said, the Prime Minister and his followers, base this resolution on the delay of the passage of the Naval Aid Bill. I ask, can they complain? Is that a justification for the resolution? I repeat that it is elementary that closure was intended to apply only to measures that have been first submitted to the people, and that have been approved by them. The closure is, and always has been, intended to enable Parliament to carry out the popular will, when the popular will is expressed. The closure can have no other justification or basis. If it has any other basis, it is no other than a piece of tyranny. The Hon. Mr. Fisher was perfectly correct from his standpoint when he said that if the Government were returned after the elections of 1911, they would amend the rules so as to ensure the passage of the reciprocity Bill, because, had the Government been returned, the country would have expressed its will upon the measure, and closure in all countries has been invoked to make sure that the popular will shall not be set aside by obstructive methods on the part of a minority or of any group in any particular parliament. Closure is the people's remedy against obstruction when the people have spoken. I submit with all emphasis, that it never should be used by any government in the way it has been attempted in this case to secure the passage of a measure which has never been submitted to the people, and upon which the people have never expressed an opinion. In England, closure could not live a single day upon any other assumption than the one I have stated. There, it is the weapon used to enforce the will of the people. That has been evidenced in the past two years in that country. It has been used to secure the passage of very important legislation upon which the people had expressed their opinion. It would have been a very serious condition of affairs indeed had it been possible on the part of a minority of the British Parliament to impede the passage of important legislation upon which the people had expressed their will. In 1910 we had in England what is known as the Budget Election, and that election was really decisive as to the position of the House of Lords upon the Veto Bill. It is true that it was not directly the issue; the budget was the prime and direct issue, but it also involved the provisions of the Veto Bill which followed. But the Budget, or Finance Election, as I shall call it, came and passed, and then the Veto measure came up. Mr. Asquith the Prime Minister of Great Britain did not adopt the closure. The Veto Bill was in some sense decided by the election upon the budget of that year, and in a commanding sense the Veto Bill then being considered by the British Parliament had been before the people. But still there had to be another election, and there were two elections in the

year 1910. The Unionist party challenged the Government to a dissolution. They said that the people had not expressed their opinion upon the provisions of that Bill and that therefore the closure should not be applied. The people thought, as did the Unionist party at that time, and the issue had to come directly before the people. There was no justification in the opinion of English statesmen and of the English people, for the adoption of closure. It was the people's innings, and closure was not invoked for the purpose of passing the Veto Bill. The position in that particular respect was absolutely sound. By no process of legitimate reasoning can the Government make it clear to this House or the country that it is fair and within the traditions of British parliaments to enact closure so as to secure the passage of a measure which was never considered by the people of the country. The position which I take is unanswerable. It is a reason why this resolution should not be adopted by the House.

Judged by the best British standards and parliamentary traditions, where do we stand upon this question? The Naval Aid Bill was not an issue in the last election. I have heard a statement to the contrary made by hon. gentleman opposite, but I deny absolutely the truth of such. I have never been able to make myself believe that they were sincere in making that statement. I will modify however to some extent, my statement and say that possibly in the province of Quebec it was an issue. But it was an issue to this extent only, that the people were led to believe by hon. gentlemen opposite that they would introduce no naval policy, that particularly and specifically, they would not introduce any contribution scheme, without first submitting the question to the people. It is true that such expressions by leaders of the Government party may have been indefinite and deliberately clouded in order to mystify the electorate of Quebec. But, nevertheless, I say that substantially every one of them, without equivocation, promised that there would be no naval policy or scheme adopted without first submitting the same to the country.

Mr. LEMIEUX: Ministers included.

Mr. MACLEAN: Ministers included.

Mr. BUREAU: And repealing the Naval Act.

Mr. MACLEAN: And, further, the repeal of the Naval Act. However, the repeal of the Naval Act is not directly relevant to the point I am making, although it is in a sense. The fact I am now stating was clearly proven by my hon. friend from Shefford (Mr. Bovin) in the very excellent and able speech which he delivered last Friday evening. It being the case that the question of naval aid was not before the electors in the last election, except in one province, and there in a sense which does not afford an assumption on the part of the Government that the people of that province even justified the proposed Bill. I ask hon. gentlemen opposite, I ask the hon. the Minister of Public Works (Mr. Rogers), the hon. the Minister of Railways and Canals (Mr. Cochrane) and the hon. the Minister of Marine and Fisheries (Mr. Hazen), who are the only three members of the Government present in the House this evening, if they think that, in the light of such facts and under all the circumstances, they can justify to the House and to the country the course which they are seeking to pursue to-night.

Again, we were told by the right hon. the Prime Minister that the purport and effect of the Naval Aid Bill was not to contribute to the British Admiralty three ships but the loaning of them to the British Admiralty. Some day, they say, they will be returned to Canada and will become part of a Canadian navy. There is only one inference fairly deducible from that statement and it is that the Government themselves some day propose the establishment of a Canadian navy, they propose recalling these three vessels which we own and which for the time being are loaned to the British Admiralty. This in effect is the first instalment of their permanent policy of a Canadian navy. Now they will not deny that they promised the people of Quebec, and the people of Canada generally, that they would submit this question to the country before their policy was adopted. Still they are asking Parliament for a vote of $35,000,000 and for, according to their own statement, what is the first instalment of a Canadian permanent naval policy. If they wish to observe their own promises they should not forget that they are under obligation to submit their policy to the people before commencing even the first instalment of a policy.

Therefore, in conclusion, let me say that I think that the course which the Government should pursue is quite clear. The Government can withdraw this resolution, at least until the principles involved in the Naval Bill now before us have been submitted to the people. They are violating the best parliamentary practice known in British countries when they seek to secure the passage of that, or any other measure, by closure until the people have passed upon it. There is one other course, and that is to withdraw the present measure. Such, Mr. Speaker, are my reasons for opposing the resolution which we are now considering.

Let me revert to the objection which I

took as to the insufficiency of notice of the resolution to the House. Rule 40 says that:

Two days' notice shall be given of a motion for leave to present a Bill, resolution or address,

There is a comma at this point and I may stop here because this is the portion of the rule which I invoke in this particular instance. I submit to you, Mr. Speaker, in the first instance, that this notice was not laid on the table of the House before five o'clock on the afternoon of Monday last. Even if it had, I do not think that the Government or the Prime Minister would have been justified in moving his motion on Wednesday as it would not have afforded the House the notice required by this particular rule.

Mr. ROGERS: I am sure that my hon. friend the junior member for Halifax (Mr. Maclean) is much too old a parliamentarian, much too experienced in the rules of this House, to be really serious in the suggestion which he makes in respect to the resolution not having appeared the necessary time upon the Order Paper before it was presented to the House. It is only necessary for me, Mr. Speaker, to draw your attention to the fact that this resolution has followed the same form that every other resolution of a similar character has followed in this Parliament for forty years or more. I am sure that this in itself is sufficient to satisfy even my hon. friend the junior member for Halifax and the members of this House that the Government in presenting this resolution, has followed the practice that has always been followed in presenting a measure of this kind. My hon. friend will agree with me that he is not at all serious in his contention.

Mr. MACLEAN: I rise first to assure my hon. friend that I am very serious indeed. He has not given to the House any reason whatever in answer to the point of order which I have taken. I do not know what has been the practice of this House for the last forty years; I know what has been the practice of the House for forty years in respect to amending the rules, that is, to appoint a committee. I read in the rules of the House that two days' notice is required for leave to introduce a resolution, and I simply say that as a matter of fact that rule nas not been observed.

Mr. GRAHAM: The excuse given by the leader of the House (Mr. Rogers) is not a very good one, inasmuch as in the present session many of the practices and usages of Parliament have been thrown to the winds. I could give a good many instances. This is simply a case of the letter of the law. An old rule was invoked here the other day of which most people did not know the existence; but hon. gentlemen opposite insisted, against all practice in this House, and against all usages, on refuting your judgment, Mr. Speaker, and pinned their faith to the pound of flesh named in a rule never used in this House before to my recollection. The question under discussion, moved by the Minister of Marine and Fisheries (Mr. Hazen) is something absolutely new in this House, and contrary to practice so far as revision of the rules is concerned. If that is the only argument against the point raised by my hon. friend from Halifax, it could not for a moment carry any weight. If under the strict interpretation of that rule the notice was not properly given, I submit, Mr. Speaker, that there is nothing for you to do, no matter what the usage or practice may be, but to rule in conformity with the point raised by the junior member for Halifax.

Mr. SPEAKER: I have only to say that my understanding has always been that the notice is intended to be given to the members of Parliament for a specific purpose, namely, that they may not be taken unawares, but may have an opportunity to prepare for the motion. The two days' notice, as I have always understood it—and I have discussed this question with the clerk previous to the present one, and with the one before him—means that the notice must appear on the official paper of the day twice, first on the day after it is given, in the Votes and Proceedings, and then, on the day following that, the day that it might be considered, on the Order Paper of the House. I am told that the usual practice has been followed in this case.

With regard to the exact time at which the notice should be laid on the table of the House, my information always has been that that is for the convenience of the officials who prepare the Votes and Proceedings for to-morrow, and the Order Paper for the following day, and for the convenience of the Printing Bureau. Therefore it was provided that the notice should be laid on the table of the House before five o'clock. I had occasion some years ago to make inquiry with regard to the time when these notices were laid on the table of the House, and I found that in many cases it was done as late as eleven or twelve o'clock, and sometimes after twelve o'clock at night. The first clerk whom I sat under, Mr. Patrick, when I applied to him gave me the explanation that the exact time at which they were laid on the table did not matter so much but the essence of the rule was that they should appear on the official papers twice—first in the Votes and Proceedings, so that the members might have full notice,

and the second day upon the Order Paper for that day. Therefore my decision is that the point is not well taken.

Mr. MACLEAN (Halifax): I might entertain privately a view different from yours, Mr. Speaker; but, of course, I accept your ruling. There is another part of this rule to which I would like to direct your attention, that is, that the rule proceeds to say that two days' notice shall be given of a motion for the putting of a question. I would take the rule to mean that before any person can move that the question be put, that is, the previous question, two days' notice must be given. As I have an amendment to move, I would like to do so and of course your ruling could come up then. I beg to move, seconded by Mr. Pardee:

That the House do not proceed with the consideration of the resolution, but that it be referred to a special committee to assist Mr. Speaker in the examination of the same, and to report upon it, according to the established and binding rules of this House.

I submit that that amendment is in order, because the motion for the previous question made by the Minister of Marine and Fisheries on Wednesday last is not an amendment, but a distinct motion; and, as it requires two days' notice, it is of course null and void.

Mr. BOYCE: With regard to what my hon. friend says respecting notice of moving the previous question, he as well as other members of the House will recognize the palpable absurdity of his contention as regards any motion that might be offered to the House, such as a motion for going into Supply, of which notice on the Order Paper would not be required. My hon. friend's contention would be that where a motion was made for going into Supply, and the previous question was desired to be moved to that, no motion could be made for two days. That of course would reduce the matter to an absurdity.

Mr. GERMAN: I rise to a point of order. Under the rules of the House no amendment can be made to the original motion after the motion has been made that the question be now put. If you rule that the present amendment is out of order, my hon. friend has no right to speak.

Mr. SPEAKER: I was about to say that in my judgment, with my present knowledge, it is out of order; but I would not say definitely until I took the time to look the matter up, so, I will look into it and give my opinion to-morrow.

Hon. GEORGE P. GRAHAM (South Renfrew): When, as a young man, I entered public life some few years ago, a personal friend of mine, then a very prominent man in the House, the late Hon. John F. Wood, suggested to me that I would find it very advantageous to study the rules of the House so as to be conversant with debate and be able at any time to give a reason why I thought I had a right to express my views. He further added that it might be possible that an occasion would arise when a young man would be asked to assume a position where he would need to enforce these rules. I took his advice to a certain extent and have had some little experience in parliamentary practice and procedure, having been in public life for a good many years, and having had the honour in the Ontario House of acting as Chairman of Committee of the Whole a good deal when the questions of rules of debate were raised. And let me say to you, Mr. Speaker, that even with that experience, I would not for a moment claim infallibility. Had I only been in this House eighteen months, I should have thought it the height of presumption for me to rise and lecture others on the rules. We have had an example of that in this House—a man of no experience whatever in parliamentary usage, practices, or rules, is given the task of lecturing us on this side of the House as to what rules should govern us. We have been told—men of some experience at least—that it was none of our business what the rules of this House should be, that that business belonged to the Government and the Government only, and even their followers are not allowed to make a speech on it. I submit that the only real speech made on the question from the Government side was the speech made by the hon. member from Portage la Prairie (Mr. Meighen). But he has only had the experience of a few years, and with all the ability he possesses, I submit to you with your mature experience, Mr. Speaker, that he was not in a position to deal with the matter as successfully as if he had been in public life for many years and become saturated not only with the rules we find in the book but with the parliamentary practice out of which these rules spring and the usages and customs and interpretations of the rules we have or have had. A few days ago every practice in this House was broken to pieces by the action first of the Minister of Marine and Fisheries (Mr. Hazen) followed by my hon. friend from East Hastings (Mr. Northrup). It did me good to see the hon. member for East Hastings bringing forth fruits meet for repentance to the Prime Minister. I do not know whether that will have the effect of side tracking the hon. member for West Algoma (Mr. Boyce) for the position still vacant or not, but certainly it was a strong appeal for recognition. I was not a little surprised at the Minister of Marine and Fisheries. I had always looked upon him as a man with a good deal of fairness in his make-up, a man who was willing to give his views, to

give hard knocks and take them; and I was surprised, yes, shocked, to see a minister of the Crown rise in his place and in the face of the man who has through long years of experience practically become the practice and usage of this House, call upon his followers to tell that man, the leader of the Opposition, to sit down. And for what? Because he wanted to move that the leader of the House and not the members of the House should decide autocratically as to what rules are to govern us. This instance reminded me of a story—and I trust my hon. friend from Dundas (Mr. Broder) will not think I am infringing upon his patent if I introduce a story. A gentleman was approaching a gate in which stood a more or less aggravated dog. The gentleman hesitated a moment, not knowing what to do. A friend said, 'Go in, do you not see he is all right?—he is wagging his tail.' 'Yes,' said the other, 'he is also growling, and I do not know which end to trust.' For a few moments we trusted the wagging end, but we were not long under that delusion, for we found the growling end had possesion of the political dog, and in a moment or two it dominated the entire animal. Now, it may seem a trifle to hon. gentlemen opposite who are not allowed to express their views that that motion was made. For one thing it brought out very prominently the fact that this Parliament has witnessed many sudden conversions. It was amusing to hear my hon. friend from St. Antoine (Mr. Ames), my hon. friend from Peel (Mr. Blain), my hon. friend from Selkirk (Mr. Bradbury) and my hon. friend from Lincoln (Mr. Lancaster)——

Mr. LANCASTER: What is the matter with him?

Mr. GRAHAM: He is not allowed to talk, and that is crucifixion for him. It was amusing to hear these gentlemen pound their desks and cheer when the Prime Minister read articles condemning their own conduct in 1911. In 1911 they actually told us that they were serious, they told the country that they were fighting for a principle and were serious in their obstruction. But when articles are quoted showing that they were not serious, that they were obstructing the business of the country and ought to have been gagged, they actually pounded their desks and acknowledged that they should have been gagged. Well, they are more successfully gagged now behind the Government than they ever were in front of it.

A good deal has been said about fair play. What kind of fair play? Speaking metaphorically, the hon. Minister of Public Works goes around with a razor in his boot, the handle of which is plainly visible. I know the razor is there; I can see it, and I know why he has it. I am confident that if he thought I was attempting to get into his political melon patch, he would use the razor. But I would prefer that characteristic to the qualities of a man who puts his arms around my neck, whispers honeyed words into my ear, and holds my hand while his pal comes out from a dark alley and sandbags me. I would even prefer the militant spirit of the hon. Minister of Militia, who—not literally, but in an imaginary sense—fights upon the least provocation. What kind of fair play are we to expect, Mr. Speaker? The fair play that would be typified by the burglar who would enter my residence, knock me down, rob me of my goods and then say: I will be fair; I will not murder you this time! That is another way of typifying fair play, but that is just such fair play as we have been receiving during the course of the present discussion. The closure which is now proposed to be introduced, is to my mind, a monument to the late lamented emergency. True, it is not a very proud monument; it ought to be surmounted by the skull and cross-bones. I would not like to say that I would venture the proper inscription to be put on that monument, but the people of Canada would place an epitaph upon it, if they could but get an opportunity from this Government which is afraid to go to the country. The Naval Bill was introduced on the alleged existence of an emergency, and I could almost see the young member of Parliament, who had not been here very long, cower in his seat and shiver while the cold chills ran up his spine as he listened to the lurid description of the flashes of lightning and the roars of thunder about to break upon the great British Empire and demolish it, if Canada did not give a contribution to the Mother Country! In a moment of weakness, we were rather inclined to think that perhaps there was something in this emergency; but a few days passed and the emergency disappeared. That being the case, and the alleged emergency being as dead as Julius Cæsar—allow me to correct that it was still-born,defunct before it was—this closure measure, the purpose of which is to ensure the passage of the Naval Bill, should also disappear. There is no reason whatever for either the passage of the Naval Bill or the introduction of closure to compel its adoption.

A good deal of discussion has revolved around the statement of supporters of the Government that the majority must rule. That is right up to a certain point. A young member of Parliament possibly might not be seized with the whole import of the rules and usages of Parliament. We come to Parliament fresh from the activities of an election campaign, and some hon. gentlemen are inclined to think that Parliament is but a great political meeting, where the majority can do abso-

lutely as it likes; where the majority can say who are to speak, how long they are to speak, what they are to talk about—and they are not to speak at all if the majority so desires. To my mind, the contention that the majority has a perfect right to do as it pleases in Parliament is not a true conception of the proper function of this great body, and this assumption has no connection whatever with the principle which underlies parliamentary usage and practice. We are here each with certain well-defined rights, and you, Mr. Speaker, can no more infringe on my rights as a private member than I can on yours; if you do so this House ceases to be a free Parliament. The chairman of a committee has certain rights; if he exceeds those rights he infringes on my liberties and privileges as a member of this House. I might incidentally mention the fact that that has been done several times during the present session. That is where the first real friction occurred in this House; the rules were flagrantly and openly violated by the very hon. gentlemen who should have been most diligent in looking to their observance. This occurred because young members were placed in the Chair who knew nothing about the rules of the House or the usages and practice of Parliament, only in so far as they could be found in the book placed before them. The Chairman and the Speaker have certain prescribed duties to perform and certain rights connected with their offices, and, when they go beyond those rights, they encroach on the rights of members of the House. I say, therefore, in all fairness, that a member has no right to obey either the Speaker or the Chairman when those officials go beyond the known rules of the House. Do hon. gentlemen opposite mean to tell me that the constituency that sends any hon. gentleman on this side as its representative is not as influential as the constituency that sends a member of the Government? That member of the Government is restricted by certain rules, and he cannot infringe on my rights any more than I can infringe on his. The rules, usages and practices of Parliament are designed to protect the members of the House, one and all. Let me say to hon. gentlemen behind this that the Government has infringed on their rights during the present session, and I am much mistaken if the people of Canada, who send these hon. gentlemen to this House, will hold them guiltless when they allow themselves to be prevented from speaking on two of the most important measures that have ever come before the Parliament of Canada. The Government has infringed on the rights of the members of this House sitting behind them and having had such success with them they proceed to endeavour to infringe on the rights of the men in front of them. Is it any wonder that men in front of them resent such an attempt at infringement? Rules have not sprung up in a day to govern this House or to govern any Parliament. They are the growth of centuries and, I admit at once, as conditions change rules should change. Usages and practices should be adhered to when it is not found necessary to make an absolute rule. I admit that at once but we ought to be very careful how we proceed to change usages and practices and make a concrete rule of such usages and practices. Canada is frequently compared to the Motherland. That comparison is worthy of a good deal of consideration, but, in making it, we do not always arrive at a proper result. We have to compare the conditions of the two countries. Great Britain has had her usages and practices and rules handed down through generation after generation, centuries of evolution and devolution, and what might be absolutely appropriate in the Mother Country under her conditions might be absolutely inappropriate in this country. Hon. gentlemen who say that we should follow the Motherland in introducing closure, forget that the Motherland was a great many years managing the affairs of a great empire, with a great deal larger population than we have, before she thought of introducing closure and some of the most beneficient legislation on the Statute Book of the British Empire was put through before there was any closure. A need for the introduction of closure ought to be shown. What need has been shown in this instance? I appeal to you, if in the past few years, this law had been invoked or these rules had been enforced if this country, in all its parts would have been as well governed as it is to-day? I ask you whether if, in 1896, the rules now sought to be pushed through this House without this side being allowed to make any practical suggestions, had been in force, the provincial rights under which the provinces of Canada managed their own educational affairs, would not have been disregarded? There is only one answer. At that time a Bill was before the House which would have become law had it not been for the all-night sittings forced by hon. gentlemen on this side of the House—and in this they were assisted by hon. gentlemen who were not all Liberals, but who were standing up for the principle of provincial rights. Under that Bill Manitoba would not have been allowed to manage her own educational affairs. Under these rules that Bill would have been put through this House, imposing on the pro-

vince of Manitoba something which the Minister of Public Works does not believe Manitoba ought to have had.

I will come down to a later period and take hon. gentlemen on their own ground. I know they will cheer for this because they have cheered for their condemnation, surely they will also cheer for their aggrandizement. In 1911, had these rules been in force, what would have been the result? To my mind the result would have been better perhaps for the Dominion of Canada. But my mind did not happen to be the mind of the people of Canada and to-day, instead of our having Canada as she is in regard to her trade relations with the United States, we would have entered into an agreement which many of us thought right but which the people of Canada said they thought wrong. Under these rules that agreement would have been in force to-day. Hon. gentlemen opposite, if they believe what they said, will admit that the absence of these rules and the refusal of the then Prime Minister to put them in force saved Canada from what they thought was a wrong step. The adoption of these rules is something more serious than a mere temporary victory for one side ot the House or a defeat for the other. Some question may arise very shortly when these rules will become an absolute menace. The question will not arise in the future, the question is before us now and the passage of these rules precludes the people of Canada from having a voice in settling the greatest question that has been before them since Confederation. I will not refer to two other occasions before that on which what is called obstruction took place. Hon. gentlemen opposite will agree that the absence of these rules was a benefit to the Dominion of Canada and still, for the purpose of passing a Bill introduced under circumstances which outside of the House would be called false pretences, these rules, which are not needed in Canada, are to be crowded down the throats of the minority. I say crowded down advisedly because the motion of the Minister of Marine says to every man on this side of the House: You are to be governed by these rules but it is none of your business what these rules are to be. Is that in accordance with the principles of representative Government? The lowliest subject in Canada has the right, through his representative, to say what the laws that are to govern him are to be. The humblest citizen in the country, and it is our pride and our boast to say so, has that right. That boon was not obtained lightly, that boon should not be cast aside lightly. The method in which these rules are being put through the House is absolutely contrary to the foundation principle of representative Government. As I said, under the constitution with which we are blessed, under the British flag under which we have the greatest freedom in the world, as hon. gentlemen say and we agree with them, nobody wants to change our attitude or our loyalty to the grand old British flag, we have that liberty but hon. gentlemen, for a little paltry, party advantage are forsaking those liberties and trampling underfoot the foundation stone of representative Government. The lowliest citizen in this country has a right to be represented and is represented in this House and has a voice in the framing of every Statute that is passed under which he has to live. That is government by the people. We on this side of the House, representing these people, have not a word to say about the rules under which we are to be governed, not one word. My hon. friend will say: Oh you are saying something now. I admit that I am endeavouring to point out to the country, as well as I can, the atrocity of this proposal; but the Minister of Marine and his colleagues have seen to it that, no matter how much I may know about the rules, no matter how much the right hon. the leader of the Opposition, who has governed this country for fifteen years, may know about the rules, no matter how much an ex-Speaker may know about the rules, no matter how much you, Sir, may know about the rules, not one of us is to have any voice in the framing of rules under which we are to act. We are to be governed by rules, and we are not to have the voice of the lowliest citizen in the Dominion of Canada as to the framing of the legislation that is to govern us. You have to enforce the rules Mr. Speaker, and you are ruthlessly cast to one side and every usage of Parliament is contravened in order that we on this side of the House may be deprived of the opportunity of moving an amendment. Let me put it to my hon. friends opposite. Suppose that they are going to gain all that the Minister of Marine and Fisheries showed by his countenance he hoped to gain, is it worth it? As men, I ask you is it worth it? There is not a member of the Government who would perform that kind of trick on the meanest enemy he has outside of this House. The neighbour who had done the greatest harm to you would have more consideration at your hands than that. Do hon. gentlemen opposite think that in the country these small tricks go for very much with the people? They may rouse applause in this House, but when that trick is to deprive the representatives of the people of the least right to change one syllable of the rules under which they are to be governed, it is going much too

far for all that can be gained, even if the Government does gain what it thinks it will. Supposing that that amendment had not been moved; supposing that the right hon. the leader of the Opposition had been treated with the courtesy which his position and long years of experience demanded, what would have happened? He would have moved an amendment, as he had a perfect right to do. Suppose there were fifty amendments, do hon. gentlemen think that my rights as a representative of the people, should be taken away for fear I should move an amendment? There is no answer to it. The members of the Government have made no answer, and the members behind it are not allowed to try to make an answer. I want to press that home, because there are on the other side of the House, able men, trustworthy men, honourable men, and if I were to have a private transaction with them, their word would be as good as their bond. I want to appeal to them as men. If the positions were reversed, and if, a member on this side of the House or the leader of the Opposition rose in his place to attempt to put rules through this House to govern you, and at the same time said, you must not move an amendment, no matter what the rules are, they cannot be changed, hon. gentlemen opposite would rightly protest. Sir, in some countries, that kind of conduct would cause a rebellion instead of a protest in Parliament. I want to press home this point, because I submit that it is perhaps the pith of the whole situation, that this Government is contravening the rights of the members of this House, and that in doing so, it is violating every principle of representative government, where the meanest subject has a right to have a say upon the legislation which is to govern him.

We have been compared to the old land, and let me revert to that for a moment. The conditions in the old land are altogether different from those in Canada, and there is reason for longer discussion in Canada than in the motherland. In the United Kingdom you have a small territory with the people crowded closely together. What happens in the British Parliament in the morning is known practically to every citizen or can be in the evening. For years upon years, centuries upon centuries the population there has been in close contact with public affairs, it is conversant with matters of government. I suppose there are no people in the world who take a more definite and persistent interest in public affairs than do the people of the British Isles. In Canada we have a small population scattered over an immense territory. There are men in Canada who live many many miles from a railway station, who never see a daily paper, and who are not at all conversant with the affairs of Parliament, and who will not be conversant unless discussion is carried on at some protracted length. Until the people of the country are roused in that respect we cannot hope for some years to confine our debates to the same period of time, which is taken in the mother of parliaments. Another important point is that in the motherland they have a thousand and one minor pieces of legislation to deal with that we in the Parliament of Canada have not to deal with. They have no local governments in the old land. I once sat in the gallery of the British House of Commons and heard a protracted discussion on the early closing of shops. That question would be decided in Canada under a provincial statute, probably giving the municipalities the right to pass early closing by-laws. It would not come to this House at all, but in the mother of parliaments those small questions are debated, and if they were to be debated at length the business would never be completed. As it is, even with the closure, the British Parliament may be said to be practically in constant and continuous session. Then we have another situation, Mr. Speaker, that they did not have in the old land. We entered into Confederation on certain well-defined principles. The working out of that confederation was not an easy task and I fear that sometimes some of us do not give the credit that is due to the men that worked it out. They saw ahead some of the difficulties that have since arisen, some of the problems which we have endeavoured to work out harmoniously, and certain things were provided. The idea which lay at the root of union between the different provinces and which was the basis of their aspirations was conciliation and the protection of minorities in every case. There is no man in this House who more thoroughly appreciates what that meant than you, Mr. Speaker. Men of maturer years know that in working out the basis of Confederation the chief principle kept in view was that the rights of minorities must be protected. The minorities were not all of the same kind. Minorities in Canada have changed, and what was the minority of yesterday is not the minority to-day, and might not be in the future. But that was the underlying principle, and I say that that principle is being evaded and departed from in this resolution before the House. It was thought out, not quickly—it took years of thought by men equal at least to any man in this House—and the Fathers of Confederation decided that majorities

must rule, but their rule can only extend so far and they cannot infringe upon the rights of minorities. Minorities were so protected in the Act of Confederation. These are serious considerations to me. Hon. gentlemen opposite may be here to-day—the same as myself—and away in a few years, but what we are doing now is meant to bind legislation and legislators, in this young country for years to come. Let hon. gentlemen hesitate, let them think it over before they insist on taking the plunge.

Let me point to another aspect of the situation. The formation of the rules for the government of any body should take place in the calmest moments of the individuals thus engaged. They ought to be imbued with a judicial mind, and not have in view what may possibly be of assistance to them for the time being. They ought to have in mind two things—absolute justice, British fair play and the results in the future. I ask hon. gentlemen seriously if they were in that frame of mind when these rules were drawn up. If they were they got over it mighty quickly as we perceived when they came to introduce the rules. In the midst of a heated debate, in which more or less warm feeling was displayed, the Government introduced these rules as the judicial decision of that body. I say 'judicial' wisely because, certainly, they would not come to this House in any other frame of mind. There is not a man on the Government side who believes that these rules were framed with the calm consideration of an unprejudiced mind. They were framed to serve an object, that is to stop the Opposition discussing the Naval Bill—so they say I admit that, as time proceeds and conditions change, rules might be changed. Changed conditions need new methods. I do not dispute that for a moment, but there is a way to bring about new methods and practice in this Parliament and the usage and practice of this Parliament, the usage and practice of the British Parliament, at least before 1867, to which we are bound by our rules, was not to introduce a measure of this kind in the way in which this has been introduced. We have changed the rules. Leading members on both sides of the House, the Prime Minister, the leader of the Opposition, the supporters of each, consult with the Speaker and draw up rules that will govern both sides. That is how these rules should be changed. They should not certainly be changed in the midst of a heated debate, not when the members are on edge, as they have been in this House for some weeks, but at a time when the rights of the different parties can be carefully considered, when the representatives of both sides of the House are there to express their views and when the man who is to enforce these rules is present to give his valued advice as to the effect that certain rules will have. Instead of that we have what we have. The rules should be changed or revised, either at the beginning of a parliament, or at the beginning of a session, before hon. gentlemen become heated by controversy and debate, and before any great issue comes up which these rules will affect. There are hon. gentlemen in this House who are lawyers, such for instance, as the hon. Minister of Marine and Fisheries and the hon. Postmaster General. What would they think of legislation that, in the midst of a suit, was passed in order to help one of the litigants? That is done sometimes, but is seldom or ever approved of by any lawyer of standing. I ask them what they would think of legislation introduced into this House when a lawsuit was in course of being tried which would absolutely give the case to one side without any chance even to argue it. They would be horrified; yet, that is what the right hon. Prime Minister, assisted by the hon. Minister of Marine and Fisheries, did in this case. They said: We will introduce this legislation in the midst of the discussion in the case and we will not allow one side to the case to argue. What would any judge do in a case of that kind? In addition to that these hon. gentlemen said: We will not allow the judge to have anything to say about it; we will do it ourselves. Is there any other way in which I could appeal to hon. gentlemen opposite? I have appealed to their fairness, I have appealed to their sense of what is right between man and man, I have appealed to the usage, I have appealed to the practice and I have appealed to the rules of the House. There is nothing else that I can appeal to.

This measure has been introduced, as the Naval Bill was introduced, under—I do not know just what would be the parliamentary word to use, Mr. Speaker, but if we were outside, I would say false pretences. I will have to put it in that way. The country has been told through the press of hon. gentlemen opposite, and some hon. gentlemen over there think it too, that these rules are merely to put the Naval Bill through. That is not true. If you take clause 4 of these resolutions you will find that it has no reference to the Naval Bill and could not be applied to it. It merely suggests that, under certain conditions, the Government can get rid of the troublesome attitude of the Opposition in moving a vote of censure on some member of the Government on going into Supply. That does not touch the Naval Bill directly or indirectly. If hon. gentlemen opposite want to flatter themselves that the Government they are following is doing this with the laudable

desire of enabling them to put the Naval Bill through, let me tell them that there is far more behind it than the Naval Bill and that before this session is through the House and the country will probably see that there is far more in front of it than the Naval Bill. It is being introduced ostensibly for the purpose of putting the Naval Bill through but there is no excuse why clause 4 should be moved for that purpose and were it not for the isolated generosity of the hon. Minister of Marine and Fisheries I would move an amendment that clause 4 be struck out. He has told me that it is none of my business about that clause being in there, and that I cannot touch it; it is sacred; I cannot lay hands on it; it is in the holy of holies once it got through his hands, and no sacriligious person on this side of the House can lay hands on it. I appeal to hon. gentlemen again. Here is a clause that has nothing to do with the Naval Bill. Why have it in this resolution? In a few weeks we will probably know why it is in this resolution if the resolution is passed.

I admit that if I knew I was guilty of something, I would hire the member for Portage la Prairie (Mr. Meighen) to convince me that I was not. If anybody in this House could do it, I think he could. He almost convinced himself about one or two of these things to which I may refer if time permits. The fact remains that the guillotine introduced into this resolution is not the guillotine of the British House of Commons and is not nearly so generous. In the British House of Commons, a motion is passed dividing estimates or bills into certain compartments. The motion has to pass the House first that they will be divided and that a time will be set when compartment No. 1 must go through or when discussion upon it must cease, which is the same thing. Another day will be set when compartment No. 2 must go through; but the motion dividing these into compartments and fixing the time, as I understand it, has to be passed by the House first. No such motion as that is necessary under this guillotine. Notwithstanding the argument that the Speaker of the House, being selected from the dominant party may have a responsibility thrust upon him that he may not like, I submit that the Government has taken away from the minority in this resolution the only atom of a safeguard which we might have under the British rules. Under their rules, they have the protection of a Speaker. Under this resolution, we have only the protection, a sample of which we were given on Wednesday last by the members of the Government. If you look back over the history of Speakers and their conduct in the House of Commons in Canada, you will find that they compare favorably in fairness and in justice with the Speakers of the great British House of Commons. It might be wise perhaps to have a change, but I am not going to discuss that at the present moment. I would far rather trust myself in the hands of any hon. gentleman on that side of the House, once he is vested with the responsibility of a Speaker, as an honourable man, than I would trust myself in the hands of any member of any party government that might be established in Canada. Hon. gentlemen opposite say: We will not impose that responsibility upon the Speaker, but a Minister will just come in about this time in the evening and will say: To-morrow at two o'clock it is over. To-morrow, he says: I told you yesterday it was to be over at two o'clock, and it is. That is the tender mercy. In my judgment, the quality of mercy will be considerably strained. Might I add the other safeguard which the members of the Government tell us we have, that is that the majority behind the Government is a safeguard. Heaven help the safeguard. The cattle guard that my hon. friend the Minister of Railways (Mr. Cochrane) worries so much about is an acme of safety in comparison with that. Let me see what safeguard we would have in the present Government. It is a fairly good sample. I take the Prime Minister. Until last Wednesday, I would have been inclined to trust to his fairness, because he has always used me in an absolutely fair manner in this House. Last Wednesday he was a party to what was to my mind absolute unfairness and inhuman treatment to the oldest member in this House, the right hon. the leader of the Opposition, beloved in Canada, and respected in every part of the British Empire. I shall not refer to the Minister of Public Works (Mr. Rogers) because I discussed my attitude towards him a few moments ago. Take the Postmaster General (Mr. Pelletier). I would not really like to trust myself to just what he would do to me if he got a good chance in the way of fairness. I would rather trust myself to the fairness of the Speaker ten times over. I would rather trust myself to the Postmaster General if he were Speaker than if he were a member of the Government, because if he were Speaker there would be a responsibility upon him that is not upon him as a member of the Government. I would not trust myself to the Minister of Marine and Fisheries (Mr. Hazen) at all after Wednesday last. There was a time when I would have been inclined to trust the present Minister of Finance (Mr. White), but my faith has weakened.

Mr. WHITE: Little faith.

Mr GRAHAM: He is, in a way, singing the recessional now. Perhaps in anything else except this question of rules

I would be inclined to trust him; but if it came to a question of whether I was to suggest some important amendment to the rule or that I was not to have any chance at all of doing so, I know that he would vote that I could not make the suggestion. I am afraid the Minister of Labour (Mr. Crothers) might be partisan also. If it came to a question as between Tory and Grit, I am afraid I would have to go under. The Minister of Customs (Mr. Reid) of course would dismiss me with all the other officials if he got a chance. So far as the Minister of Railways (Mr. Cochrane) is concerned, I know what he and the Minister of Customs endeavoured to do in South Renfrew in violation of our fairness. I know too that he seconded the resolution to gag the Rt.-Hon. the leader of the Opposition. The Minister of Agriculture (Mr. Burrell) might be all right in some things but do you think I would trust him as much as I would the Speaker of the House? If a member of the Government would go to the country and tell them what fine things would be done for agriculture if they only voted for his man, I am afraid he would be partisan in such a manner. I would have thought that the Minister of Inland Revenue (Mr. Nantel) possibly might be impartial; but he has not said whether he is or not. He takes refuge behind an eloquent silence, but he would vote for the gag every time.

I want to read something in regard to this guillotine. I pointed out—in my opinion, the safety or the fair play which we might expect from the Government; and perhaps this Government is not over one hundred degrees worse than any other government. The fair play which a minority might expect from a government or from the members behind it is not to be compared with the justice that would be handed out to the members by the Speaker, no matter what side of the House he came from. I said that the guillotine was not at all the same in Great Britain as it is proposed in this resolution. Let me read just a paragraph here from Anson, volume I, fourth edition:

> A far more drastic mode of limiting debate and accelerating business is what is known as 'closure by compartments,' or 'the guillotine.' By this process certain periods of time are allotted, by resolution of the House, to the various portions and stages of a Bill; at the expiration of each period of time, discussion, whether concluded or not, is closed, and the majority carry that portion of the Bill upon which the guillotine has fallen.
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> The process can only take place by order of the House, embodied in a series of resolutions allocating the time to be given on the parts and stages of a Bill.

In this resolution we have no such protection. A minister can rise and say to-night that to-morrow at two o'clock discussion on a certain block of estimates shall close and it automatically closes if to-morrow he calls attention to the fact that he has given that notice. If that is not the guillotine intensified very much over the guillotine as practiced in compartments in the British House, then I am not a good judge of comparisons. As Anson puts it these compartments are only formed by a resolution of the House, so to begin with there is a chance for argument as to whether or not this step shall be taken. My hon. friend (Mr. Meighen) thinks there is no discussion.

Mr. MEIGHEN: There certainly is none whatever.

Mr. GRAHAM: Well, there certainly is a resolution.

Mr. MEIGHEN: Yes.

Mr. GRAHAM: But in the resolution before the House there is no such protection to the minority.

Mr. MEIGHEN: Oh, yes; the minister's motion must pass the same as the resolution in England.

Mr. GRAHAM: Nonsense. It is not the same at all—nothing to be compared with it. I ask hon. gentlemen opposite to read it for themselves. I want to point out another effect of this measure. I have said that the effect of this has been to inculcate more bitter feeling between the members on different sides of the House than anything that has occurred in Parliament here or in the provincial House since I became a member of either. Members are not human if they would allow themselves to be knocked down, kicked when they are down, and then told to lick the hand that smote them. And hon. gentlemen need not think that good nature is always a virtue. If a man refuses to show that he has backbone, what might be called good-nature in him and a virtue become a vice. When hon. gentlemen opposite tell me as a representative of the Canadian people that I must have no voice in the rules that govern me, and that the people I represent must not be heard on that subject, they are robbing me of my right just as much as if they sandbagged me and took away my purse. Here is Anson on The Law and Custom of the Constitution, page 265:

> Two effects are noticeable; the exercise by the majority of the power of bringing discussion to a close tends inevitably to accentuate party differences; and their use of the closure compels the House and the individual members to prononce decidedly on questions which many may regard as not yet ripe for discussion.

And that is another point brought out by Anson:

Formerly an abstract resolution moved, or a Bill introduced, by a private member was apt to be talked about, and the House by prolonging discussion to the limit of the time available escaped committing itself to a principle on which the minds of many were, as yet, in doubt. Now, after a discussion of several hours, the closure is moved and granted, and if carried the question must be put, and men must vote for or against it or deliberately evade a conclusion by abstaining from the division.

Anson points out another consequence of the closure to which I have not referred —that in many cases men are absolutely compelled by the application of this club to vote either for or against measures which in their opinion have not been fully discussed and on which they are not prepared to give an intelligent vote—they must or else stay outside when the vote is on which a member of Parliament hates most abominably to do. We are told about the rights of the majority. Majorities have rights, up to a certian point. The majority of the people must rule, it is true. But suppose the majority in any locality were to make an enactment that the men who were six feet tall and weighed two hundred pounds could go to their smaller neighbours and take away their property, do you suppose that would be endorsed for a moment? Yet that is what the majority in this House are doing. Their position is in effect: Our side is bigger than yours, there are more of us than there are of you, and we propose to take your rights away. Majorities are confined within certain limits in every legislature in the world. And I say again, in no legislative assembly in the world have rules been introduced in the manner in which these have been introduced restricting the rights of members as these rules propose to restrict them.

Hon. gentlemen opposite have been sitting uneasy under the gag silently but effectivly applied to them. Their constituents expected something of them more than silence. They are not silent on the concession lines. They go out there and make speeches and tell what horrible men these Grits are. They come here where the Grits' representatives are assembled and they do not say a word. Not that their courage is gone, but because they have had closure applied to them for weeks. Has not partyism come to a pretty pass, Mr. Speaker, in this Dominion when the sworn representatives of the people can be tied to their seats and prevented from saying a word on behalf of their constituents on great public questions? Put these rules in force and I can tell the hon. member for North Ontario (Mr. Sharpe) that the Finance Minister, if he wished to do so, could have prevented him from making that disturbing speech on the Bank Act.

And let me say for the independent member for South York (Mr. Maclean) that if these rules had been in force many of his speeches on railway questions would never have got on 'Hansard,' for he could be deprived of the opportunity of making them by a little manœuvering on the part of men who know how to manœuvre. Do not let hon. gentlemen think that by passing these rules they are going to gag us as they are gagged and that that is going to be an end of it. They are going to be as securely tied up to prevent them from saying anything that the Government does not want them to say as we on this side. This will rob the independent member of his right and will rob the supporter of the Government of his right to be independent. Imagine some hon. gentleman now wishing to make a speech —I do not mean the hon. member for Lincoln (Mr. Lancaster) for he seldom speaks this session—but some other hon. gentleman who is in the habit of speaking.

Mr. LANCASTER: Does the hon. gentleman think that the member for Lincoln is going to talk for the sake of talking, as he does?

Mr. GRAHAM: I have often thought so.

Mr. LANCASTER: Some live and learn, but others do not.

Mr. GRAHAM: And some have to live a long time in order to learn. But I was only referring to the hon. gentleman as a sample—

Mr. LANCASTER: I am not a fair sample.

Mr. GRAHAM: Let it go at that. The hon. gentleman is an unfair sample, and every member who votes to gag others on this side is an unfair sample of a representative in a British Parliament. Now, I wanted to point out the position in which hon. gentlemen opposite will be under these rules that some of them have not looked at. In parliaments where the majority is greatest the spirit of independence is more likely to break out. And in the future some question is likely to arise as one did in 1896, on which the leading men on the Government side prefer to ally themselves with the Opposition. These rules can prevent such members from placing their sentiments properly before the public even on so great and important a question as one that arouses such differences of opinion. Hon. gentlemen opposite are in the majority now, and everything looks fair to them. They have only been there for a year and a half. But friction and differences may arise. And the Government with a big majority will not hesitate to use the club on members of

this House, even though its legislation may be of a character that some of its own supporters cannot approve. This is not for the present only, nor does it affect us alone. I may not be long in public life and I can stand it, and so can other hon. members of this House; but you are laying a foundation for future action; you are saying to the men you are bringing here from the four corners of the earth: We, in Canada, are afraid of free speech; we in Parliament feel bound to gag the minority, and are even afraid ourselves to make an amendment to a proposition we bring before the House. We are afraid to trust ourselves; we gag ourselves so that we cannot make an amendment! The Minister of Customs himself could not make an amendment to these rules, even if he thought it were necessary; the Prime Minister himself could not change one word of the proposed amendment of the rules. No member of the Government, no matter how seriously he may desire to do so, or how deeply he feels that these rules would operate against the freedom of the people, can possibly, under this generous and high-minded resolution, move an amendment. The only course open to hon. gentlemen is to withdraw the measure and introduce a new one; I would ask the right hon. Prime Minister to do this, and give his supporters an opportunity to move any amendments deemed by them to be desirable. I am sure the people are not satisfied with this procedure, and the time will come when hon. gentlemen opposite will rue the day that they tied this chain and ball to their own feet in respect of the discussion of public questions in the House of Commons of this Dominion. Free speech in the Dominion of Canada has never produced anything but what the majority of the people have considered to be a great benefit; it would produce nothing else in this case. It is open to the Government to act constitutionally in the matter, and to take a course which would be approved by the people. The Naval Bill has not been pronounced upon by the Canadian electorate. It was mentioned in two or three border constituencies in the province of Ontario, and the people here subscribed to the policy of the ex-Minister of Public Works (Mr. Monk) that there should be no contribution without a referendum. In Quebec, if there was any result; if this naval question were an issue—and it was—the people pronounced in favour of a Canadian navy; few constituencies, if any, expressed themselves as being in favour of a contribution or of Imperial federation. In the other provinces the naval question was not an issue. I have observed from a recent report that the ex-Minister of Public Works, the leader of the Nationalist party in the province of Quebec, has pronounced himself against closure, but, leaving that aside, the naval question was not an issue. Every member on the Government side who was in the House—nearly every member of the Government—voted at one time that either a contribution to Imperial armaments or the creation of a Canadian navy would cause a change in the relationships between the Mother Country and the overseas Dominion. That being the case, is any other argument needed to support the contention that this question should be submitted to the people of Canada? If such a matter were to come up in Great Britain, the people would surely be asked to pronounce upon it. In Canada we pretend to be following in the footsteps of Great Britain in the matter of closure, but the Government of the day are not doing so when they refuse to consult the people in respect of a question of such vast importance. I ask hon. gentlemen what they are afraid of? Will some hon. gentleman opposite not tell me why it would not be fair to all concerned that an appeal should be made to the people in regard to this matter? If the people then say they are in favour of this contribution, and if the Opposition, in the face of that mandate, would dare to obstruct, the Government would be entitled to pass a fair measure of closure to see that the will of the people was carried out. But, under the present circumstances, in the midst of a heated debate, it is highly improper to introduce these ill considered rules, to prevent the leader of the Opposition, who is probably better acquainted with the rules of the House than any other hon. gentleman in this House, from giving his opinion as to what these rules ought to be. By reason of their procedure in this regard, hon. gentlemen opposite have prevented the right hon. leader of the Opposition, who, by his long experience and active participation in the leading debates which have taken place in this Parliament during the last forty years, is an authority on all such matters, from offering any suggestions or amendments. What will the people of Great Britain think of a parliament which proceeds to change its rules, and to deprive one who has been recognized for years as the most prominent man in Canadian public life of the right to say one word as to the construction of these proposed rules? What will they say when they realize that an hon. gentleman sitting to your left, Mr. Speaker, who was for some years the honoured Speaker of this House, was also debarred from making any suggestions as to the form of the proposed amendment of the rules? What will the people of Great Britain think when they know that you, the Speaker of this House, have been set to one side, by amateurs who have been in

office less than eighteen months, and who propose to lay down the rules without advice from anybody, no matter how immature their experience may be? What will the people of Great Britain think of proffered aid which has been obtained by means of the club and the gag? As I have said, there it but one constitutional course for the Government of the day to follow, and that is to appeal to the people of the country. Do not be afraid to trust them; if you think you are right, let the people say what they think of your views; let them pronounce judgment upon your course and confirm you in that belief. You do not know whether you are voicing the opinion of the people, and, if you are not right, you are unconstitutionally usurping a power which is not yours; you are acting against the usages and practices of Parliament and against all the sacred customs of this House, in attempting to force through this measure, which is unBritish, unfair, unworthy of Canada and unworthy every man who has taken any part in its framing and in the endeavour to secure its passage.

Mr. SPEAKER: It is unparliamentary for the hon. gentleman to speak of any particular act as being unworthy of members of this House; I think the statement is not permissible.

Mr. GRAHAM: If it is not permissible, I will be glad to bow to your ruling.

Mr. SPEAKER: I desire to say, with reference to the motion that was made by the hon. junior member for Halifax (Mr. Maclean), that, on looking over the authorities, it is quite clear to me, as my conviction was then, that it would be quite out of order. I take May, eleventh edition, page 270, where he says:

No amendments may be proposed to the motion for the previous question.

Cushing, who is perhaps one of the best authorities we have on the law and practice of legislative assemblies, at page 567, section 1455, says:

The previous question cannot be amended, the nature of it not admitting of any change. It is like the motion to adjourn the House.

Page 591:

The motion to adjourn, the motion to lie on the table and the previous question do not admit of any amendment.

Bourinot, page 450, says:

No amendment may be proposed to the motion for the previous question.

So that all these authorities agree upon the matter, and therefore I am quite justified in saying that the motion is out of order. If it had been in order, I should imagine it would have been accepted by the House when the leader of the Opposition read it at the time of his speech.

Mr. BUREAU: That is not the way I understood the point of order taken by the hon. member for Halifax. He said that the previous question was moved without sufficient notice under rule 40.

Mr. SPEAKER: The point of order was dealt with at the time, and my ruling was that it was not well taken—that the motion had had, in my judgment, full notice.

Mr. BUREAU: The first point of order taken by the hon. member for Halifax was that notice of the resolution of the Prime Minister was not sufficient because it had not been deposited on the table before five o'clock. That was the first point of order. Then he raised the point that the motion brought forward by the Minister of Marine was not in order because two days' notice had not been given. The hon. member for Algoma (Mr. Boyce), got up and made remarks on it. That was the second question raised.

Mr. SPEAKER: The hon. member is not correct in his understanding of it, because the first point of order which was raised was with regard to the length of the notice given of the resolution by the First Minister. I ruled that that point was not well taken, and that the limit of time was ample. I certainly did not understand that any other point of order was raised.

Mr. GRAHAM: The hon. member for Halifax (Mr. Maclean), made the suggestion that the motion of the Minister of Marine and Fisheries was out of order because notice had not been given and he suggested that if that were true his own motion would be in order. But, he said, perhaps I had better discuss that when I make my motion. That was in order to see if his motion was in order but it would not be in order if his point of order was not well taken. The point was whether the motion of the Minister of Marine required notice. If it did not, his own motion was out of order. If it did, then the previous question motion was out of order.

Mr. SPEAKER: The junior member for Halifax never stated that point of order, as I understand it, but he did move a motion which I asked to have stand in order that I might consider it. I have now given my decision.

Mr. GRAHAM: I will now raise the point of order that I understand to be raised by the junior member for Halifax (Mr. Maclean) and you can give your decision in the morning if it is more convenient. The point of order was that proper notice of this motion had not been given, under the

rule, by the Minister of Marine and Fisheries. I will raise that point of order. If that point should be sustained, amendments would be in order. If not, the amendment of the hon. member for Halifax would not be in order.

Mr. SPEAKER: I have gone over that subject many times, and I have never yet understood that such a motion required any notice, and I have been in this House at three different times when it was moved without any notice. Therefore I know it to be the practice, and I believe it to be strengthened by every authority we have on the subject of procedure.

Mr. GRAHAM: We cannot very well take practice and usage because members of the Government have thrown practice to the winds and they have not adhered to the rules.

Mr. THOMAS MacNUTT (Saltcoats): I understand that the House is about to adjourn and I have no desire to take up the time of the House. As I happen to be leaving in a short time for the West and will not have any opportunity of voting, I wish to record my protest briefly. I think it is generally admitted that some form of closure was necessary but not at the present time. My protest is against the time and the manner of this particular form of closure. I think many members are in favour of closure of some kind; many members of the late Administration were in favour of some form and the possibility is that if the Liberal party had been again returned to power, some form of closure might have been introduced, but in a different way. It would have been submitted to a special committee. That committee would have reported, possibly making a majority report and a minority report; the committee would have been composed of members of both sides of the House and we would all have had an opportunity of discussing the merits of the proposals and amending the proposals if we thought fit. But the present time is not, I think, a proper time at which to introduce closure, it looks like a back-down in the midst of a fight made in order that this side of the House shall have no opportunity of continuing an important debate. How was it done? After a conciliatory speech from the Prime Minister in introducing the resolution, the leader of the Opposition, as is customary, rose to reply, but at the same time the Minister of Marine and Fisheries took the floor. You, Sir, gave the decision in favour of the right hon. the leader of the Opposition. Immediately the member for East Hastings (Mr. Northrup) drew from his pocket a prepared motion that the hon. Minister of Marine should be heard. This motion, of course being put to the vote, carried. The Minister of Marine had the floor in spite of your previous decision. The only object the minister had was to move the previous question. We all know what that means; it means that the resolution would have to be put without amendment or debate, the only debate would be an indirect debate on the motion for the previous question. The matter of this closure resolution is one that will take away all the rights of this side of the House and it must be remembered that we on this side of the House represent nearly 49 per cent of the people of Canada, although in the House the Government are in a considerable majority. It means that any legislation that the Government wishes to put through can be put through in five minutes if they choose to do that. The $35,000,000 for the navy, subsidies for corporations, steel bounties, and all that sort of legislation could be put through in a few minutes, and if the Government so desired, members on this side of the House would not have an opportunity to say anything. The Liberal members might as well go home, for there will be no use of their presence here if the Government do what they propose, or what they will have the power to do under this resolution. I wish to say that I protest vigorously against this closure being put through in the present shape. The Government would be in a better position if they withdrew this resolution and submitted the question to a special committee.

On motion of Mr. Pardee the debate was adjourned.

On the motion of Mr. Rogers, House adjourned at 12.20 a.m. Tuesday.

HOUSE OF COMMONS.

TUESDAY, April 15, 1913.

The SPEAKER took the Chair at three o'clock.

REPORT PRESENTED.

Canal Statistics for the season of navigation, 1912.—Mr. Cochrane.

REMOVAL OF RAILWAY TERMINALS.

Hon. GEO. P. GRAHAM moved for leave to introduce Bill No. 171, to amend the Railway Act. He said: The object of this Bill is well defined in its wording. I might read it, as it will explain exactly my object.

1. This Act may be cited as an amendment to the Railway Act.
2. Any railway company desiring to change the location of its terminals or divisional

points, or of any of them, shall, before making such change, obtain an order from the Board of Railway Commissioners approving the same.

3. It shall be made a term of every such order that the railway company obtaining the same shall pay all losses sustained by its employees who may be obliged to change their place of residence from one municipality to another by reason of the change of any such terminal or divisional points.

4. In case the company and its employees do not agree upon the amount of such loss, the board will determine the amount thereof.

This question has been under discussion for some time, and has been brought about in this way: Railway companies construct their lines and form their divisional and terminal points for their own convenience, as they have a perfect right to do. Possibly, in a few years they may seek to change these terminals or divisional points, place them at some other point on the line, or on a new projection of the same line. In the meantime the employees of the railway company have purchased their homes, have beautified their little plots of ground and have become an important element of the community. In some instances the whole town is known as a railway town and but for the presence and industry of these people there would practically be no town at all. In all instances they have taken their share in the payment of taxes and in some cases they have contributed largely for waterworks, electric light, granolithic walks and the building of schools. This has gone on for years, and after they have paid a large amount of money in taxes for these purposes, they awake some morning to find that their employers are moving their works, or their terminal facilities, to some other municipality and if they are to retain their positions they must also move. No provision has ever been made for the loss that these employees sustain in thus being compelled to move. I submit that it is not unfair to railway companies that, in estimating the cost of the removal of a divisional or terminal point, with the necessary equipment, to some other place along the line, they should take into consideration the loss that would be entailed to their employees and that they should be asked to pay that loss. This has occurred in some cases not very far from where we are now. Take Carleton Place, for instance: quite a large number of men, I am told have been compelled to move from Carleton Place to Smith's Falls. It is well known that a large number of the employees of the Grand Trunk railway were compelled to move from York to a point west of Toronto. It is possible that quite a number of men, if what is said to be in the mind of the Grand Trunk railway be carried out, will be compelled to remove from Brockville to Prescott. Many of these men, I know personally, have put all their earnings in their little homes. These will have to be sacrificed to a great extent to say nothing of the inconvenience to which they will be put in being compelled to remove with their families to new homes and practically to begin life over again. It is possible that the people of Havelock, a village that the Canadian Pacific railway created, will be dealt with in the same way as the Canadian Pacific railway is branching off there to run along the front parallel with the Grand Trunk railway and Canadian Northern railway in order to better its grades and to be able to handle its traffic more economically. In these considerations I think it is time that we placed on the statute-book legislation which will protect employees, when they are thus compelled to move, from any pecuniary loss at least. I have placed in this Bill a clause which says that the terminals cannot be moved except by the consent of the Railway Commissioners. That may seem drastic at first sight but in the present Act the Board of Railway Commissioners are given power to say where a station shall be located and, if the public have any grievance as to the location of a station, they are authorized to appeal to the Board of Railway Commissioners and the board's decision is given in regard to the matter. If it be proper that stations and their location be placed in the hands of the Board of Railway Commissioners, and if it be proper that the location of the line itself, after the general location has been approved by the minister, should be placed in the hands of the Board of Railway Commissioners, then I submit that it is not unreasonable that the placing and changing of terminals should also come under the jurisdiction of the Board of Railway Commissioners. One clause provides for that aspect of the case. The next is that the Board of Railway Commissioners shall, in the terms of the order approving of the removal say that the loss to the employees shall be borne by the company. If the amount of the loss cannot be arrived at by agreement between the company and the employees, then the next clause provides that the Board of Railway Commissioners may settle the dispute and say what the loss is. I think there is nothing unfair in this proposition and if the companies think it over seriously and calmly, I believe that they will come to the conclusion that there is nothing unfair in it. Just one word more: I understand that the consolidation of the Railway Act is now nearly completed and I also understand that, without the consent of the Government, I could not press this Bill further than possibly the first reading, but I appeal to the Government either to allow this Bill to be proceeded with or to include it in their

Railway Act which ought to shortly come before the House.

Hon. FRANK COCHRANE (Minister of Railways and Canals): I beg to say that we have included this in the consolidation of the Railway Act. We have also discussed it with the different railway companies, and I do not find that there is very much objection to it. The wording may not be just exactly as the hon. gentleman (Mr. Graham) has it, but that will be a matter for discussion when the Bill is brought down.

Mr. JOHN WEBSTER (Brockville): It is high time that the railway employees of this country received some consideration from those large corporations by which they are employed. As the hon. member for South Renfrew (Mr. Graham) has said, the railway men of Brockville are very much disturbed in their minds regarding the——

Some hon. MEMBERS: Order, order.

Mr. SPEAKER: It is quite in order, on the motion to introduce a Bill, to discuss it, but not on the motion for the first reading.

Mr. WEBSTER: The railway employees of Brockville are very much excited over the possibility that they may have to move to an adjoining town. We have in Brockville some one hundred employees who own thousands of dollars worth of property, representing their life savings, and I have no doubt that, if the change in the terminals takes place, that property will decrease very much in value. These employees have spent their lives in the town of Brockville; they have helped to build up the town; they have contributed to the construction of sidewalks, schools, churches, hospitals, and many other conveniences; they have paid their share of the cost of the sewage, light and water systems, and now, if they have to remove to a town which has not these advantages, it is a great injustice indeed. I hope that my hon. friend the Minister of Railways and Canals (Mr. Cochrane) will recommend the adoption of such legislation as will enable the men to receive some compensation for being knocked around in such a way as this. I will have very great pleasure in giving my support to any measure that will afford relief to railway men under such circumstances as these.

Mr. JOHN A. SEXSMITH (East Peterborough): Mr. Speaker, I am very glad that my hon. friend from South Renfrew (Mr. Graham) has brought this question up. I have been approached by the railway men in my riding and requested to bring this subject to the attention of the House on account of some rumours that the Canadian Pacific railway may move the terminal located at Havelock. This would be very unjust to the men. The railway company have practically created that village, the railway men have put the savings of twenty-five years in their little homes and, should they be compelled to move, they will practically lose the savings of half a lifetime. This is a subject that is well worth the consideration of the hon. Minister of Railway and Canals (Mr. Cochrane). Something should be done to prevent railway companies from inflicting such an injustice as this upon their men. I understand that the minister has made arrangements in connection with his Bill to meet such conditions as these and I am very pleased indeed to hear that such is the case.

Hon. H. R. EMMERSON (Westmorland): The hon. member for South Renfrew (Mr. Graham) is entitled to the thanks of the railway employees for his action in bringing this matter to the attention of Parliament. While this Parliament would perhaps not go so far as to recompense others who may have vested interests, still it should be a matter which should weigh very materially with the Board of Railway Commissioners. When a railway divisional point is established the homes of the railway employees are created a small town arises, and people are induced to come in from other sections, make investments, purchase land, and establish business. All these suffer a material loss by reason of any change of a divisional point. When in the interests of the railway or in the public interest changes may become necessary the rights of those who have vested interests should be recognized, and that could be provided for by the Railway Commission taking that matter into consideration before giving their consent to such a change.

Motion agreed to, and Bill read the first time.

IMPERIAL DEFENCE COMMITTEE.

On the Orders of the Day being called:

Right Hon. R. L. BORDEN (Prime Minister): My right hon. friend (Sir Wilfrid Laurier) referred yesterday to some remarks I made on the 7th of April, and called in question the statements contained in those remarks. If my right hon. friend will examine carefully what I said, he will observe that he has fallen into some confusion or error as to what was really intended, or else he is under a misapprehension as to the actual facts. The right hon. gentleman yesterday called attention to the fact that he had, on the 17th of July, 1911, laid on the table of the House the report

of the Imperial conference convened to discuss military affairs at the War Office. That conference was held on the 14th and 17th days of June, 1911, and my right hon. friend is quite right in saying that he did lay the report of that conference on the table of the House on the day mentioned. But, if the right hon. gentleman will observe what I said on the 7th day of April, he will find that I was not alluding to that. I will read my remarks on that occasion, and I think I shall give the right hon. gentleman convincing proof that my statement was absolutely correct in every respect. I said on the 7th of April:

As I understand it, the right hon. gentleman himself agreed that Canada ought to be represented on the Imperial Defence Committee, and further than that—although I did not know it until last summer, the matter was kept entirely confidential at the time, for what reasons I do not know—the right hon. gentleman agreed to establish a defence committee in Canada in close co-relation with that Imperial Defence Committee. No announcement of that kind was made to Parliament by the right hon. gentleman at the time we might have expected the announcement to be made, and it remained for the Colonial Secretary a few weeks ago to make that belated announcement, as the right hon. gentleman had not seen fit to do so.

The despatch of the right hon. the Secretary of State for the Colonies was laid on the table of the House on Friday, the 17th of January last; it is under date of the 11th of December 1912. When it first came it was confidential, but afterwards the governments of all the dominions sought permission to make it public. In that despatch, which is set forth in 'Hansard' on the date mentioned, the following passage occurred:

The unanimous view of all those present on May 30, 1911, was that the representations of the dominions should be not by the high commissioners, but by ministers who would be responsible to their own colleagues and Parliament, and, at the same time it was decided that a defence committee should be established in each dominion which would be kept in close touch with the Committee of Imperial Defence at home. The resolutions ultimately put forward by His Majesty's Government and accepted unanimously by the members of the Imperial conference at the Committee of Imperial Defence, were as follows:—

(1) That one or more representatives appointed by the respective governments of the dominions, should be invited to attend meetings of the Committee of Imperial Defence when questions of naval and military defence affecting the overseas dominions are under consideration.

(2) The proposal that a defence committee should be established in each dominion is accepted in principle. The constitution of these defence committees is a matter for each dominion to decide.

Mr. BORDEN.

The right hon. gentleman did lay on the table of the House the report of the conference with respect to military affairs which was held on the fourteenth and seventeenth days of June, 1911, but so far as I am aware—I speak subject to correction—he has never laid upon the table of the House the proposals which I have just now referred to, and which were made, not at that conference, but at a meeting of the Imperial Defence Committee, and not on the fourteenth and seventeenth days of June, 1911, but on the 30th of May, 1911, an entirely different committee and an entirely different date.

I am supported in the view I take by what follows in the despatch of the right hon. the Secretary of State for the Colonies, who, immediately following the quotation I have given, uses this language:

The Canadian Government having changed in the autumn of 1911, it was necessary, when Mr. Borden and his colleagues visited England this summer to put these proposals before them as they were of course unaware of the previous proceedings.

When I reached London I heard for the first time of the proceedings of this conference of the 30th of May, 1911, and, as I have already explained, I am not aware that up to the seventeenth day of January last they had ever been placed before Parliament. So that my right hon. friend is entirely correct when he says that the report of the work of the committee and the decision of the Committee of the Imperial Conference in respect to military defence held on the fourteenth and seventeenth days of June, 1911, was placed before this House on the date mentioned; but I was not alluding to that; I was alluding to the proposals which are set forth in the despatch of the Colonial Secretary. I was not referring to those dates, but to the thirtieth day of May. If I am in error in my statement with regard to that, of course I shall be very glad to be corrected, but up to the present I believe I am entirely correct in the statement I made on the 7th of April.

Right Hon. Sir WILFRID LAURIER: I have to observe, first of all, that I was not a member of the Imperial Defence Committee; my hon. friend the former Minister of Militia, Sir Frederick Borden, was a member of that. The proceedings of this committee are highly technical, and I understood they were confidential. Whatever was not confidential was published. I made application at the time to have published the resolutions of the Committee of the Imperial Conference, and they were published at my request and as soon as possible. I have not yet myself seen the report of the Imperial Defence Committee to which my right hon. friend has alluded, but so far as I can see it does not differ at all from the resolution adopted afterwards

on the fourteenth and seventeenth days of June.

Mr. BORDEN: I think that, if my right hon. friend will look carefully over the report that was placed on the table of the House and will also look over the report of the proceedings of the Imperial Defence Committee of the 30th of May, 1911, he will see that they deal with two different things entirely. I think my right hon. friend was present at the meeting on the 30th of May, 1911.

Sir WILFRID LAURIER: I do not recollect that.

Mr. BORDEN: However, I shall be very glad to give him access to the proceedings of that committee, if he was present, because, having been present, he would be entitled to see it.

Sir WILFRID LAURIER: If I was present, and if it was not published, it was absolutely confidential, and could not be brought down.

Mr. BORDEN: It could not be brought down, I imagine, because it was held to be confidential at the time; but all that I have to say about it is that the Secretary of State for the Colonies made public that portion of it to which I have alluded.

Sir WILFRID LAURIER: Hear, hear—afterwards.

Mr. BORDEN: That was done properly and regularly. At all events, I had no part in making it public.

Sir WILFRID LAURIER: And I had no part in keeping it secret.

Mr. BORDEN: We are both guiltless so far as that is concerned.

ALLEGED INFRACTION OF IMMIGRATION LAW—STRIKE OF PHOTO-ENGRAVERS.

Mr. W. F. CARROLL (South Cape Breton) asked for leave to move the adjournment of the House to call attention to a matter of public urgency, the matter being stated as follows: Breaches of the immigration law in connection with the strike of the photo-engravers at Toronto and other parts of Canada, and the attitude of the Government and Immigration Department thereto.

And leave having been given:

He said: I shall try to be as brief as possible in my observations on the subject. It appears from documents in my possession that on the 29th of January, 1913, the Photo-Engravers' Union in the city of Toronto, after negotiations with the employers in that city, and in the city of Montreal, came out on strike in order to better their condition. There are in this union about 150 or 160 employees. Of that number ninety-two came out on strike in the city of Toronto. Things got along fairly for a while, and it looked to the union as if their demands were going to be granted. But things took a change after the first of February. During February a firm who employed photo-engravers and such workers in the city of Toronto advertised in the United States and also in England for the purpose of getting photo-engravers into Canada and employing them to take the place of the strikers. On the 11th of March, 1913, the executive officers of this union, Messrs. C. W. Perry and Edward Nunn, representing the Toronto Photo-Engravers Union and the Montreal Photo-Engravers Union, brought to the attention of the Minister of Labour, who then as now was acting Minister of the Interior, the fact that they were out on strike and also the reason why they were out on strike—to better their condition. They made representation also that advertisements were being published in the United States and in England for the purpose of bringing photo-engravers from these countries to take the places of these strikers, and also the fact that these advertisements were very often founded on false representations as to the condition of affairs in that particular trade in Canada. They brought to the attention of the department also that there were at that time coming into this country from England photo-engravers who were coming in in violation of the immigration law, and therefore were prohibited immigrants. The immigration laws provide that immigrants coming into Canada during certain months—between October and March—must have $50 of money absolutely his own over and above his ticket to his destination, and for other months must have not less than $25. It was brought to the attention of the department by this petition of the date I have mentioned that drafts were sent out from the city of Toronto and the city of Montreal to people in England and these drafts were given to intending immigrants who were to take the places of strikers for the purpose of evading that particular section of the immigration law, and that when they arrived in Canada this money was not absolutely the property of these immigrants but the immigrants were to turn back these drafts or cheques to their employers. This was a clear and direct violation of the immigration law. The petitioners asked the department to investigate this matter. They asked that steps should be taken against the Grip Engraving Company of Toronto, one of the firms violating the immigration law. They asked also that regulations should be passed under which persons in this particular trade would be prohibited from entering Canada or any particular port in Canada for a specified period, that is for the period during which the strike is on. They say

they were prepared to substantiate all the charges made in the petition, and they sent at the same time affidavits to the Immigration Department for the purpose of bringing to the attention of the department the breach and violation of this law, and also asking for the remedy I have mentioned. That petition was written to the department on the 11th of March, 1913. From that date until the 17th of March the Department of the Interior did absolutely nothing to remedy the grievances which these photo-engravers had to complain of. Between these dates the executive of the union apparently telegraphed to the Superintendent of Immigration or to the acting Minister of the Interior that matters were getting worse, and on the 17th of March, 1913, the following letters were written by the Superintendent of Immigration to Mr. E. Nunn, secretary of the Photo-Engravers' Union.

Ottawa 17th March, 1913.

Sir,—I am in receipt of your night telegram of the 15th instant and have discussed with the Hon. Mr. Crothers, acting Minister of the Interior, the contents of your similar message addressed to him, and have wired the Dominion immigration agents at Halifax and at St. John the following rush message:—

Reported here that photo-engravers are entering Canada giving other than their correct occupations. Question closely all immigrants destined Montreal and Toronto and if any found to be photo-engravers reject if that action can be legally taken.

I trust that these instructions will prevent the entry of further numbers by misrepresentation, and should any cases be brought to the department's attention where the party in question secured entry through misrepresentation, an investigation will be at once commenced, and if it is found that the party gained entry through misrepresentation, deportation proceedings will be commenced.

Your obedient servant,
(Sgd.) W. D. Scott,
Superintendent of Immigration.

I want to refer to the latter part of the telegram that was sent to the officers at Halifax and St. John.

Question closely all immigrants destined Montreal and Toronto and if found to be photo-engravers reject if that action can be legally taken.

It strikes me that that telegram on the face of it is rather peculiar and strange coming from a department which should be conversant with the laws and regulations governing the entry of immigrants into this country. Would it not be supposed that the acting Minister of the Interior (Mr. Crothers) and his officials at Ottawa would know whether or not such action could be legally taken? They should give the officers instructions as to whether or not these immigrants could be legally detained. In my humble opinion, they knew well that such action could not be taken.

That telegram was sent merely for the purpose of hoodwinking the Union of Photo-Engravers in the cities of Montreal and Toronto and of leading them to believe that the department was anxious to do something when as a matter of fact it was not. I wish to refer to section 38 of the Immigration Act, which reads as follows:

The Governor in Council may, by proclamation or order whenever he deems it necessary or expedient, prohibit for a stated period, or permanently, the landing in Canada, or the landing at any specified port of entry in Canada, of immigrants belonging to any race deemed unsuited to the climate or requirements of Canada, or of immigrants of any specified class, occupation or character.

That is the section which the union at Toronto had in view when they brought this matter to the attention of the acting Minister of the Interior. No one knew better than the gentleman who drafted that telegram to the officers at Halifax and St. John that no such proclamation, as is mentioned in section 38, had ever been issued by the Governor in Council. That is the reason why I say that in sending that telegram the Department of the Interior presided over by the present acting minister (Mr. Crothers) was not sincere in making the best efforts it could to help out this union which was on strike in the cities of Montreal and Toronto and to prohibit immigrants from entering this country to take the places of those strikers. On the following day, the 18th of March, this letter was sent by the Superintendent of Immigration to Messrs. Grip, Limited, of Toronto, one of the firms, who were instrumental in getting these people to come to Canada for the purpose of taking the places of strikers, and who were bringing them in indirect violation of the immigration laws:

It has been brought to the attention of the department that owing to a strike of photo-engravers in the cities of Toronto and Montreal firms employing this class of labour have been securing employees from the British Isles, and as the department does not look with favour upon an influx of any class of labour or skilled mechanics coming to the country when a strike is in progess——

If they did not look with favour on these people coming in, why did they not take the only precaution which they could take under the Act and proclaim by an Order in Council that that specified class of immigrants be debarred from coming into this country for a specified period of time or during the progress of that particular strike? (Reading):

—the ocean port officials have been notified that all photo-engravers applying for admission must be warned of the strike and rejected if that action can be legally taken.

Here they sent a letter to Messrs. Grip, Limited, saying that action will be taken if it can be legally taken, when they knew that no such action could be taken until proclamation had been issued by the Governor in Council. (Reading):

It has also been asserted that some have during the past few weeks secured entry either through misrepresentation as to their occupations, or by being furnished with money directly or indirectly by their prospective employers, the department has agreed that if any such cases are brought to its attention an investigation will be at once commenced, and if it is found that any party gained entry through misrepresentation, deportation proceedings will be commenced.

Having been informed that your firm is one affected by the strike, I bring the attitude of the department to your attention for your guidance.

Your obedient servant,

W. D. Scott,
Superintendent of Immigration.

You will notice, Mr. Speaker, that that letter was written on the 18th day of March. A sort of threat was made in that letter that, if the attention of the department was brought to the entrance into Canada of any prohibited immigrants who intended to take the place of those strikers, deportation proceedings would be commenced. The matter was brought to the attention of the department previous to the 18th of March and subsequent to the 18th of March, and it has been brought to the attention of the acting Minister of the Interior very many times since that date. Yet no definite action, no action which would remedy matters, has been taken by the Department of the Interior.

I wish to read a letter sent to one of these intended immigrants in England:

London, E.C., 18th February, 1913.

Mr. A. Venn,
6 Gardnor Road,
Well Walk,
Hampstead, N.W.

Dear Sir,—We are desired by Mr. Macnamara, of Toronto, to inform you that all arrangements have been made for you to sail from Liverpool on Friday next by SS. Hesperian, and in order to get there in time to catch the boat you will have to leave Euston by the 10.25 train on Friday morning. Will you please call in here to-morrow for your railway ticket to Liverpool?

As soon as you get on board you had better apply to the purser for your passage ticket, and when you arrive in Canada, you will, before leaving the boat be given your railway ticket to Toronto and a draft for $50 made out to you in order that you may have sufficient money to satisfy the requirements of the Canadian immigration authorities, who require everyone landing in the country to be in possession of at least $50. On arrival at Toronto you will present the draft to Mr. Watts, at the office of Grip, Limited, 48-52 Temperance street.

Your wages will start from the date of your presenting yourself at the office of your employer.

That is direct proof that $50 was given to each of those intending immigrants before they left the Old Country, for the very purpose of evading the immigration regulations made under section 37 of the Act, which reads as follows:

Section 37 says:

Regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada that immigrants and tourists shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race, occupation or destination of such immigrant or tourist, and otherwise according to the circumstances.

By virtue of that section, an Order in Council was passed on May 9, 1910, prescribing the amount of money which immigrants must have, over and above tickets to their points of destination when they arrive in Canada. It reads:

Monday, the 9th day of May, 1910.

* * * *

No immigrant, male or female, other than a member of a family provided for under the following regulations shall be permitted to enter Canada between the first day of March and the thirty-first day of October both days inclusive, unless he or she have in actual and personal possession at the time of arrival, money, belonging absolutely to such immigrant, to the amount of at least $25 in addition to a ticket or such sum of money as will purchase a ticket or transport for such immigrant to his or her destination in Canada.

It is provided that during the remaining portion of the year the minimum amount must be $50.

Drafts were given to these people for the very purpose of evading this regulation which was made in 1910 and this matter was brought to the attention of the acting Minister of the Interior.

Mr. CROTHERS: Have you read the whole of the letter said to have been sent to individuals in England?

Mr. CARROLL: No, I have not, but I shall read the balance of it:

On arrival at the railway station at Toronto, you should telephone from the station to Mr. Watts at the office of Grip, Limited, saying that you have arrived, and they will send one of their representatives with a motor car to meet you and take you to some suitable lodgings which will be found for you until you can get settled down.

I am given to understand that although the reason of your being engaged is owing to a strike, the firm guarantee that they carry out the agreement whether the strike is settled or not, and they also undertake that the wages they are paying you will not be less than the minimum rate required by the Trade Union for a man of your grade.

I will also show by the affidavits of certain people who came out that this strike was misrepresented to these people. I have here a copy of a draft on the Dominion Bank for $50 as follows:

No. D0824 The Dominion Bank, $50.00
73, Cornhill,
London, E.C., Feb. 18, 1913.

On demand pay to the order of G. H. Fortt, Esq., the sum of fifty dollars as advised.

Robert G. Bruce,
Manager.
J. Wallace,
Accountant.

To the Dominion Bank,
Toronto.

As a matter of fact, members of the union in Toronto have at least two of the original drafts which were given to these people in England, which they cannot get cashed and which they hold as evidence that the money was given for the purpose and only for the purpose of evading the immigration laws of Canada. I have here, too, the agreement under which those people came out. It is not very long and for the purpose of showing that it is actually a uni-lateral agreement, that is that it was drafted and executed for the benefit of one party alone, I shall put it on record. It is as follows:

This agreement made in duplicate this..... ....day of.....A.D. 1913.

Between:

Grip, Limited, hereinafter called the 'Employer,' of the first part.

And

Venn, Colour Etcher,.....hereinafter called the 'Employee' of the second part.

The said Archibald Venn covenants and agrees that he will for one year from the date of entering our employ faithfully, honestly and diligently serve the employer in the capacity of colour etcher or in such other capacity as the officers of the said employer consider him most useful to them in their business of engravers in the city of Toronto, and that he will devote his entire time, labour, skill and attention to the said employment and obey the lawful and proper directions of the said employers, its officers, managers and foremen.

In consideration of such service the employer agrees to pay the sum of twenty-five dollars ($25) per week, for each and every week that the employee shall remain in the employer's service, but the agreement shall not be deemed to be completed until after the satisfactory fulfilment of three months' trial during which time the wages herein will be paid and shall be part of the year hereinbefore mentioned; we to have first consideration of renew contract on terms to be arranged.

Here is an agreement which purports, in the first clause, to be an agreement for one year when, as a matter of fact, those people, who were brought out here through evasion of the immigration law were given to understand that their periods of service were to be a year when actually the firms employing the men and entering into that agreement could cancel the agreement, discharge the people after three months, and make new agreement with them. The agreement proceeds:

The employee covenants to work during the regular working hours, forty-six and a half hours a week and also to work overtime if so required by the employer provided such overtime be paid at the rate of time and a half but no time shall be considered overtime until a full week of forty-six and a half hours shall have been made up.

The said Archibald Venn covenants not to absent himself from work during such working hours as above set out unless incapacitated by illness and not to work for any person, persons or company other than the said employer during the said term.

If the employer's plant shall be at any time so injured or destroyed so as to be unfit to operate them the employee may be laid off and wages shall cease until the plant shall be fit for operation and the employee be notified thereof.

It is also agreed that the said employee shall not go out on strike or join any trades union during the term of this agreement.

The employers agree to advance the necessary expense of passage to the employee and the employee agrees to re-pay the said monies advanced to the employer by weekly instalments.

In witness whereof the parties hereto have hereunto set their hands and seals.

(Sgd.) Archibald C. R. Venn.

Signed sealed and delivered in the presence of.

(Sgd.) W. Gamble,

I do not contend that it would be a violation of the prohibition in the Order in Council of 1910, that the employer should pay the passage out of the employee and then have it returned to him. I am not advancing the idea that that would be an infraction of the immigration law.

A great many of those people came out. As a matter of fact, the Immigration Department at Ottawa had wired to the officers in charge at Halifax and St. John but that wire is most indefinite and misleading. However, the officers at Halifax and St. John took some steps. Four men were landed in Halifax on the 7th day of March, 1913. They came out on the Victorian and the immigration officers there examined three of those men named George F. Collier, William Walsh and Charles M. Fillsell. The immigration officer at Halifax had some suspicion that these three men did not have the necessary money to comply with the immigration law and regulations. As a matter of fact they made an open confession to the officer there that the drafts which they had on their persons were given to them for the purpose of evading the immigration regulations and that they were to hand back the drafts to their employers when they got to Toronto. There is a section in the Immigration Act which provides that when there is any suspicion in the minds of the immigration authorities at a

port of entry as to the status of any immigrant, a board of inquiry will inquire as to whether or not the suspicions are well founded. The Act stipulates that if there be no such board of inquiry at that port or a neighbouring port the officer in charge will himself be a board of inquiry for the purpose of investigating whether or not the suspicion that that particular person is trying to evade the immigration laws is well founded. In the city of Halifax there was no board of inquiry, but on March 7, the officer in charge undertook to constitute himself a board of inquiry for the purpose of investigating the cases of these three men. The investigation took place and they were detained. But a very marvellous thing happened. They were detained in the city of Halifax from the 7th of March, until the 25th of March without deportation proceedings being taken against them, that is without proceedings to have them sent back to the port from which they came. Practically a whole month passed without any action being taken, and then when action was taken, what happened? On the 26th of March, some lawyers in the city of Halifax, acting for Grip, Limited, and others, took habeas corpus proceedings to obtain the release of the three men who were detained. I wish to point out that in the Act there is a section which says that a judge of a superior or supreme court shall have no jurisdiction to release any such persons who are detained by immigration officials. That is all very well, but the order under which those men were detained, did not show the jurisdiction on its face, and I am censuring the Department of the Interior, which has to deal with immigrants, because when this thing was brought to their attention they did not proceed properly. They did not get a person qualified with an understanding of the law to see that those detaining orders or warrants were correctly drafted. As a matter of fact, the lack of jurisdiction on the face of the warrant gave Mr. Judge Graham the jurisdiction to try those men, notwithstanding the enactments to the contrary under the Immigration Act. On the face of the warrant it should have been stated that there was no board of inquiry in the city of Halifax, or any neighbouring port, and that the immigration officer there constituted himself a board of inquiry under the Act. That was left out of the warrant, and the omission gave the judge at Halifax jurisdiction. As a matter of fact the three men were released when, if the department had taken proper precautions and had carried out the orders properly, these men would have been sent back to the Old Country, and the photo-engravers in Montreal and Toronto would have had a chance to better their social and working conditions. As I have said the three men were released, and mark you, at this very time, the organization of the photo-engravers in Toronto were spending thousands of dollars in assisting the Immigration Department to indentify incoming engravers at the various ports, St. John or Halifax, or wherever they landed. The amount spent by them in assisting the Immigration Department was $2,000, and yet, the department took no precautions to have the matter dealt with properly and according to law. I wish to read declarations made by some of those people who came out to this country. Copies of some of these declarations were placed in the hands of the acting Minister of the Interior before the 17th of March, I think, but I do not think this one is in his hands.

In the Matter of the Dominion Immigration Act.

Dominion of Canada, Province of Ontario, County of York, to Wit:

I, George Henry Fortt, formerly of London, England, now of the city of Toronto in the county of York, photo-engraver, do solemnly declare that:

1. I am a photo-engraver and was living in London, England, and was engaged at my business there when about the month of February, 1913, a Mr. Gamble representing Grip, Limited, Toronto, approached me to go to work for the said Grip firm. I had heard a rumour as to trouble existing between the Grip Company and its employees and I made a special point of asking Mr. Gamble if there was any strike on at Grip's because if so I was no strike-breaker and had no desire to act as such. He told me there was a slight trouble but it would be all over before I reached Toronto. I was occupying a good position at the time, but on his representations I decided to accept the offer to work for Grip, Limited.

Apparently the purser of that particular boat was in the plot, and some attention should be paid to his case.

I had a letter from Mr. Gamble telling me to apply to the purser of the Hesperian, the boat on which I came out, and the purser would give me a draft for $50 to enable me to pass the immigration authorities and that my pay would begin in Toronto when I returned the draft to Mr. Watts, manager of Grip, Limited.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

George Henry Fortt.

Declared before me at the city of Toronto in the county of York this twelfth day of April, A.D., 1913.

H. T. Burke,
A commissioner, &c.

That is one affidavit which shows plainly that those men came to Canada after the month of February in direct evasion and violation of the immigration laws, and the acting Minister of the Interior at that time knew that such people were coming in to

the country, and apparently no steps were taken to keep them out. I have another declaration here which I shall read:

I, Morris Goldstein, formerly of London, England, now of the city of Toronto, in the county of York, do solemnly declare, that:

1. I am a photo-engraver and was living in London, England, and was engaged at my business there when about the month of March last I saw an advertisement in the London Daily Telegraph for process workers to go to Toronto.

2. I made application and was referred to the British Empire Agency, South Hampton Street, Strand, London.

3. I had heard rumours of trouble existing between employers and employees in Toronto and made special point of asking the agency what the trouble consisted of. They minimized the seriousness of the situation, leading me to believe the trouble would be over before my arrival.

4. Acting under these representations, I accepted a position at Hood Sandham, Limited, Toronto, and the agency then handed me an express order for $25 saying this was a present from the firm.

Mark you, they were getting a little more careful all the time. When they started to get employees to take the places of the strikers, they did tell them there was a strike on, but afterwards when they found it more difficult to get them to come out to Canada they minimized the seriousness of the situation and told them that the strike would be over before they got to Canada, thus inducing them to come to this country under false representations.

5. When I arrived in Toronto I found the trouble was of a much more serious nature than had been represented to me in London, England, there being only one man at work at Hood Sandham, Limited. After working for ten days and seeing the conditions prevailing, I decided to leave their employment until such time as the matter should be adjusted.

6. If the conditions had been properly represented to me in the first instance I would not have left my position in London, England.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Morris Goldstein.

Declared before me, at the city of Ottawa in the county of Carleton, this fourteenth day of April, in the year of our Lord, 1913.

J. Ogle Carss,
A commissioner, &c.

I do not think that the Minister of the Interior has that affidavit on his file, but here is one which he has:

In the Matter of the Dominion Immigration Act:

Dominion of Canada, Province of Ontario, County of York, to Wit:

I, Sydney Weinstein, formerly of London, England, but now of Toronto, Canada, photo-engraver do solemnly declare:

1. That I was employed in London, England, to work for Grip, Limited, Toronto.

2. That I visited the office of A. E. Penrose & Company, Limited, London, England, where Mr. Gamble, the company's representative told me that four men were wanted in Toronto, Canada. Mr. Gamble gave me a draft from Mr. McNamara, who he said was the representative of Grip, Limited. The purpose of the draft being to enable me to pass the Canadian immigration authorities. Mr. Gamble said that the draft came from Grip, Limited. He gave me a typewritten paper which said I was to give the draft back to Grip, Limited, when I got to Toronto. Upon arrival in Toronto I gave the draft to Mr. H. Watts, Manager of Grip Limited, the draft having served its purpose. I know that others were coming under the same conditions. The immigration authorities simply asked me if I had enough money, but took no pains to find out how much I had.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me in the city of Toronto, in the county of York, this seventeenth day of March, A.D., 1913.

A commissioner, &c.

There is another declaration which was also placed in the hands of the acting Minister of the Interior some time ago:

I, Wm. John Ceely, of the city of Toronto, in the county of York, photo-engraver, do solemnly declare:

1. That on or about February the 26th, 1913,——

Long after the time that the attention of the acting Minister of the Interior had been brought to this matter.

—I got in touch at Montreal with four men who were on their way from England to Toronto to work for Grip, Ltd. They were known as Russell, West, Collis, and 'Gus.' Gunther. They told me that Mr. Gamble, of A. W. Penrose & Company, Ltd., London, Eng., had told them that there were a few incompetent workmen from Grip, Ltd., that were trying to encourage the good men to leave the employers; that Gamble gave them drafts to enable them to pass the Canadian immigration authorities. At Cornwall, Collis told me that a twenty-five cent piece and a few coppers was all they had, and he intimated to me that if I had not helped them to food, they would have fared pretty badly by the time they reached Toronto. They showed me a cable from Grip, Ltd. West is now working for Grip, Ltd.; another works with Alexander Engraving Company, Ltd., and the other two with the Photo-Engravers, Ltd., Toronto.

This strike is still on and I believe it to be the duty of the acting Minister of the Interior, under the provisions of the Immigration Act, to take steps to deport these four men who are at present working at the places indicated in this declaration. He certainly has the power to do it. Section 3 of the Immigration Act prescribes that:

No immigrant, passenger, or other person, unless he is a Canadian citizen, or has Canadian domicile, shall be permitted to land in Canada, or in case of having landed in or entered Canada shall be permitted to remain therein, who belongs to any of the following classes.

Among these are:

Persons who do not fulfill, meet or comply with the conditions and requirements of any regulations which for the time being are in force and applicable to such persons under sections 37 or 38 of this Act.

The regulation made by section 38 of the Act is that all persons who come to Canada, other than those excepted by section 3, who have not $25 or $50 according to the season of the year in which they come in their possession and absolutely their own, are prohibited from landing and they may be deported if the facts are brought to the attention of the department. I wish to give the names of those who came out under those conditions and places where they are employed at the present time:

T. West, H. Sard, A. C. Phillips, Grip, Ltd.; Collis, Gardener, Walsh, C. Chant, Alexander, Ltd.; J. Russell, A. Gunther, Cooglan, Fillsell, Photo-Engravers, Ltd.; B. Hornscroft, A. Edmonson, W. G. Perkins, Hood, Sandham, Ltd.

Then there is a list here also of people who came out, took positions and left when they saw the condition of affairs. These persons are:

S. Weinstein, M. Goldstein, A. Venn, G. Fortt, F. Fortt.

I understand that there were two persons actually deported. My instructions are not very definite on that point, but I am led to believe that there were two persons detained and deported on account of not having $25 or $50 in their possession and absolutely their own. There is a regulation, which is section 8 of the Act, that any person who knowingly or willingly assists persons to enter Canada who are prohibited from landing are guilty of an offence, and the section goes on to say how that offence shall be punishable. There are persons in the city of Toronto to-day who wilfully and knowingly assisted certain persons to enter Canada who are prohibited from entering this country. It is up to the Department of the Interior to see that in this particular case action is taken against them and if the proof be as I have read it the penalty should be imposed. They are Grip, Limited, and the other firms in the city of Toronto who sent these $50 drafts across to the Old Country for the purpose of assisting people to enter Canada who would otherwise be prohibited from entering. They gave them this money in order that these persons might show it to the officers at the port of entry and in doing so they were guilty of a violation of the law. The money shown by these persons was not absolutely their own and they turned it over to these firms on their arrival in Toronto. The department should also give its attention to the pursers of boats sailing between the Old Country and Canada who gave these immigrants on leaving England these $50 bogus drafts in order to enable them to land in this country. Section 40 of the Act provides for complaints being made before the Minister of the Interior. The provision is rather a peculiar one and we shall probably have the defence from the acting Minister of the Interior to-day that these complaints were not technically laid. The complaints, it seems, must come to the minister, first, from the officers at the port of entry, and secondly, from the superintendent of immigration. I wish to point out at this stage that the superintendent of immigration was fully cognizant of all these facts which have been transpiring since the 11th February up to the present time and certainly the minister must be cognizant of them. These are two classes of persons who may lay complaints before the minister with reference to immigration matters. Then, provision is made for receiving complaints from the secretary or clerk of the city or town in whicn these prohibited immigrants are located. Mr. O'Donoghue, who has something to do with labour unions in Canada, went to the city clerk of Toronto, as appears from his letter, filed affidavits with the city clerk and asking him to lay this complaint before the acting Minister of the Interior. He would not do so, and he said he did not think the Dominion Government could force him to take any action, and I do not know but what he is right in that. There is no doubt that Mr. O'Donoghue was told perhaps by the department that he would have to get a compaint from the city clerk of Toronto before action would be taken in this case, notwithstanding that all the facts were in possession of the Department of the Interior previous to the 17th of February. This letter was written March 19, 1913:

March 19, 1913.

The Hon. T. W. Crothers,
Minister of Labour,
Ottawa.

Re Photo-Engravers.

Dear Sir,—In reference to the application made to you on behalf of the striking photo-engravers of Toronto, I called upon Mr. Littlejohn, city clerk for Toronto, and after exhibiting to him the various documents, copies of which you already have, asked him to make a complaint to you under the provisions of the Immigration Act concerning the importation into and presence in Toronto of four men named Russell, West, Collis, and Gus Gunther contrary to the provisions of the Immigration Act. West is now working for Grip, Limited; Collis with the Alexander Engraving Company, Limited, and the remaining two with the Photo-Engravers, Limited, Toronto.

Mr. Littlejohn declined to make any such complaint in absence of instructions from the city council or board of control and questioned whether the Dominion had power to impose any such duty upon him.

I inclose statutory declaration by W. J. Ceely and Sidney Weinstein and ask you on behalf of the striking photo-engravers on these declarations and on the material and representations already made to you to take immediate steps for the deportation of the above referred to and for the prosecution of the men, those who connived or are responsible for the violation of the Imimgration Act in these and the other cases brought to your attention.

Yours truly,
J. G. O'Donohue.

Here was a specific complaint. It is true that technically it did not come under the provisions of the Act, but there is no doubt in the world that the Act means that if it comes indirectly throught the superintendent of immigration that then the minister is forced under the Act to take cognizance of it, and up to this date no cognizance has been taken of it, no prosecution started, and no investigation ordered which would lead to deportation of these men. It is true that this is perhaps not a very serious matter inasmuch as the number of men out on strike is very small, about 90, but it is not the number of men I am concerned in, and it is not the number of men that the persons who have asked me to bring this matter to the attention of the Department of the Interior and of the Government are concerned in; we are concerned with a principle, and that principle is that the immigration laws of this country should be strictly enforced, especially when there is a strike on, and when immigrants have amongst them persons who are calculated to break that strike and thus injure the fortunes, the rights, the source of business and home conditions of the men who are on strike. The grievance is that the Act was not enforced. I complain, and the persons whom I represent complain that the acting Minister of the Interior did not send a telegram to Halifax to have these people deported if they were going to take the place of strikers. I complain that the minister or his superintendent must have known when he sent the telegram, that there was no provision under section 38 of that Act which would enable the officers at ports of entry to keep these people out. It was a pretence made for the purpose of misleading the Photo-Engravers' Union of the cities of Toronto and Montreal, and it was intended to make them feel that the Department of the Interior was acting in this matter when as a matter of fact the department was taking no action at all. In this particular case these men should certainly have obtained some remedy from the acting Minister of the Interior, especially in view of the fact that that hon. gentleman was also at the time Minister of Labour. He is supposed to have under his control, guidance, and special care, the labour people of this country who should get justice from him rather than be misled by him or his department.

I am instructed that a man named W. G. Perkins—I have no declaration to this effect, but I am told that a declaration can be made if it is desirable—was detained in St. John; he had no draft and all the money he had was $14. He was detained for a time and without any apparent cause was allowed to leave St. John and come back to Toronto notwithstanding that he did not have sufficient money to land in this country under the provisions of the Act. I am instructed that a certain Mr. Murray of the city of Toronto, who I understand is secretary of the Manufacturers' Association—I am not sure about his position—came to the Department of the Interior some few weeks ago and asked the Department of the Interior to relax the immigration laws with reference to the coming into Canada of photo-engravers who were taking the place of the strikers in Montreal and Toronto. It seems that this Mr. Murray is well known by reputation, at least to a great many members of this House, and that eighteen or twenty months ago Mr. Murray was instrumental in bringing to this country a body of strike-breakers. My hon. friend from South Wellington (Mr. Guthrie) tells me it is not the same man.

Mr. MACDONELL: There are two Murrays.

Mr. CARROLL: This Mr. Murray came to the department some three or four weeks ago—I think I will have to say that this is the same Mr. Murray, for I find a note here that he is the same man. He may not be secretary of the Manufacturers' Association but he is the same man who some eighteen or twenty months ago was instrumental in bringing to this country strike-breakers to break the strike of the carpet weavers of Toronto, and many of these carpet weavers are to-day walking the streets in a starving condition. I understand this Mr. Murray was prosecuted by the late Government in connection with that affair, and in some mysterious way after the present Administration came into power was discharged without any further consideration. If he has the same influence with the Department of the Interior on the present occasion as he had in getting clear of that charge, I would not be surprised if he had something to do with inducing the Department of the Interior; not to break the laws, for I will not say that, but not to enforce them.

Mr. LALOR: May I inform the hon. gentleman that they are entirely two different men; one is the secretary of the Manufacturers' Association and the other is interested in the Toronto Carpet Company.

Mr. CARROLL: My hon. friend from South Wellington explained that to me, but in justice to the gentleman from whom I get my instructions I will have to make that statement.

Some hon. MEMBERS: Oh, oh.

Mr. CARROLL: I know nothing personally about them; and I am surprised to hear members from Toronto laugh at these men who wish to better their condition and are prevented from doing so by the action of the department—men who have a stake in this country, most of them citizens of Canada. Yet, when it is brought to the attention of hon. gentlemen opposite, men from Toronto itself will smile and laugh at the case.

Mr. MACDONELL: I suppose the hon. gentleman is directing his remarks toward me.

Mr. CARROLL: No.

Mr. MACDONELL: I think the hon. gentleman is; he was looking at me—

Mr. CARROLL: There is a gentleman behind you who——

Mr. MACDONELL: I am the only member from Toronto in the House at present, and I desire to correct the hon. gentleman. There are two Messrs. Murray, as the hon. member for Haldimand (Mr. Lalor) has stated. One is the secretary of the Manufacturers' Association, and he, apparently, is the one whom the hon. gentleman is speaking about. The other is connected with the Toronto Carpet Company and took part in the investigation in connection with the Carpet Company that the hon. gentleman has been speaking about. But they are entirely different persons.

Mr. CARROLL: It does not make much difference which one it is. I am acting under instructions of the gentleman who presented this case to me, and that is what brought forth the smiles of hon gentlemen opposite.

Now, I have laid the facts of this case before the House as briefly as I could. I think it is incumbent upon the acting Minister of the Interior to order an investigation in this matter, and to have these men deported thus giving the citizens of this country who have grown up with the country a chance to better their condition wherever they can.

Hon. T. W. CROTHERS (Minister of Labour): I regret that my hon. friend (Mr. Carroll) has not taken a little more pains to get at the facts, instead of drawing so largely upon his imagination. The last statement that he has made is a sample of a great many others that he made during his remarks, namely, that a man called Murray had come to the Department of the Interior and had interviewed me touching this matter.

Mr. CARROLL: I said the Department of the Interior; I did not say whom he saw.

Mr. CROTHERS: So far as I am concerned, no man of the name of Murray ever came to me, nor any man by any other name, to ask me not to take action in this matter. The facts of the case, as I am advised, are briefly these. Those connected with photo-engraving in Toronto, numbering somewhere about one hundred, went on strike some weeks ago, not by reason of any dispute between them and their employers touching wages or hours of labour, but by reason of a difference as to the recognition of the union. Soon after, a complaint was made to us or to the superintendent of immigration, and orders were at once given to our immigration officers at the ports of Halifax, St. John and Montreal, to be very particular that any photo-engraver attempting to enter should not be allowed to pass unless he complied with the requirements of the law. We were afterwards told that these men might attempt to enter as mechanics in some other craft. The officers were then especially instructed to be very careful in the matter, to see to it that those entering fully complied with the provisions of the Act. Still later we were advised that some of these men might possibly come through the United States. We at once telegraphed to our officers at the different ports there that they should be on their guard and to examine very carefully any one coming through these ports to Canada. And, as a matter of fact, a number of these men, some three or four, were held by the immigration officers, and after making an examination, held for deportation. Application was made to Judge Graham of the Supreme Court of Nova Scotia, for a writ of habeas corpus. The men were brought before the judge, and the judge held that they were entitled to their liberty, and he held also that according to the evidence the sum of money given to an immigrant coming into this country, to be repaid by the immigrant either by being taken from his wages or in any other way, was his own money within the meaning of the section of the Immigration Act. That was the ground upon which these men, were released. I do not know if my hon. friend who has brought this matter up was furnished

with a copy of the judgment delivered by Judge Graham, but he did not read it for the benefit of the House. I want to call the attention of the House to some correspondence touching this matter which I know will satisfy the House that every effort was made by the Immigration Department for the protection of the men in Toronto who made complaint. We do not pretend to justify anything that was done by the employers in connection with this matter. We have had no communication or correspondence with them whatever, except to write them to say that complaints were made, and warning them against a breach of the Immigration Act in any respect. And on the 1st of March in reply to a letter from Mr. Nunn, who represented these men, the following letter was sent:

1st March, 1913.

Sir,—I beg to acknowledge receipt of your night letter of the 28th respecting strike among photo-engravers in Toronto.

All that we can do, as I said in my previous letter, is to notify our port agents of the existence of this strike. I am now doing so, that they may enforce the immigration regulations strictly, with regard to any immmigrants who are coming to take photographic work.

Your obedient servant,
W. D. Scott,
Superintendent of Immigration.

Edwin Nunn, Esq.,
Secretary, Toronto Photo-Engraver's Union,
91 Beatrice street,
Toronto, Ont.

A gentleman in Halifax, representing the men, asked permission to interview the photo-engravers arriving in Halifax on the 1st of March. That same day, Mr. Scott sent a message to the Dominion immigration agent at Halifax in these words:

W. L. Barnstead,
Dominion Immigration Agent,
Halifax, N.S.

Allow John T. Joy or other representative labour people to interview photo-engravers arriving your port or going Toronto. I have advised Joy.

That was in reply to a telegram received from Joy of the same date:

Am in Halifax representing striking photo-engravers, of Toronto, watching importations. Department officials here refuse to let me examine passenger lists. Joy advises me ask you to wait a Minister Interior. Try to have him wire permission to local officials at once.

Here is a message that was sent to our official at Portland, Maine, at the request of those representing the strikers in Toronto. It is dated March 7:

In further reference to the matter of photo-engravers' strike in Toronto, will you please note that in the application of P. C. 924, it is desired to make sure in the case of persons going to a place where a strike is in progress, that the money presented belongs absolutely to the immigrant presenting it and not loaned to him by some employer in Canada who may be interested in his admission.

(Sgd.) W. D. Scott.

Geo. W. Elliott,
Canadian Government Official,
116 Spring Street, Portland, Maine.

A message similar to that was sent to each of our officials at the other ports where it was suggested that these men might come in. Here is a message sent to our agent at St. John, N.B., on the same day:

Strike of photo-engravers now in progress at Toronto. Examine carefully all photo-engravers going that city, satisfying yourself that money shown belongs absolutely to immigrants instead of being loaned. Object to those who do not fully comply.

A message in the same terms was sent on the same day to our agent at Halifax, Mr. Barnstead. A message was sent to our agent at Ellis Island, New York, as follows:

There is photo-engravers' strike in progress, Toronto. Understand strike-breakers on Cymric arriving to-morrow. Question these carefully and see that money shown belongs to immigrants instead of being a loan. Reject all who do not comply fully.

On the same day, a message was sent by the superintendent of immigration to the secretary of the union of photo-engravers in Toronto:

Your wire received. Have telegraphed our official New York make careful examination, but cannot arrange for examination manifest, this being United States matter. Am writing fully.

When we were notified that there was a possibility of their attempting to get through under assumed names, we sent this message to our agents at the different ports:

Reported here that photo-engravers are entering Canada giving other than their correct occupation. Question closely all immigrants destined Montreal and Toronto, and if any found to be photo-engravers reject if that action can be legally taken.

My hon. friend has emphasized the few words at the end of that message, namely: 'if that action can be legally taken.' Certainly you would not advise an officer to reject a man where he could not legally take such action. You would advise him to reject a man who was attempting to come in in violation of the Immigration Act. There is no ground whatever in these few words for insinuating that there is any suggestion in them that the law should in any way be violated by the action. If that action can be legally taken, certainly reject him; reject him if he is an undesirable, if he has not the money quali-

fications; reject him if he is in any way attempting illegally to enter Canada. There is no ground whatever in that message for making any charge of collusion.

Here is a letter from the superintendent of immigration, dated March 17, 1913:

I understand from Mr. Watts and two representatives of the Photo-Engraver's Union that they are to have an interview with you this afternoon at five o'clock, and in order that you may know what action has already been taken I quote herewith a letter which was to-day addressed to Mr. Nunn, secretary of the Toronto Photo-Engraver's Union:—

I am in receipt of your night lettergram of the 15th instant and have discussed with the Hon. Mr. Crothers, acting Minister of the Interior, the contents of your similar message addressed to him, and have wired the Dominion immigration agents at Halifax and at St. John the following rush message:—

Reported here that photo-engravers are entering Canada giving other than their correct occupations. Question closely all immigrants destined Montreal and Toronto and if any found to be photo-engravers reject if that action can be legally taken.

I trust that these instructions will prevent the entry of further numbers by misrepresentation, and should any cases be brought to the department's attention where the party in question secured entry through misrepresentation, an investigation will be at once commenced, and if it is found that the party gained entry through misrepresentation, deportation proceedings will be commenced.

Your obedient servant,
W. D. Scott.
Superintendent of Immigration.

As a matter of fact, several were actually deported, I think three. My hon. friend called attention to the fact that no Order in Council had been passed under section 38 of the Act. I am advised that no Order in Council has been passed under section 38 at any time. It occurs to me that it is very doubtful whether that section of the Act is applicable to a case of this kind and it is the only section under which they could be excluded. My hon. friend complained that there was no board of inquiry. Although the Immigration Act has been in force for a good many years and was administered by the hon. member from Edmonton for a number of years, I am advised by the superintendent of immigration that no board of inquiry has ever been appointed anywhere in Canada to make such investigation, but that the immigration officer has acted under section 33. The Act provides that where there is no board of inquiry, and there was none at or near Halifax, the immigration agent himself, or the officer in charge, has the same power as a board of inquiry; so that the immigration officer in this case, acting instead of a board, was simply doing what has been practised ever since the Act was passed. Mr. Barnstead, immigration officer at Halifax, who had charge of this matter, was appointed by hon. gentlemen opposite. I have never heard a complaint against his capacity for the office or against his integrity in filling it. This whole matter has been dealt with by the regular officers of the department, every one of whom was appointed by our hon. friends opposite and they have been instructed to strictly obey the law. Would my hon. friend suggest that these officers or any of them should be dismissed because they did not discharge their duty in this respect?

Mr. CARROLL: I made no charge against the officer. I complained that the department did not give him legal advice, so that his forms would be drawn in such a manner as to comply with the Act and could not be set aside.

Mr. CROTHERS: I know that my hon. friend did not find fault with the officer; that was not his object, it was to find fault with somebody else. He is not so particular whether the officer did his duty or not if he can only find some ground of complaint against the minister. If there was any fault it was in the officers of the department who were appointed by hon. gentlemen opposite and if they are prepared to take the position that any officer of this department has been guilty of wrong doing and desire to have him dismissed, that would be a remedy worthy of consideration.

Mr. CARROLL: Does the minister think that all officers of the immigration service should be qualified to draft warrants as they would be prepared or orders for deportation as they would be drafted by a legal gentleman? It was this lack in the forms which gave the judge jurisdiction to try the case.

Mr. CROTHERS: I thought I was safe in assuming that an officer appointed by our hon. friends opposite to such an important port as Halifax knew sufficient to enable him to discharge the duties of his office, one of these duties being to prepare papers in a case of this kind. When the habeas corpus proceedings were started he had the services of a lawyer, I understand a good lawyer in the city of Halifax, to assist him in doing the proper thing under the circumstances.

I was saying that the only correspondence we had with any employers interested in this matter was a letter written on March 18, to Grip, Limited, 48 Temperance street, Toronto, and I have been advised by some of these men that this company were acting not only for themselves but for other companies interested. The letter is as follows:

Ottawa, 18th March, 1913.

Sirs,—It has been brought to the attention of the department that, owing to a strike of

photo-engravers in the cities of Toronto and Montreal, firms employing this class of labour have been securing employees from the British Isles, and as the department does not look with favour upon an influx of any class of labour or skilled mechanics coming to the country when a strike is in progress, the ocean port officials have been notified that all photo-engravers applying for admission must be warned of the strike and rejected if that action can be legally taken.

It has also been asserted that some have during the past few weeks secured entry either through misrepresentation as to their occupations, or by being furnished with money directly or indirectly by their prospective employers, the department has agreed that if any such cases are brought to its attention an investigation will be at once commenced, and if it is found that any party gained entry through misrepresentation, deportation proceedings will be commenced.

Having been informed that your firm is one affected by the strike, I bring the attitude of the department to your attention for your guidance.

Your obedient servant,
W. D. Scott,
Superintendent of Immigration.

Messrs. Grip, Limited,
48 Temperance Street,
Toronto, Ont.

It has been contended that the department was lax in not taking proceedings for the deportation of the few men who did succeed in getting past the officials at Halifax. It is a very serious matter to arrest a man, to take his liberty away. One of the sections of this Act, section 42, provides:

Upon receiving a complaint from any officer, or from any clerk or secretary or other official of a municipality whether directly or through the superintendent of immigration, against any person alleged to belong to any prohibited or undesirable class, the minister may order such person to be taken into custody and detained at an immigration station for examination and an investigation of the facts alleged in the said complaint to be made by a board of inquiry or by an officer acting as such.

It was quite open to the gentlemen, and they appear to have availed themselves of their right, to go to an officer in the city of Toronto, right where the men were, and to satisfy that officer that the men were there in the city of Toronto under circumstances which would warrant the Immigration Department in taking deportation proceedings against them. They did go to the clerk of the city of Toronto—so I gathered from the evidence read by my hon. friend—and that official of the city of Toronto refused to make any complaint. He was on the ground, and it was quite convenient and quite possible for those men to advise him of the facts and circumstances. It does not appear to me to be the duty of the department at Ottawa, on second-hand evidence, or on statements that are not legal evidence, to take the serious position of arresting a man in the city of Toronto and depriving him of his liberty. It seems to me that the Immigration Act has very wisely placed that power in the hands of the officers of municipalities, and the late Government, in regulations passed in section 37, provided who should sign complaints of this character, made with the view of deporting men who had illegally entered this country. The provision is that:

The recommendation to deport should be signed by the mayor, reeve, or other public official having cognizance of the facts.

So that in a case of this kind the remedy seems to be to go to the official of the municipality where the man is who is said to have entered the country illegally, and satisfy him of that fact, and then he makes a complaint to the Minister of the Interior, and it becomes the duty of the Minister of the Interior to act upon that complaint. An attempt was made to satisfy the official of the city of Toronto. According to the evidence of my hon. friend, they did not succeed in satisfying that official that this was a case which would warrant the Minister of the Interior taking action for the deportation of the parties interested. Now, Mr. Speaker, it may be interesting to read a portion of the judgment delivered by Mr. Justice Graham on this application:

Sir WILFRID LAURIER: Why not read the whole of it?

Mr. CROTHERS: It is pretty lengthy, but I shall read it.

In re Walsh, Collier and Filsell. This is an application to discharge upon habeas corpus from detention in Halifax previously to deportation three British subjects just arrived from the Mother Country. The order returned by the writ gives as a case of rejection and deportation 'lack of funds, P.C. 924.' The order is signed 'W. H. Barnstead, immigration officer in charge.' Referring to this Order in Council it proceeds: 'no immigrant. . . unless he or she have in actual and personal possession at the time of arrival money belonging absolutely to such immigrant to the amount of at least $25 in addition to a ticket or such sum of money as will purchase a ticket . . . to his destination in Canada.'

By section 37 of the Immigration Act it is provided that 'regulations made by the Governor in Council under this Act may provide as a condition to permission to land in Canada that immigrants . . . shall possess in their own right money to a prescribed minimum amount, which amount may vary according to the race, occupation or destination of such immigrant, &c.'

By section 3 'no immigrant shall be permitted to land in Canada . . . who belongs to any of the following classes . . . (1) Persons who do not fulfill, meet or comply with the conditions and requirements of any regulations which for the time being are in force

applicable to such persons under sections 37 or 38 of this Act.

By section 22 it is provided: 'where there is no board of inquiry at a port of entry or at a neighbouring port to which a person detained under this Act could conveniently be conveyed, or to which a case for decision could conveniently be referred, then the officer in charge shall exercise the powers and discharge the duties of a board of inquiry and shall follow as near as may be the procedure of such board as regards hearing an appeal and all other matters over which it has jurisdiction.'

These men each had some cash, and in addition bank drafts (one had an express order) each for $25, readily convertible into cash and which were converted into cash subsequently to the date of examination by the officer in charge, Mr. Barnstead. The fact of their having the requisite amount of money is not disputed. No contention was made before me on this point. It was expressly conceded and correctly conceded. What is contended is this, that this money was not absolutely the immigrant's. It appears that these three men are experienced steel plate engravers or process workers, and that they have obtained steady employment with Grip, Limited, of Toronto, under written contract to pay them each $20 per week. They are on their way to Toronto to enter that employ. It also appears that the employer has supplied each with this sum of $25, no doubt as an advance or loan to be paid out of their wages when they reach Toronto. It is not to be returned to the employer but worked out. Mr. Barnstead thinks apparently that this fact prevents them from being considered the absolute owners of the $25. In this he is in my opinion wrong. The fact that it was advanced 'to enable them to comply with the requirements of the Order in Council' does not render this money any the less their own. I suppose many of these people who come to this country as immigrants have to borrow money to come, and among other things to enable them to comply with this provision. This was the money of the immigrant—not that of the employer at Toronto who advanced it. There is no pretence that this money was put in their possession and produced by them merely to evade the provision.

Then it may be construed by the statute under which the regulation is made. They 'possessed in their own right this money.' The regulation can go no higher than the statute. If it means more than that there is an excess of jurisdiction. Now, I am referred to the 23rd section of the Immigration Act restricting the power of the court to review, quash, revise, restrain or otherwise interfere with the order of the officer in charge. In my opinion the order of the officer in charge was not made or given under the authority and in accordance with the provisions of the Act relating to the detention or deportation of any rejected immigrants.'

Hon. members will remember that that provision of the Act sets forth that the courts shall not interfere where the proceedings have been taken according to the provisions of the Act. (Reading):

In the first place, he has not proceeded in accordance with the Act, but all provisions of that kind are subject to this condition, that the tribunal must have jurisdiction.

In a case in which I think the officer in charge was so obviously wrong I feel justified in being technical. This is the order of an inferior court.

On the face of this order——

He was speaking of the order of deportation——

—there is nothing to show that Mr. Barnstead had jurisdiction, namely, that there was not a board of inquiry here or at a neighbouring court of entry under section 22. And it is not until that appears that Mr. Barnstead has jurisdiction.

There is no presumption in favour of the inferior tribunal. Then section 17 requires the decision of the board rejecting the immigrant to be in writing and this section also required a record of the proceedings to be kept. How is the minister to dispose of the appeal unless he has these things. And by section 22 the officer in charge is to follow as nearly as may be the procedure which a board is required to follow. In my opinion the three persons detained should be discharged.

(Sgd.) Wallace Graham,
J. S. C.

Halifax, March 29, 1913.

So that these men were released by legal process. As hon. gentlemen will notice, the judge takes the position that all the requirements of the Act were not complied with by the officers; therefore the officer had no jurisdiction, and the procedure was not according to the provisions of the Act. He held that the officer had no jurisdiction, but that he, the judge, had power to release those who were imprisoned. He also held that the money belonged to each individual immigrant even under the circumstances.

Sir WILFRID LAURIER: As I heard the opinion of Mr. Justice Graham, he held that it had not been shown that a board of inquiry had not been established, and consequently that the officer had no jurisdiction.

Mr. CROTHERS: There was no evidence that there had been any board. But he finds that, within the meaning of the Act, on the money loaned, an immigrant had a perfect right to come through. He points out the difference between lending a man money and giving it to him for a few minutes or an hour and then getting it back from him. If the judge is right that this money was simply a loan and that, while it was in the possession of the immigrants it was their own money within the meaning of the regulations and that therefore these men could not be deported, we could not deport the men that are in Toronto now. I do not know what evidence was adduced before the clerk of

the city of Toronto, but it was not sufficient to satisfy him that it was his duty to make complaint to the Department of the Interior in order to have these men deported. I submit that the Department of Immigration has done everything reasonable in this case to carry out the wishes of the gentlemen who complained and to carry out those wishes in accordance with the law. It may be that the immigration agent at Halifax did not strictly and technically carry out the provisions of the Act. That is a matter for which, I suppose, the head of the department is theoretically responsible, but in reality not responsible. The attention of the officers will be called to the remarks made by the judge, and they will be required to see to it that in future no such mistake is made, if there was a mistake in this case. There are two points that hon. gentlemen will consider in the judgment of Mr. Justice Graham. One is that this money belonged to the men. They were simply given it to enable them to pass the immigration officers, the amount to be worked out at some future time. In other words, they were loaned this money for the purpose of enabling them to pass the immigration officers and it was not a case in which they could be deported. That is a very important decision if it is held to be good law. It may be necessary to amend the statute, because I think it is not desired by this House that the law should be as the judge seems to think it is.

Then there is the other question of jurisdiction. I submit that everything within reasonable limits has been done by the Immigration Department to carry out the provisions of this Act, which was passed by our hon. friends opposite and administered by officers appointed by them, notably the superintendent of immigration and the immigration officer at Halifax. I am not finding fault with these men at all. Whatever may be said of the action of the officer at Halifax, I am perfectly satisfied that the superintendent of immigration, because I have had personal contact with him in regard to this matter, did his full duty.

Mr. HUGH GUTHRIE (South Wellington): Mr. Speaker, I do not quite agree with the hon. Minister of Labour (Mr. Crothers) who is now, and has been for some time, filling the position of acting Minister of the Interior, in his statement that neither of these departments is at all to blame in connection with the matter that has been brought to the attention of the House this afternoon relating to the immigration into this country of photo-engravers at a time of labour difficulties in the photo-engraving trade in the city of Toronto. I think that the Department of the Interior, through its acting minister, and the Department of Labour, have both been very careless in the matter, to put my criticism in its mildest form. I believe I am justified in stating, Mr. Speaker, that this is another of those cases in which the rights of labour unions and organizations, when they come into conflict with the interests of manufacturers and employers, under this Administration, receive the very coldest kind of treatment and in many cases are treated with positive injustice. This case follows so closely the case, which was mentioned this afternoon, of Murray, of the Toronto Carpet Company, that one can hardly keep from adverting to the latter case. I brought it before the House myself on January 19 of last year. It was the case in which J. P. Murray—I think he is president—at all events general manager of the Toronto Carpet Company, a very large organization in Toronto, had deliberately broken the immigration laws of this country. It could not be denied. He had induced men to come from various parts of England during a strike in his own mills, had paid them money to enable them to comply with the regulations under our Immigration Act, had sent agents to Great Britain, had published advertisements and had made absolutely false representations to workmen in that country. In the month of June, 1911, two or three months before the general election, he was prosecuted. An information was laid against him by the labour people themselves in Toronto, and the matter came up for hearing before Mr. Denison, the police magistrate. There was some technical irregularity in the proceeding and the magistrate did not consider that he should deal with the case. But the labour unions were not satisfied to allow the matter to rest there as the case was so glaring. One of the declarations will be found in 'Hansard' of last year at page 1512 setting out the facts of the case. Communications were sent to the officers of the Department of the Interior, who had charge of immigration. An officer was sent to Toronto; he investigated the facts, and he instituted another prosecution, seeing that he this time proceeded under the proper section.

Mr. SPEAKER: I would remind the hon. member that not more than one matter can be discussed on this motion; and I would ask the hon. member to confine himself to the question before the House.

Mr. GUTHRIE: I will not deal with that matter further than to say that this case which is dealt with in the motion now before the House is practically on all-fours with the Murray case. In the Murray case the prosecution was deliberately stopped by this Government and when I called the attention of the Government to that condition of affairs I received the promise

from a minister of the Crown that the matter would be further prosecuted, but so far as my information goes not a thing has been done from that day to this.

Now comes the case of the photo-engravers. The Government since the beginning of the strike in February has been aware of all the facts. Mr. Nunn on the 12th of February communicated the facts to the immigration branch of the Department of the Interior. The department seems to have taken no action at all except to send a telegram to the port of entry notifying their agents that a strike was in progress and to pay particular attention to immigrants who might be photo-engravers. That, as a preliminary step, was perhaps proper enough but the matter should not have rested there. What the minister should have done was to take action under section 38 of the Immigration Act. The labour unions complain that notwithstanding the minister had all the facts before him in detail, he took no action, confining himself merely to what investigation which might be held by officers at the various ports through questioning the immigrants. In section 38, there is a specific power granted to the minister if he sees fit to exercise it, to exclude men of any particular class or occupation, and the object of that is to prevent men coming into Canada during the time of strikes or lockouts, so as to protect our own workingmen. All the Minister of Labour would be required to do; all that the acting Minister of Interior would have had to do—and they were one and the same person at that time—was merely to pass an Order in Council under section 38 to prohibit immigration into Canada of photo-engravers during the continuance of that strike as the union labour men desire in order to protect themselves. What did the minister do? He seems to have done nothing; he does not seem to be aware of the situation at all; he left it entirely to his officials. The Minister of Labour has been so much taken up with emergencies and dreadnoughts and closures that he has had little time to attend to labour difficulties.

Mr. CROTHERS: My hon. friend (Mr. Guthrie) is misrepresenting me; I hope not intentionally. It is not five minutes since I stated to this House that I kept in close touch with the superintendent of immigration in this city in every step that was taken.

Mr. GUTHRIE: If the Minister of Labour kept in touch with the superintendent of immigration that is all he seems to have done, because he certainly authorized no action which gave these labour men the reasonable justice they demanded. They desired to have photo-engravers excluded, and photo-engravers were admitted to the country and the minister seems to have done nothing except in the case of the three men at Halifax. The men who went to Toronto have not been prosecuted in any way yet. Three men were detained in Halifax. They seem to have had the required amount of money in one form or other, but that money was supplied to them by employers in Canada who desired to bring them into the country to compete with Canadian labour and to break the strike then pending in Toronto. It is true that the matter was brought before Mr. Justice Graham and he, on grounds that appeared to be highly technical—he states in his judgment they are very technical—held that the immigration officer at that point had not the required jurisdiction to make the original investigation, and there being no board of inquiry, the proceedings were irregular and the further detention of the men would be illegal. Mr. Justice Graham has made a few observations with regard to the money in possession of these men, but he did not decide the case upon that point at all——

Mr. McKENZIE: My hon. friend (Mr. Guthrie) is now dealing with a nice point of law. Mr. Justice Graham did not decide that the officer had no jurisdiction; he simply decided that the fact of his jurisdiction did not appear on the face of the order.

Mr. GUTHRIE: That makes the point more technical still. But at all events the question as to the possession of the money was not the basis of the judgment. Leaving out entirely the consideration of the Halifax case, let us take the Toronto case. The men were in Toronto; it was established beyond peradventure that the money they had was supplied them by their employers expressly for the purpose of evading the sections of the Immigration Act, and the other sections framed thereunder, which say that these men should have a certain sum of money which should be their own money. The money was supplied, as I say, by the employers in breach of that Act. These facts have been brought to the attention of the Minister of Labour and the acting Minister of the Interior in the shape of declarations and correspondence. I have a copy of a letter written by Mr. O'Donoghue, who acts as solicitor for the various labour organizations in Toronto, dated March 19, setting out specifically the cases of four men: Russell, West, Collis and Gunther; stating that he had gone to the city clerk of Toronto under section 42 of the Act, and the city clerk had informed him he did not think he had any right to inquire into the matter. But, under that same clause the minister might, upon receiving a report from any of his officers, as defined

in the Immigration Act, have taken action. He need not wait for the reeve or clerk of the municipality to send him a complaint. The complaint was before him, full particulars were before him, and he has calmly sat with that knowledge before him since the 19th of March last and has done nothing. And that is what the men complain of. Now, they ask for investigation into the case of these four men in Toronto, they ask for the deportation of these four men, if the affidavits read are true, it is beyond question that these men have been brought to Canada in violation of the Immigration Act; and unless some prosecution follows and these men are deported, it is just a case on all-fours with the Murray case. I do not believe the Government will permit prosecution of these employers who have been guilty of breaking the immigration law. Certainly, they stopped prosecution in the Murray case, and they have encouraged this kind of thing in the case of the photo-engravers whose case is under consideration. The charge is not against the officers of the department—mark that. I want the minister to understand that the charge is one of laxity on the part of the Minister of Labour—that is what these men complain of. I know the minister is a very busy man, I know that it is very difficult to manage two important departments such as he has charge of at the present time, If he has not proper assistance, let him get proper assistance; but let me impress upon him that so long as he is Minister of Labour his first duty and paramount is to look after the interests of labour. The hon. gentleman was in Guelph last September, addressing the labour congress, hearing all the resolutions which these labour representatives had to propose, hearing their speeches, consulting with them and knowing the requests they had to make; but up to the present moment, he has not moved a hand to comply with any of those requests, so far as I am aware. And let me tell the hon. gentleman, and tell him plainly, that there is a good deal of talk in connection with that matter; it is said that the only definite action he has taken was when in Montreal he stated that he had not much use for labour unions—a statement which he afterwards denied in this House. But he can easily see the importance of the matter under discussion. I do not care what may be the cause of a strike; granted there is difficulty between a union and an employer and a strike follows, what protection has the union if the employers are permitted to break the very clauses of the immigration laws which were put in for the protection of labour unions and to bring people in from other countries, men who take the places of Canadian union men out on strike? In such a case the protection of the men is gone. If we do not support the provisions of our immigration laws in regard to labour to the very letter, you might as well wipe them from the statute-book. The Toronto union in this case request that an investigation be held at once in regard to the men now resident in Toronto who they allege, have been brought into Canada in breach of the Immigration Act. If it be found that a breach of the law has taken place, a prosecution should follow in order that the Murray case may not be repeated. It may be that later on in the session, the Murray case will be brought up too. And, further than that, the men illegally or improperly in the city of Toronto working as photo-engravers should not be there, but should be deported. I hope that after this discussion the minister will see his way to taking immediate action in this matter.

Mr. ALPHONSE VERVILLE (Maisonneuve, Montreal): I have listened to the Minister of Labour (Mr. Crothers) who has said something with regard to assisted immigration. If I understand the immigration law, surely, when an immigrant is handed money before coming into the country in order that he may have an amount to qualify him for entry under terms of that law, that is assisted immigration. And surely if assisted immigration is not permitted in this country, this should not be permitted. This is not the first time that such immigration has been brought in. For the benefit of the Minister of Labour, I may tell him that in 1910, about twelve or fifteen bricklayers were imported into Montreal under similar circumstances to those which have been described here to-day. But these men were held at Quebec and two of them were deported because they had not the necessary $25 in their pockets. Of course, there was a strike at that time. I am not speaking so much of the misrepresentation as of the injury that is done to Canadian workmen by these immigrants being handed money to come into Canada at a time when a strike is on. The members of the Manufacturers' Association are great friends of the Minister of Labour and they will always see to it that men are brought at the time of a strike and also that those men have the necessary amount of money to fulfill the requirements of the law. After what has been brought before the Minister of Labour and the Government, the coming in of immigrants under these circumstances should be prevented and those who are in Toronto in violation of the immigration laws should be deported.

Motion (Mr. Carroll) for adjournment of the House, negatived.

At six o'clock, the House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

CANADIAN NORTHERN BRANCH LINES COMPANY.

On consideration of an amendment made by the Senate to Bill No. 97, respecting the Canadian Northern Branch Lines Company.—Mr. Sharpe (Lisgar).

Mr. LANCASTER: Hon. gentlemen will find the amendments made by the Senate set forth on page 943 of the Votes and Proceedings. Apparently Their Honours thought that they were accomplishing what we had already accomplished with much less language; but, in my opinion, these amendments fail to accomplish the object of the legislation, and make a complication which I do not think is good legislation at all. I do not want personally to assume the responsibility of moving that the House do not concur in the amendments, but reject them peremptorily. I think a better motion would be that these amendments be referred to the Select Standing Committee on Railways, Canals and Telegraph Lines, for report, and I so move.

Motion agreed to.

Amendments made by the Senate to the following Bills were referred to the Committee on Private Bills:

Bill No. 100, respecting a patent of the Honourable Ambroise D. Richard and others.—Mr. Fowler.

Bill No. 101, respecting patents of Frederick Jacob Newman and others.—Mr. Macdonell.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Consideration of the proposed resolution of Mr. Borden, to amend rule 17 of the House of Commons, and the proposed motion of Mr. Hazen, that this question be now put, resumed from April 14.

Hon. CHARLES MARCIL (Bonaventure): Mr. Speaker, the question now before the House is without doubt one of the most important that has come to the attention of the present Parliament or any previous Parliament since Confederation. It may affect the carrying on of the business of the House for we know not how long. The Prime Minister proposes—and the Minister of Marine and Fisheries has moved the previous question—to amend Rule 17 of the House, which reads as follows:

> When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place: but a motion may be made that any member who has risen 'be now heard,' or 'do now speak,' which motion shall be forthwith put without debate.

Before referring to the amendments which it is proposed to make to this rule, I would call the attention of the House to the reference made to it at page 457 of Bourinot, showing the origin of the rule:

> The Speaker of the Commons will always give precedence in debate to that member who first catches his eye. Rule 11 provides also for cases where several members rise at the same time.

Rule 11 has now become rule 17.

> When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place; but a motion may be made that any member who has risen 'be now heard,' or 'do now speak.'

Since Bourinot published his work, the following words have been added to the rule:

> Which motion shall be forthwith put without debate.

Bourinot, continuing, says:

> It is usual, however, to allow priority to members of the administration who wish to speak and in all important debates it is customary for the Speaker to endeavour to give the preference alternately to the known supporters and opponents of a measure or question; and it is irregular to interfere with the Speaker's call in favour of any other member.

I wish to point out that in this instance the Government has taken the liberty of breaking down all previous precedents. Bourinot, continuing, says:

> In the House of Lords, when two rise at the same time, the Chancellor or Chairman of committees has no absolute right to determine the question as to which should address their Lordships. Unless one immediately gives way the House will call upon one of them to speak, and in case of variance of opinion the decision must rest with the House, which may forthwith proceed to vote who shall be heard. The Lord Chancellor is given, by courtesy, precedence over other peers, should he rise to speak at the same time with other members.

The House knows that the member for Quebec East, the right hon. the leader of the Opposition (Sir Wilfrid Laurier), was given the floor by Your Honour, and the Government assumed the responsibility of setting aside the precedent which we find in parliamentary history for the purpose of bringing to a head a project which should never have been brought before the House. It is to my mind the second great mistake that this Government has committed. The first mistake was to deal with a great Imperial question from a party standpoint, and the second was to try to do away with parliamentary procedure, and to have this great measure adopted by the setting aside of all parliamentary rules.

The leader of the Government proposes to add three clauses to rule 17. I need not read them, as they are familiar to mem-

bers of the House. The object is to limit debate and to take away from present members and those who come after us precious liberties which have existed for a long time. The intention of the first clause is to take away the right that we have to debate motions for adjournment. At the end of this clause, these words have been added:

But all other motions shall be decided without debate or amendment.

It remains in actual practice to ascertain what this amendment really means. Several of the older members of this House, who are present, I am sure would not like to lay down in black and white how this rule would work out in practice, because parliamentary rules, which seem perfectly good in theory, when they come to be put into practice, are sometimes found to be very difficult of application. The intention of the Government is clear. It is to limit debate on motions for adjournment and on all other motions which shall be decided without debate or amendment, except those which are mentioned in the body of this amendment. The second clause is to the same effect. The most important part of the second amendment is the last part of it after the part referring to notice of a motion that debate shall not be postponed beyond the subsequent sitting, it is proposed to add the following:

If such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

This means that any member of the Ministry may at any time give notice that he will move at a subsequent sitting of the House, the application of this rule. He may do that; he may be animated by the best intentions; we give him the benefit of the doubt. Circumstances, however, may be such that he may move to apply this rule at two o'clock, or a few minutes before two, and we will witness the spectacle of perhaps some much debated question, important or unimportant, being passed through under this rule which has been styled, in England, the rule of the guillotine. This is one of the most serious changes that could be made in our Parliamentary procedure. It is one which should not have been made, according to my experience in this House, without having been given the fullest consideration possible by members on both sides of the House, because if the rules are to be properly observed, they should be accepted by both of the great political parties. The enforcement of the law is an easy matter when the law is made by the consent of the governed, but in this case the rule is proposed to be made by a fairly large majority in this House and I am afraid it would not be binding on the minority. If the minority have to submit they will not submit, not avec bonne grace, but because there is no other course open to them. It must not be forgotten than an Opposition under the British Parliamentary system are here to protect the public interest. The people confides the administration of public affairs to the Government, but they appoint, at the same time, the Opposition to watch over the proper discharge of those duties and if the Opposition has put up a proper fight in a session which on next Sunday will have reached a duration of five months, it must not be forgotten that this fight has been put up in the public interest and it would be a great misfortune for Canada or for any country governed by the British system, if at any time, it should be without an opposition because an opposition is the best guarantee the public has of a proper administration of affairs. The Government may be recruited from one party at one time and from another at another time, but the duties that it fulfils in the House are duties which have been imposed on it by the public and those duties the Opposition endeavour to fulfil to the best of their ability.

The third subsection which it is proposed to add to this rule is also intended to limit the freedom of speech in a sense, to limit the opportunity that the members of the Opposition or, in fact, any members of the House now have, of bringing up grievances when we go into Supply. It is the oldest maxim of the British Parliamentary law that no Supply is to be granted to the Crown till grievances have been aired and ventilated. It is proposed here that on Thursday and Friday, two days in the week, Mr. Speaker shall leave the Chair without putting the question. That means that two days will be lost in every week and in the commencement of the session, for the first four weeks when only three days are given up to Government business, the Opposition, or any member having any grievance to ventilate before voting Supply to the Crown will be reduced to one day a week in which to bring it before the House. That is contrary to the practice that has been followed in this House and is altogether contrary to the public interest. I have no right, under the rules of the House, to impute motives to the Administration or to question the motives of the Premier who has introduced this measure, but I may be allowed to look at the facts as they are. We have been seventy-three days in

session since the 21st of November. Yesterday concluded the seventy-second day of our sitting. How has that time been taken up? The first seven days were given up to the discussion of the Address, rather a limited time if we consider that in the past the discussion on the Address has often lasted for two or three weeks. The naval debate has occupied thirty-five sittings of the House and Supply eight days; government Bills have occupied seven days and there have been fifteen private members days, a total of seventy-two days. We can see here at a glance that the Government decided from the very beginning of the session, at least since the introduction of the Naval Bill early in December, that this House must first of all pronounce upon this great question which nobody would deny is the most important of all that we have had to deal with since confederation, since upon its solution will depend, in a large measure, our future relations with the Empire. It is all very well to say that this is a question of emergency but it also forms a precedent and a precedent will be used whenever opportunity may arise. The Government, therefore, has decided that the time of the House must primarily be taken up with this naval debate and it has allotted the time of the House as I have pointed out. Eight days have been given to Supply. The House and the country know that the Government has had no difficulty in obtaining Supply. The supplementary estimates for the past year were voted in a day or two and one-sixth the Supply for the present year was also voted. Therefore, on that ground, there is not the faintest suspicion that there was anything like obstruction intended or practised in this House during the present session.

The Order Paper as we have it to-day is deserving of close attention. We find, first of all, that after routine proceedings there are six government Bills still on the Order Paper that have not been introduced. These are as follows:

February 11. Bill to amend the Fisheries Act.—Mr. Hazen.

March 3. Bill to amend the Dominion police Act.—Mr. Doherty.

March 27. Bill to amend the Supreme Court Act.—Mr. Doherty.

March 27. Bill to provide for further advances to the Quebec Harbour Commissioners. —Mr. Hazen.

March 31. Bill relating to Parcel Post.—Mr. Pelletier.

March 31. Bill to provide for more advantageous conditions for telegraphic communications between Canada, the United Kingdom and other parts of the British Empire.—Mr. Pelletier.

Under rule 31 the Government have the right to call any government business standing on the Order Paper in whatever order they choose. Exercising that discretion, they have decided that this naval debate shall occupy the attention of the House to the exclusion of all other items of government business on the Order Paper. On the second page we have a government order standing in the name of the Minister of Justice since the 4th of April which has not been proceeded with, with regard to the salary of the registrar of the Supreme Court of Canada. But on the Orders of the Day proper we have still a most extraordinary state of affairs. The first government order is: 'Third reading of Bill No. 28, respecting an agreement between Canada and certain of the West Indian Colonies.—Mr. Foster (Toronto.)'—which has been standing in the name of the Minister of Trade and Commerce since January 24 last. This Bill has not been called for third reading. No explanation has been given except a reference made by the Minister of Finance (Mr. White) to the effect that this agreement had something to do with the budget and that the budget could not very well be brought down until this Bill was disposed of or something to that effect. Then there has been on the Order Paper since February 14 last: 'Third reading of Bill No. 35, to amend the Customs and Fisheries Protection Act—Mr. Hazen.' The House has not been in Committee of Supply since the 1st of April, and no attempt has been made to obtain Supply of any kind since then. Item 4 refers to Ways and Means. No. 5 is an item which has been there since February 18: 'House in committee on Bill No. 26, an Act respecting Radio-Telegraphy,' standing in the name of the Minister of Marine and Fisheries. Item No. 6 has been there since April 8: 'House again in committee on Bill No. 21, an Act to authorize measures for increasing the effective naval forces of the Empire,' standing in the name of the Prime Minister. Item No. 7 has been there since March 3: 'Consideration of amendments made by the Senate to Bill 84, an Act to amend the Exchequer Court Act,' which stands in the name of the Minister of Justice. Item No. 8 has been there since December 6: 'Second reading of Bill No. 25, an Act to amend the Intercolonial and Prince Edward Island Railway Employees, Provident Fund Act,' standing in the name of the Minister of Railways. Since December 10 a most important question has stood on the Order Paper in the shape of a resolution:

That it is expedient to provide for two additional members of the Senate from each of the provinces of Manitoba, Alberta and Saskatchewan, and for three additional members of the Senate from the province of British Columbia.

That resolution stands in the name of the Prime Minister. Since December 11, there has stood on the Order Paper another important question: 'Sec-

ond reading of Bill No. 32, an Act to encourage and assist the Improvement of Highways,' standing in the name of the Minister of Railways. Since January 24, there stood for a second reading, 'Bill No. 103, an Act for the granting of Aid for the Advancement of Agriculture Instruction in the Provinces,' standing in the name of the Minister of Agriculture. Under date February 13, we find standing in the name of the hon. member for Argenteuil (Mr. Perley): 'Second reading of Bill No. 108 (Letter E of the Senate), an Act respecting the Manufacture, Marking and Sale of Articles composed of Gold or Silver and of Gold-plated or Silver-plated Ware.' Since February 21, we have had standing for a second reading, 'Bill No. 120, an Act respecting the Conveyance of Letter Carriers on Electric Railways,' in the name of the Postmaster General. In the name of the Minister of the Interior we have had standing since February 21, the following resolution:

That it is expedient to amend the Volunteer Bounty Act, 1912, and to provide that any substitute of a grantee of a warrant issued under the provisions of the Volunteer Bounty Act, 1908, and who has been duly appointed such substitute, may locate and enter for lands, as provided for in the said Act of 1908; and to extend the time within which a grantee or his substitute may locate and enter for such lands.

Since February 27, the following resolution has stood on the Order Paper, in the name of the Minister of Railways:

That it is expedient to provide that the Minister of Railways and Canals may, subject to the authority of the Governor in Council, construct, purchase, lease or otherwise acquire, in whole or in part, any railway, railway bridge, railway station, railway terminal, railway ferry or other railway work; and that any such railway or other work shall become a part of the government railway system.

Since March 31, there has stood for a second reading, 'Bill No. 161, an Act to amend the Quebec Harbour Commissioners Act,' in the name of the Minister of Marine and Fisheries. Since April 3, there has stood for a second reading, 'Bill No. 163 (Letter Y 2 of the Senate), an Act to amend the Canadian Grain Act,' in the name of the member for Argenteuil, and there are two other resolutions standing in the name of the Minister of Marine and Fisheries, which I will not read because they are too lengthy. One has been standing since April 7 and refers to the Vancouver Harbour Commissioners, and the other since the same date referring to the Quebec Harbour Commissioners.

I want to put a fair question to the majority of this House. If we omit item No. 6, 'an Act to authorize measures for increasing the effective Naval Forces of the Empire,' has there been on a single one of those items anything that could be construed into the faintest attempt at obstruction? The House has been deprived of the opportunity of discussing all these measures, every one of which is important, and which have been brought down because, I suppose, they were in the public interest. Some of them refer to our trade with other countries, others to our fisheries protection, others to the administration of justice in the highest courts of the land; others deal with the funds of railway employees, with the representation of the new prorvinces in the Senate; others have reference to the improvement of highways, to the purchase of branch lines, to the encouragement of agriculture, to the postal service, to the rewards to those who have served the country.

They cover in fact the whole line of administration by this Government and this Parliament, and they are all questions which affect the Canadian people. And yet they have all been brushed aside or allowed to stand, some of them since December 10, last, without any fair attempt being made to secure the approval of the majority of this House because of the idea that the most important question before the House was the naval question over which we consumed thirty-five sittings. It is not for me to criticise, but I was anxious to call your attention, Mr. Speaker, to these facts so that when those who come after us refer to 'Hansard' to ascertain the reasons which might have justified the Canadian Parliament in voting for closure they will know exactly the state of affairs which prevailed at that time.

With your permission, Mr. Speaker, I wish for a few moments to institute a comparison between the state of affairs that now exists here and the state of affairs which existed in the British Parliament when closure was introduced. I shall make no statement of my own; I shall quote from the statements of statesmen whose words cannot be impeached, because they stand high in the opinion of the governing majority of this House. Before this, referring again to the Order Paper, I cannot avoid the temptation to mention the first of the public Bills and orders, because I know that this is one that has been called to the attention of the Prime Minister on one or two occasions, and it is of the highest importance. It is a question in which the citizens of the capital city of the Dominion, which is, to a certain extent, under the paternal care of Parliament, are interested, and it deals with the pollution of navigable waters. I understood from the Prime Minister that an opportunity was to be given to the House to discuss this Bill, and I hope that before long it will be discussed and some change made if deemed advisable. There are other very important questions on the list of public

Bills and orders. I will not mention those brought in by Opposition members, but merely those introduced by members supporting the Administration, to show what they deem most important questions. And yet all of them have been set aside for the present because of the naval proposition of the Government. They deal with the use of flags, the Bank Act, the Criminal Code, the Companies Act, the hours of labour on public works, the Dominion Elections Act, the Railway Act, the Naturalization Act, and the Lord's Day Act. Another, which I suppose has its importance, refers to the abolition of titles of honour in Canada, and there are several adjourned debates. Then there is one dealing with the Dominion Lands Act, another with the Canadian Pacific railway, another with the pollution of navigable waters, and one to amend the Juvenile Delinquents Act. All these matters have been allowed to stand, and I mention them to show what important questions are before the House and to point out the great mistake which in my opinion the Government has made in insisting on the solution of one question to the exclusion of everything else. The last time that a revision of the rules of this House took place—and there are many members here who will remember the circumstances, since it happens that most of those who took part in the debate are still members of the House,—was on the 14th December, 1909, not very long ago. The right hon. leader of the Opposition, then Prime Minister, in keeping with the time-honoured custom in such matters, moved:

> That a special committee of nine members be appointed, with instructions to carefully examine the rules of the House, to report what changes in their opinion might be adopted with the view to simplify, accelerate and expedite business; and that the said committee be composed of Sir Wilfrid Laurier, Mr. Brodeur, Mr. Pugsley, Mr. McKenzie, Mr. Carvell, Mr. Borden (Halifax), Mr. Haggart (Lanark), Mr. Barker and Mr. Doherty.

With the exception of two of the gentlemen here named all are still members of this House; one has gone over to the great majority and the other has been elevated to a seat upon the bench of the highest court in the land.

It is unfortunate that this present moment, when we are going to make such an important change, the Prime Minister did not deem it advisable to at least follow what was the ordinary procedure of Parliament. When the previous question was moved by the hon. Minister of Marine and Fisheries (Mr. Hazen), my right hon. friend the leader of the Opposition (Sir Wilfrid Laurier) had in his hand an amendment proposing that the time-honoured custom of referring the rules to a select committee for the purpose of examining them should be followed. Had the Prime Minister moved the appointment of such a committee, the ministerial party would have been in the majority on this committee, the minority would have agreed or disagreed, the report would have come into the House, it would have been referred to the general committee of the House, as has always been done, and it would have been ratified and become binding on all parties. There is no member of this House who will pretend that although great care seems to have been given to the drafting of the proposed new rules, any law was ever drawn up that was not susceptible of being amended. These rules before long may be amended in a very important particular, in fact, we have the promise of the Prime Minister that, at the next session, he will, if he deems it necessary, appoint a committee to deal with the rules, which can be taken as an acknowledgment that they are not perfect. When this proposed amendment was offered to the House, he was willing, if the leader of the Opposition had agreed, to insert an amendment to the last paragraph of the third sub-section which deals with the consent which is to be obtained for your leaving the Chair, Mr. Speaker, on Thursdays and Fridays. I understood that the leader of the Opposition did not consent to this amendment because he had other amendments to make and wanted to discuss the whole question. I think it is rather unfortunate that this procedure of a Select Committee was not followed because it might have entailed a few more days of the time of Parliament, but it was important in the public interest that it should have been followed. To show the House how careful hon. gentlemen, who are now in office, were when, on the 14th December, 1909, my right hon. friend the leader of the Opposition, then Prime Minister, moved the appointment of this committee and followed the procedure that has been laid down from time immemorial, let me quote a little further from the discussion which took place upon that occasion. When this proposal was made by the Prime Minister of that day, the leader of the Opposition, who is now the Prime Minister, made a few remarks which stand in striking contrast with the attitude which he now assumes with regard to these changes in the rules. He said:

> I see no objection whatever to the appointment of this committee and to some revision of our rules. I do not know that there is anything in present conditions that especially calls for amendment. I do think that some time might be saved in our proceedings, particularly in the answers to questions. Sometimes we take up an hour or even an hour and a half with answers to questions which

are inaudible to about nine-tenths of the members of the House and are not really available to any member until next day. I think that our rules might be well amended in this respect. On the other hand, I do not believe that any amendment of the rules will avoid what is sometimes called waste of time. In a deliberative assembly composed of over 200 members, there will be a certain waste of time so long as human nature remains what it is; no revision of rules will prevent it. We must also remember that parliament is a place for debate and discussion, as its very name implies. It is proper that every member of the House should have reasonable opportunity to discuss any matter that he thinks is in the public interest. It would be very undesirable to bring about any condition of affairs in which that would not be practicable. So far as the working of the present rules is concerned, I would point out that last session, which occupied exactly four months and in which a considerable amount of work was done is proof that under the rules as they are at present, the House of Commons has done and can do its work within a reasonable time. However, for the reasons I have given, and especially in view of certain amendments which I think might properly be made, I concur in the motion of the Prime Minister.

So the House will admit that not later than the 14th December, 1909, the present Prime Minister admitted that the rules in existence were practically all that was required for the carrying on of the business. He had no objection to the appointment of a select committee to go over the matter for the purpose of dealing with the one particular rule in regard to questions, but generally speaking, they were all of a satisfactory character. We see the very great change that has taken place in his mind since that time. I will take the liberty, if I have the indulgence of the House, to give more quotations from the discussion which took place upon that occasion. There are several wings of the Conservative party, and we have one member of this House who represents what I might call the independent wing of the party. I am sorry that he has been away for the last few days. The hon. member for South York (Mr. Maclean) has been a member during the fourteen years that I have sat in this House and he has been one of the outspoken members of the Conservative party. He has been the pioneer in the advocacy of a great many measures. A great many reforms have been suggested by him in advance of their time. We of the fourth estate, of the newspaper fraternity, know that the hon. member for South York is a newspaper man, a constant reader of newspapers and that there is no better informed member of the House today. He is a man who is posted on all that is going on in the great republic to the south of us and when important reforms were brought about in the states of the American Union, in connection with railways, telephones, public utilities, Government or state ownership, we were sure to have something from the hon. member for South York and to have it in no uncertain way. Under the old rules a member was allowed, on the calling of the Orders of the Day, to read long extracts from newspapers and comment thereon. That was one of the privileges that was done away with by the revised rules and we now have a rule which permits an hon. member to move the adjournment of the House for the purpose of discussing a question of urgent public importance. After the present Prime Minister had spoken, the hon. member for South York was heard further and he gave the free and unbiased opinion of the Conservative party. With the permission of the House I shall read what he said:

> I hope that this committee will in no way attempt to interfere with the liberties of Parliament, and especially with the liberties of individual members of this House. In the United States to-day, we see that the popular chamber has lost its liberties, and has passed under the domination of a Speaker who is now known as a czar, and consequently that chamber, which should have been the model chamber throughout the world as a place of debate, has lost its prestige and its power, that power having passed to another body. I do not wish to see a repetition of that history in this country. We have revised our rules to a certain extent with the result that business has been facilitated. I am glad to see business facilitated, but I put in a protest now against any interference with the liberty of this House and the right of free discussion. It is a great right, and if we once part with it we may not get it back. The liberties of this House have always been upheld—at least, so I have read—by the Liberal party, and I hope that that party will be the last to in any way interfere with those liberties.

These are the remarks of the hon. member for South York, who boasted that he did not submit to the party whip and did not attend the party caucuses. His electors must have had a high opinion of the stand he took, because of the rural constituencies of Ontario the hon. member had the largest majority of any Conservative elected in the province. Another important member of the House spoke on this important question, I refer to the Minister of Trade and Commerce (Mr. Foster), who has gone to the Antipodes in the discharge of his public duties and we all wish him success and a happy return to this House. If we do not all agree with the Minister of Trade and Commerce, still we must all admit that he speaks forcibly and eloquently. The hon. gentleman spoke on this occasion briefly, but his words are pregnant; he said:

I would ask the Prime Minister if this has any wider range than simply taking up the present rules and revising them. Does it go so far as to inquire into the making of any improvements with reference to the work of the committees of the House, as to their number, and the like of that? An intimation made by the Prime Minister some time ago when another question was being debated here would lead me to think he had that in view. I wish at this stage to say, that whilst I have no objection to any elimination of what is useless in the House, any abbreviation of what now may be somewhat too lengthy, I for one have no idea at all of submitting without protest to any of the well defined liberties of this House as a parliamentary body being infringed upon.

It is a pleasure to be able to point out now that the stand then taken by Mr. Foster is the stand taken by the Opposition in this House to-day. The gallant Minister of Militia spoke on that occasion also. He has on many occasions addressed remarks to this House with no uncertain sound, and in the last Parliament when in opposition he did not always toe the line laid down by party whips, and sometimes he expressed independence. On this question he spoke with deliberation and in a manner which would lead us to hope that to-day he may retrace the step he has taken with his colleagues. The hon. member for Victoria and Haliburton (Mr. Hughes), speaking in that debate, said:

It is true that on going into Committee of Supply every member may raise any subject in order and discuss it. But going into Committee of Supply is a very irregular procedure. So far as I am concerned, I heartily concur in all that has been said as to the necessity of preserving liberty of debate in this House, and I would impress upon that committee the view I hold, at all events, and I think it is in the interest of parliamentary procedure and of the country at large, that there should be an opportunity on any occasion, even though the House be not going into Committee of Supply, to discuss freely matters relevant and important to the country. I trust that in revising the rules there will be no attempt to curtail the liberty of debate, or to hamper members from expressing in a proper manner the views they may wish to utter concerning the welfare of the country.

There is no ambiguity in that language. With your permission, Mr. Speaker, I may be allowed to cite the statement which you made on that occasion, and in my opinion it stands to your credit. You said, Sir, in speaking in that debate:

Mr. Sproule: Rumours have been prevalent for some time past in the Government press that the Government intended to revise the rules of the House at an early date, and to introduce what is known as the closure. I would like to ask the First Minister if that is the intention in this revision of the rules. I would like to say that so far as I can judge the temper of parliamentarians generally, they regard the freedom of debate as one of the dearest rights of the representatives of the people, and if any attempt is made under the guise of amending the rules to prevent the freest discussion of all public questions, I can only say that in my judgment the Government will invite a good deal of trouble.

To the questions put by the hon. member for East Grey (Mr. Sprule), the Right Hon. Sir Wilfrid Laurier, then Premier, used these words which are to the point:

Sir Wilfrid Laurier: I can assure my hon. friend (Mr. Sproule) that the Government has no intention of using the majority now supporting it in this House to curtail any of the rights and privileges of members of this Parliament. We prize them as highly on this side as hon. gentlemen do on the other side. I propose that the rules of the House be referred to this committee in order to have a discussion upon them, particularly by those minds in the House who I think are the most entitled by their long experience to give a practical opinion. If it had been the intention to introduce at once what my hon. friend calls curtailment of the privileges of parliament, we might have done it as it has been done in England, though I do not think it was a curtailment of the privileges of Parliement. There is such a thing as abusing the privilege of debate, as there is of abusing everything else. In asking for a committee of this kind, we want to have a discussion on the subject with a view to arriving at a unanimous conclusion on such matters as we can, though there may be some other matters as to which we may not agree. But when we come to the discussion of the report of the committee, it will be time enough for the House to make up its mind.

On the 25th of April the committee reported to the House, the proposals were discussed, and concurred in Committee of the Whole. On the 29th of April the present leader of the Opposition moved that the report of the Committee of the Whole be adopted and that the resolutions come into effect at the next following session. The reason for that was that it was near the end of a session and the Prime Minister had no intention of changing the rules for the balance of the session. That was the last occasion on which the House was called on to revise its rules.

To show the importance that must be attached to the rules of Parliament, Bourinot refers us to Hearn's Parliamentary Government of England, and I would once more impress on hon. gentlemen the importance of considering this question from a non-partisan standpoint as showing the great importance that hon. members must attach to the observance of the rules and to the framing of the rules which are the only safeguard the public and the minority have. Under the heading 'Checks upon Parliament,' Hearn says, at page 555:

The utility of Parliament depends upon the freedom of its action and the genuine ex-

pression of its will. But that freedom and expression depend upon the mode of proceeding by which its will is ascertained and its action determined.

The law and custom of Parliament, therefore, form an essential part of our political system. Unattractive and even trifling as it may at first seem to appear, the code of rules which, under this title, has been spontaneously evolved is, both in its origin and its immediate and remote results, one of the most striking phenomena in our policy. It is peculiar to the Anglican race. It has silently been developed to a degree of almost absolute perfection. It has become in other countries the model for the practice of legislative assemblies. It has proved at home an efficient instrument for the transaction of the business of public meetings. There is no slight advantage in securing that the public business shall be transacted decently and in due order. But this is the least of the services of parliamentary law. The minority is protected, and the violence or the improvidence of the majority is restrained. Every individual member and the public at large alike find in this system their appropriate security. Every member is enabled to express fully and freely his opinion on every subject with which the House has to deal. There is no room for stratagem; there is no stifling of debate. The utmost latitude of discussion is ensured; but, after free deliberation, the action of the majority is unimpeded. At the same time that the rights of the minority are thus protected, full consideration is secured for each measure. No important step can be taken heedlessly upon a sudden impulse. No House of Commons could, in a fit of enthusiasm, sacrifice upon the altar of their country in a single evening their own rights and those of their constituents. It could not, like the Constituent Assembly on the famous night of the fourth of August, abolish by acclamation the whole social structure of the country. Those rigid rules have often a very sober effect. They give time for the fits of excitement that are incident to large assemblies to subside or to pass away. They cannot, indeed, exclude errors, but they fix the limit of error. Our deliberate judgment may be wrong, but we can hardly be guilty of rashness or improvidence.

We are now so familiar with the exercises of the Lex et Consuetudo Parliamenti that we fail to recognize its real merits. In this instance, as in so many others, we neglect the marvels that are at our feet. But the unanimous testimony of the ablest writers, and the results that have attended the absence of any such system, prove the constitutional importance of this branch of our law. De Tocqueville has pointed out the growing tendency of democracy to disregard forms and to slight their importance; and earnestly enforces the importance which, in such a condition of society, forms, as the defenders of true liberty, possess. Lieber dwells upon parliamentary law as an essential guarantee of freedom, and as one of the especial glories of the Anglican race. Even the habitual wrath of Bentham himself is modified when he approaches this part of our policy. The great reformer, whose denunciations are so fierce and whose language is so unmeasured on all other parts of our law, recognizes in this bye-corner the original seed-plot of English liberty. In this department of our law, and in this alone, he confesses that 'although equally disposed to have hazarded invention,' he has had 'nothing to do but to copy.' There are few legislative assemblies in other countries that have not suffered from want of that elementary knowledge of the procedure of public meetings with which every Englishman and every American are unconsciously familiar. Such a want has been one main obstacle to the establishment of free constitutions on the continent of Europe and in South America. In the great French revolution the same difficulty, as I have already intimated, was keenly felt. Sir Samuel Romilly, whose liberal nature and hereditary sympathies led him to take a deep interest in that revolution, prepared for the use of the National Assembly a statement of the rules of the House of Commons, and Mirabeau translated that work into French. That assembly, however, neither adopted these rules nor observed any others. There was no order or regularity in their debates. A hundred members might be seen at the same time attempting to address the House. No rule was observed in making motions. The spectators were allowed to applaud and even to hiss. The authority of the President was altogether disregarded. 'Much of the violence,' says Sir Samuel Romilly, 'which prevailed in the assembly would have been allayed, and many rash measures unquestionably prevented, if their proceedings had been conducted with order and regularity.'

I shall quote no more from this author. I have given his words to call the attention of the House to the tremendous importance which at all times has been attached to the proper observance of the parliamentary rules and the parliamentary law of England. The greatest critic of English laws has declared that he has found in the rules of the English Parliament the seed-plot of English liberty. It is well that in this Canadian Parliament, this Parliament of the first of the sister nations of the Empire, we who have undertaken to carry out on the North American continent the traditions of the Mother Country, who intend, in the matter of the rights which we have inherited to stand by the traditions of the British people in parliamentary government—it is well for us to pause before doing away with the most cherished of the liberties of the members of this House no matter how important may be the question that is before us; for what we are doing to-day will stand against us as it will stand against those who come after us. In this Parliament, and later on we may be blamed for having committed a fatal error. By doing away with these rules we may plant on the North American continent the seeds that have grown to such rankness elsewhere. In the South American continent, for the want of sober English rules, and their restraining influence, anarchy has been rendered al-

most chronic, revolution has been almost of daily occurence, and parliamentary and responsible government has become almost a farce. Here on this North American continent, it has been, and it is, our duty to benefit by the experience of others. I know that I shall be told that we are face to face with an extraordinary conditions of affairs. The right hon. Prime Minister considers that an extraordinary condition of affairs exists. But I do not so regard it. Since this House came into existence in 1867, the great Prime Minister of its earliest period and many of the great men who have followed him in that high office have found sufficient patriotism, sufficient enlightenment in the members of the Canadian House of Commons, sufficient flexibility in its rules, sufficient adaptability in its parliamentary methods, to solve the greatest questions. There is no question however great, there is no question however important which cannot be properly solved under British customs, and the British parliamentary system. The way to bring out the right results is to go about the work in the right way, in the fair way, in the British way. If this had been done in this case, there would have been no present complaint. I do not wish to detain the House at greater length on this point, but having had the honour in the past of filling the position of Deputy Speaker during four years and that of Speaker during three years, an honour which I shall always value highly as long as I live, I thought it was my duty to call the attention of the House to the importance of what has taken place and what is is contemplated to do. The right hon. Prime Minister in bringing down his measure naturally turned towards England for a precedent. He quoted from Mr. Gladstone, from other great men, from the Canadian press,—from all that could possibly uphold his contention. The greatest men and the greatest minds have committed mistakes. Mr. Gladstone, I am sure, when he brought in the change in reference to the British Parliament, did so with great reluctance, but he did so in the face of a state of affairs which does not exist here at all. On merely reading the Order Paper of to-day, one will see that no attempt has been made by the Government to carry on the ordinary business of the Canadian people. No attempt has been made to have the ordinary questions which are brought up before the House solved by Parliament; but an attempt has been made to throw into the arena of this Parliament a great Imperial question for which we were not prepared for the reason that about three years ago we took a united stand on that question, a stand which seemed at the time to meet with the general approval of the Canadian people. Since then, the right hon the Prime Minister has gone to England and has sought advice from the First Lord of the Admiralty. We have heard letters read in this House from the First Lord of the Admiralty. We know that the right hon. Winston Churchill stands high in the estimation of the Government and of its supporters. I have in my hand the writings of that hon. gentleman. I have the biography of his illustrious father, Lord Randolph Churchill, which he wrote when he was free to express an opinion on the measure which is now brought into the House by the right hon. the Prime Minister. I am sure his opinion will be valuable to the House in forming a judgment on this question. I shall read the part that deals with closure before reading a chapter of the conditions which prevailed in Great Britain which brought about the closure in that country, because it has been recognized since then that if closure is an evil, obstruction is also an evil, but the greater of the two evils is closure. The British Parliament is not at all similar to our Parliament. We have nine provincial legislatures in Canada. If we were to do away with all of them, if all the business of these local legislatures were thrown into this House, if we had in addition to that to attend to the affairs of a vast Empire, if we had in this House of some two hundred members, ten or twelve members who would speak and vote against every motion that was made in this House, every move of every kind, day after day, week after week, and month after month, then we might realize the condition that existed in Great Britain. The two great political parties there got together for the purpose of adopting this important change in the rules, in order to carry on the business of the country against the opposition of a small minority. I shall have an opportunity later on to say a few words in regard to the motives which guided this minority. The minority may have been a nuisance at the time, but they were carrying on a great warfare, which has brought about in their lifetime and in our own lifetime one of the great changes for which the British people are noted. A change was brought about by the consent practically of the two great British parties, the Tories and the Liberals. Was not this change, which the Prime Minister intends to make in the rules of the House, sufficiently important to follow the ordinary procedure, the procedure that has been followed at all times, and to consult the Liberal party in the matter ? That is one of the reasons why I think I am right in saying that, if a great mistake was made in bringing an Imperial question into the arena of party politics, a second great mistake was made when it was sought by one side of the House to bring about a change in these rules.

The Right Hon. Winston Churchill, in his 'Life of Lord Randolph Churchill,' at page 220 of the first volume, dealing with the part that his father played in those momentous times under the heading 'Ireland Under Storm,' used the following language. There is no parallel between Ireland under the storm and Canada under the storm at the present time.

Ever since then, obstruction and closure have struggled against each other in a warfare which has respected no neutral boundaries and recognized no public law. Scarcely any parliamentary custom or privilege has escaped their joint depredations. Every device or formality designed in the careful wisdom of former ages to safeguard the rights of a minority has been recklessly exploited by the one fraction and ruthlessly demolished by the other. The historic procedure of the House of Commons has been reduced to the rigid framework which had hitherto served a purpose only in continental or colonial imitations. The whole theatre of war has been devastated. Almost everything within the range of the combatants that was destructible has perished—and has perished beyond repair. So long as the House of Commons contains no body of opinion which, because more or less independent of party organizations, is capable of being won or estranged by argument or conduct, the vicious conflict must ever run its appointed course. The end is, however, in sight. The majority must prevail. An elaborate and comprehensive time-table, fixed no doubt with some impartiality, may soon assign immovable limits to all debate. The victory of closure will be complete. Obstruction will disappear through being at once unnecessary and impossible. But the remedy may prove more painful than the disease and the strength and reality of representative institutions may very easily disappear as well. Certain it is that if the House of Commons is ever to regain its vanished freedom and is ever to regain its vanishing authority, it will be by new and original treatment and not by belated attempt to revive the systems of the past. A larger and more generous freedom in choosing the subjects to be discussed might compensate for the mechanical regulation of the time allotted to discussion. The delegation of financial and legislative detail to committees, and the devolution upon local, provincial or national bodies of much contentious business proper to their respective jurisdictions, would abundantly increase the total time available. And perhaps those more complicated but more scientific methods of parliamentary election, generally described as 'proportional representation,' will some day secure that detached, august, impartial element in British councils whose influence and favour all factions would strive to win.

Before reading the chapter in regard to the condition of affairs in England when this great change was brought about, I should like to read a few words from the Montreal Gazette of yesterday morning, taken from the lecture delivered by the hon. member for Jacques Cartier (Mr. Monk) before the St. Paul Young Mens' Club in his own riding. The description that he gives of the closure as it exists now and the way in which it was introduced in England, is short and to the point, and is given in an impartial manner. I think it is important to give it so that comparison can be made between what is proposed to be done here now and what has been done in Great Britain. This is the portion of the lecture read by the hon. member for Jacques Cartier:

The first application of the closure under this new enactment, that is in virtue of a formal vote, took place on the 23rd February, 885. Mr. O'Brien had been named for want of respect to the Speaker, and the House had suspended him in consequence. The closure was immediately afterwards proposed, and was carried by 207 ayes to 46 nays—seven more than the required majority. The second instance was in 1887 when after a very stormy debate upon the Address, the Speaker intervened and obtained two repeated closures during the sitting of the 17th February.

'Recourse to closure in the beginning of the new regime seems to have been rare.'

This is well worthy of the full consideration of hon. members.

It has been intimated that it is the intention to apply the closure on one question; but it is hoped that it will not be necessary to apply it on other questions. The same promise was made in the British Parliament; and we shall see now how it has been carried out, how the temptation to bring it into effect was too great, and how both parties when in power, both Liberals and Conservatives, succumbed to the temptation until the closure has become a permanent institution.

The hon. member for Jacques Cartier said:

Recourse to the closure in the beginning of the new regime seems to have been rare and it is evident that the House was reluctant to employ the new procedure with which it had provided itself under somewhat special circumstances. But the machinery was still imperfect, and in 1887 it was found necessary to modify the resolution of 1882. The new rule proposed as a standing order was not adopted without strenuous opposition. The sitting of 18th March, 1887, at which it was finally carried, after a debate lasting 200 consecutive hours, was a particularly long and stormy one, and the result of the division was 262 to 41.

The new rule as to closure, which is in force in the British House of Commons today, may be briefly summed up as follows:

1. When a question has been proposed, a member may move 'that the question be now put,' and if the Speaker deems this motion not an abuse of rules of the House or an infringement of minority rights, then this motion is put forthwith, without amendment or debate.

You will admit that the British parliamentarian, be he to the right or to the left of the Speaker, has in the Chair a judge to whom he can appeal for the set-

tlement of any difficulties in parliamentary law. You occupy an exalted position in this House. We are two parties discussing matters in the public interest. We differ in the interpretation of certain rules as to the conduct of debate. At a given moment we appeal to you and we abide by your decision, you are vested with full authority and every member who appreciates parliamentary government bows immediately to the decision of the Chair. We will be deprived of this great advantage by the rules now brought forward. The hon. member for Portage la Prairie (Mr. Meighen), who seems to have had a good deal to do with the framing of the proposed amendment, in answer to a question by myself the other night, said that the reason why the Government had not adopted the British rules of having the Speaker declare whether the motion for the adoption of the closure was an abuse of the rules of the House or of the rights of the minority, was that the Government had to take the responsibility anyway and that it was not fair to place upon the Speaker the responsibility of such a provision as they have in the British House. I differ from the hon. member for Portage la Prairie, and I think that in every decision you give under the rules of this House you assume the responsibility of first of all observing the law as we know it, and second, of seeing that fair play is given to every member. If there could be an occasion when an appeal should have been made to the Speaker of this House it would be when a motion was made for the adoption of closure. Supposing, when notice of this motion is first given, the guillotine falls on the second sitting, when there has been no debate and the guillotine comes in under the proposed amendment and all debate is shut off, is it to be imagined that any member in this Canadian Parliament, occupying the high and exalted position of Speaker of the House of Commons, could be found to say that that was not doing away with the rights of the minority in this House, to cut off debate in that way, even if the debate had not been resumed and there were fifty or one hundred members who had not been heard at all in the matter? I think, therefore, that doing away with the wise British position of allowing the Speaker to decide whether the motion that is being put is an abuse of the rights of the minority is one important safeguard which is being taken away from us. The member for Jacques Cartier continues:

II. The motion for closing the debate and putting the question being carried the procedure is then followed up; that is, the question consequent thereon is put forthwith and decided, as well as any further motion which may be requisite to bring to a decision any question already proposed from the Chair (the assent of the Speaker not having been withheld).

There again comes in the wise British position of allowing the umpire to rule the game, allowing the Speaker, who is there for that purpose and no other, to see that justice and fair-play are meted out to every member of the House. We are deprived of the basic principle of appealing to the Chair, under the rules put in by the Prime Minister. The case will strike the average man very forcibly if he is told that at any moment in a court of justice, if he be the defendant, the plaintiff may at a certain time make a motion in which the judge will have nothing to say and the defendant will be entirely at the mercy of the plaintiff. That will be the position not only of this Opposition, but of any other opposition in this House, if these rules stand. But I seem to feel that behind the words uttered by the Prime Minister that he would consent next session to the appointment of a committee for the revision of these rules, lay the fact that he still has a high opinion of British parliamentary procedure and that he himself has been reluctant to bring in these measures, and will take an opportunity at an early day to have them repealed. We do not know what took place in the Cabinet and shall never know, but we know that the majority rule, and I would not be surprised if some day we should learn that on this one occasion the Prime Minister was opposed to the amendment of this rule. Mr. Monk proceeds:

III. Also when a clause is under consideration, a motion may be made (the assent of the Chair not being witheld).

There is again the wise provision that the Chair must consent to the closure measure, that there must be no abuse of power, no taking away of the rights of the minority, the assent of the Chair must be had.

—that the question that certain words of the clause, defined in the motion, stand part of the clause, or that the clause stand part of or be added to the Bill, be now put.

IV. And all these motions like the first starting the closure are put and decided without amendment or debate.

The object of this rule is thus very clear. It is that at a certain stage of the discussion of a question and under carefully defined conditions, to close debate present, further, subsidiary, or auxiliary motions and bring to an immediate decision, not only the main question, but all the secondary questions tacked on to it so that the whole matter at issue may be finally voted upon and disposed of. But the standing order further provides that no resort can be had to this exceptional procedure unless the Speaker or, in his absence, the Deputy Speaker, is in the Chair and in Committee of the Whole House the Chairman of Ways and Means is in the

Chair (or in his unavoidable absence) the Deputy Chairman, and moreover in the assembly the motion must be supported by not less than 100 members. The reduction of the majority from 200 to 100 dates from February 28, 1888.

The essential difference between the present rule and the standing order of 1882 is that formerly the initiation of closure lay with the presiding officer, and now any member of the assembly may propose the recourse, but the presiding officer exercises, as it were, a preventive veto upon its adoption. Resort to this extreme machinery was rather rare at first but it has become much more frequent in recent years. Even as late as 1903, closure was only applied 13 times; in 1904, 44 times; in 1905, 45 applications; in 1906, 61 times; then in 1907, 45 times; in 1908, closure was applied on 40 occasions and 124 applications are recorded in 1909.

The guillotine—the closure had been at first resorted to in order to meet the particular obstructive tactics of the Irish parliamentary group; it was reluctantly and rarely applied at first but its use gradually became more frequent. Important Bills and pressing measures having been unduly delayed by motions to amend each clause and almost every sentence, recourse was had to the guillotine, a method of forcing a Bill through with its clauses practically undiscussed. It means that under the standing orders of the House closure is applied when the time allotted for consideration of any measure has expired and the measure is disposed of then and there under the closure rules. The guillotine was first applied on the 17th June, 1887, to force through in committee the numerous clauses of the Crimes Act, when the 6th clause only had been reached after prolonged debates. The Home Rule Bill of 1893 was pushed through by the use of guillotine.

There we have in the words of the hon. member for Jacques Cartier an idea of the system as it exists in England to-day. Mr. Speaker, I question whether there is an hon. member in this House who would be prepared to say that apart from the long debate which we have had on the naval question, and which had to be long because of the importance of the question, there has been the faintest justification for the introduction of these amendments. A great mistake has been made in not sending them to a committee. Then at least we would have had the satisfaction of offering amendments. Some might have been accepted and others rejected. We would probably have stood before the country, as we always do in a vote, in a minority, but the country would have understood that we had been given an opportunity of being heard and that having been heard, we had to submit. That course has not been followed, and I think it is very unfortunate that it has not.

What brought about coercion in England? We have it in the words of the Right Hon. Winston Churchill in a short paragraph which I would like to read to the House so that we can weigh the reasons which compelled Gladstone and the Liberals of that day to consent to the doing away with the time honoured privileges of the British House. At that time England found a state of affairs which has never existed here, and which never can exist here. In the words of Winston Churchill, on page 186 of his father's biography, under the title 'Ireland Under Storm,' he explains why the British Parliament had to bring about closure to carry on its business. His words are well worth pondering over.

The two ministers who were responsible for Ireland united in a demand for the suspension of the Habeas Corpus Act and eventually, after struggles which nearly broke up the Cabinet, they procured the assent of their colleagues. The remedy was desperate, unwarranted and ill-chosen. Shocking as were the outrages, they were the least part of the dangers that threatened the fabric of society. They were, moreover, much exaggerated by the official figures. Only seven persons were actually murdered during the winter. The statistics were swollen by 1,300 outrages which proved on examination to consist merely of threatening letters and notices. Many more were trivial annoyances. What rendered them formidable were the temper of the people and the constant apprehension of some fearful outburst. Boycotting was the weapon of the Land League, and indeed it may be said that its sinister efficiency was in great measure a preventive of worse crime. In one fashion or another evictions were greatly diminished. Landlords did not dare to assert their rights. The unwritten law of the Land League, supported by public opinion, superseded the law of the land, backed as it was only by physical force.

This was a most extraordinary state of affairs. The conditions of affairs in Ireland was such that the British Parliament had to deal with it, and the only way in which it was possible to deal with it, was to resort to coercion. But, Sir, as always happens, coercion failed. You may coerce a man, you may coerce men, you may coerce a nation. But a nation will always demand justice, and while the British Parliament sat through long winter months and long summer months, day and night discussing the situation, the British Parliament and the British people have solved the problem of Ireland by doing away with coercion and resorting to the policy which is now about to be accepted. Let me read another paragraph or two from this work about the conditions which prevailed in Great Britain when closure was brought about:

It was not easy in 1880, though the science of coercion has made some progress since to discover what remedies Mr. Forster should have chosen.

Mr. Forster was at that time Chief Secretary for Ireland. (Reading):

It is certain that the remedy he chose was wrong. He seems to have imagined that the agitation depended for its vitality upon certain local leaders; that a comparatively small number of 'village ruffins' against whom no legal proof existed, but the strongest moral suspicion, were the indispensible and irreplaceable agents of the whole movement. If they were removed, he believed the whole apparatus of terrorism would collapse. If he could obtain power to arrest these men, who were notorious, peace and order would ensue. No greater misreading of the situation was possible. In dealing with a movement which was formidable only because of its almost universal character, he struck at individuals of minor prominence. He encountered profound communistic stirrings, bitter racial hatred and intense national aspirations by methods which might have been effective against the rowdy larrikins of a slum. In face of widespread lawlessness, principally petty in its character, the head of the 'Irish Executive' fell back on that supreme abrogation of civil law, which authorizes arrest and imprisonment without trial. Staking his official existence upon a demand for the suspension of the Habeas Corpus Act, he prevailed upon a shivering and reluctant Cabinet.

Then came the fight which the Irish representatives put up and which is known to history. It is needless for me to dwell upon it; the English-speaking world is familiar with the story of the fight which the Irish members put up until closure became inevitable. Closure had to be brought about, but it was brought about very reluctantly. I was anxious to call your attention Mr. Speaker, to this state of affairs, to show that there was and can be no possible comparison between the state of affairs that existed then and the state of affairs that exists in Canada to-day. The British Government were justified in bringing about closure, but the Canadian Government is by no means justified in introducing a measure of the same kind. After describing what took place during the three or four years during which the Irish question was discussed in the British Parliament, Mr. Winston Churchill goes on to give an extract from a speech, the first speech of Lord Randolph Churchill reported verbatim in a metropolitan newspaper. It was the first of his great speeches, and it attracted the attention of the whole country. In it he described the state of affairs then existing in Ireland which justified in their own opinion the action of the Irish parliamentary party. Here are the words used by Lord Randolph Churchill to describe the state of Ireland under coercion, showing that closure was the inevitable result of coercion. I am giving this merely to show that closure was the inevitable result of coercion. Coercion was resorted to in the hope of bringing about a change in Ireland, it was not successful and closure followed on its heels. Lord Randolph Churchill, in speaking on coercion, said this:

'People sometimes talk,' he said, 'too lightly of coercion; it means that hundreds of Irishmen who, if law had been maintained unaltered and had been fairly enforced, would now have been leading peaceful, industrious and honest lives, will soon be torn off to prison without trial; that others will have to fly the country into hopeless exile; that others, driven to desperation through such cruel alternatives, will perhaps shed their blood and sacrifice their lives in vain resistance to the forces of the Crown; that many Irish homes, which would have been happy if evil courses had been firmly checked at the outset, will soon be bereaved of their most promising ornaments and support, disgraced by a felon's cell and by a convict's garb; and if you look back over the brief period which has been necessary to bring about such terrible results, the mind recoils in horror from the ghastly spectacle of murdered landlords, tenant-farmers tortured, mutilated dumb animals, which everywhere disfigure the green and fertile pastures of Ireland. It is to me, and many others who, like myself, have had the good fortune to live amongst the people of that country, to discover their high qualities and their many virtues, and to know that, under a firm and statesmanlike government, immense prosperity must have been their lot, as it is their due—it is, I say, appalling to reflect that all this promise has been for a time blotted out, all progress arrested, and all industry thrown back by one reckless and wanton act on the part of a Government who, at the outset of their career and in the heyday of their youth and of their strength, knew no higher object and had no nobler aim than to obtain at any cost a momentary and apparent advantage over their opponents.'

I shall not further amplify the remarks which I have had the honour of submitting to the House to-night. I was anxious, in view of the experience I had gained in this House, to call the attention of members to the important step that is sought to be taken and especially to call the attention of hon. members to the fact that the conditions which are now prevailing are not comparable with the conditions which prevailed in England when closure was brought about. The ordinary parliamentary functions could have been carried out without any difficulty at all, all the Government measures that are on the Order Paper could have been discussed, sent to the Senate, amended or adopted as the Government pleased, or as suggested by the Opposition and we would have made considerable progress with the estimates; in fact, probably more than two-thirds or three-quarters of the estimates would have been voted by this time, the end of the fifth month of the session. The ordinary business of the country has been paralyzed and set aside, everything has been allowed to stand for this one question of

the navy, on which we are not agreed and on which it is impossible for us to agree. We know the conditions under which the last election took place in the province of Quebec. We know that nearly all the French Conservative members in Quebec were elected on the most formal and definite promise that under no consideration would any vote be given for a Canadian navy, a contribution, or anything of that nature whatsoever, without first giving the people an opportunity to be heard either by plebiscite or referendum. We know the circumstances under which the Government have a majority in this House, we are aware of the divided opinion that exists in England as to the present state of affairs and the criticism of such important papers as the Manchester Guardian, and we know that the British people never will accept a gift extracted from the first of her colonies by means of the closure. This is another great Imperial tragedy, it is another great Imperial mistake. I repeat what I said when I first had the honour of addressing this House on this question, that I would have been glad if Canada could have assumed its share of the burden of Empire and if it could have done so by unanimous, or quasi unanimous consent.

What will be the value of this gift that has been extracted by closure, that has been extracted by setting aside all parliamentary rules by taking away the privileges of this Canadian Parliament and by putting us, in this free and happy land, on the same footing as were the people of Ireland and the British Isles in 1880, 1881 and 1882. Between the conditions existing then there and those existing in Canada to-day there is no comparison whatever. I am sorry that this great mistake has occurred.

This country is being populated rapidly by new peoples coming from all parts of the world. They are not like us descended from the original settlers and the United Empire Loyalists. They are not like us to the manner born, imbued with the grand principles upon which this Confederation was founded, they are not familiar with the conditions under which a handful of farmers comparatively in Quebec and Ontario, when these two provinces were scarcely more than wildernesses, stood side by side with the British soldier, the old British regular, and saved this country to the British Crown. They are not familiar with the triumphs and sacred privileges which have inured to us under the British system—they are not familiar with all these conditions. They come to us welcomed from all parts of the world, they come to this, the land of promise, they come under the sheltering folds of the British flag to assume the responsibilities of British subjects and to have the protection of British laws. It is unfortunate that a great Imperial question, a question of such tremendous national importance, should have been thrown into the party arena, that we should be asked to submit to the dictates of the majority in this House and to degrade all that is sacred in the parliamentary conditions of Great Britain and of Canada at a time such as this.

It is a great national misfortune that in this state of affairs we should be called upon to give our assistance to the Empire because after all we feel and we know that we are part and parcel of the Empire. England's duties are our duties, England's triumphs are our triumphs and her trials are our trials. We all know that if to-morrow a real crisis arose, if to-morrow there was a real danger, a motion by the Prime Minister would be acclaimed by the standing vote of this House and throughout the length and breadth of the land. But we do not agree upon the means by which this can be done. We stand by the resolution which this House adopted three years ago when Parliament unanimously expressed the belief that the best solution of this question was the establishment of a Canadian navy. The Australians have taken the same stand and the New Zealanders are going in for the same thing. The smaller Crown colonies, the Malays and all those people who have not the means of securing navies of their own, are contributing towards the maintenance of the British navy. Let us look at this matter in a kindly spirit, let patriotic motives guide our decision and let us deal with the question in such a way as that not only Canada, but the Empire will benefit. A discussion has already commenced in the British press with regard to this question. A false impression will be conveyed of the feeling of the Canadian people to those readers of the British press who are not familiar with the conditions that prevail here. The people of England will be led to believe that we are not loyal to the Empire, that we are shirkers, that we are spongers, to use the words uttered by the hon. the Minister of Finance (Mr. White) the other day, that we do not want to do our duty. No right thinking Canadian will refuse to do that which he conceives to be his duty. But we represent our people. We represent half at least, if not the majority, of the Canadian people. Previous to the election many of the Government supporters in the province of Quebec were content that this important question should be submitted to the people in order that they might have an opportunity of expresing their opinion upon it. Then if the Canadian people approve of a contribution or if they approve of a Canadian navy, no matter what their decision, the Liberal party of Canada will submit to it, and to Great Britain will go the offering of a united and grateful people. I do not know whether the Naval Bill will ever pass this Parliament, but if it does it will be shorn of a great deal of its value under present conditions. How can England ac-

cept a gift wrung from the minority in this country by closure? I hope, Mr. Speaker, it is not yet too late for the Prime Minister and his colleagues to reconsider their attitude. The naval question will be solved some time, but the change in our rules will remain. The membership of this House will be altered; questions of importance will arise from time to time in which minorities will be deeply concerned; questions as sacred even as that we are discussing; the right of minorities will be swept away under notice given by a minister of the Crown, and the opposition of to-day and the opposition in days to come will be denied the safeguard given in the English House of Commons of an appeal to the Chair. If we were boys playing a ball game and were deprived of an umpire it would be no game at all, and the minority deprived of the protection of the Chair may find its rights trampled upon. The proposal now before us is a great mistake. I have spoken from a non-partisan standpoint of the importance I attach to the rules of the House, and of the importance of this question of a navy, which after all is the greatest of all British issues because without a navy there would be no Great Britain, and without the co-operation of Canada and the sister nations over-seas dominions there would probably be no greater Britain. That talented Irish-Canadian, Sir Thomas Shaugnessy, landing in England the other day was not slow to size up the situation, and probably the first question put to him there was: how is it that the Canadian people have not been able to agree on this question? I hope it is not too late to accept the advice of Sir Thomas Shaugnessy; I hope the Government will suspend the consideration of this naval question and submit it to the people, so that Canada may give united aid to the motherland in one shape or another in this matter.

Mr. PIUS MICHAUD (Victoria, N.B.): I congratulate the hon. member for Bonaventure (Mr. Marcil) on his eloquent and forceful words, and I feel sure that in view of what the hon. gentleman has stated the Prime Minister will retrace his steps and withdraw the resolution now before the House. The hon. gentleman has described the closure and the gag so eloquently that supporters of the Government had to go out of the House and leave the Prime Minister and the Minister of Finance almost alone. I desire to address a few words on this important question before closure comes into effect. I wish to be able to tell the minority in the province of New Brunswick; I wish to tell the electors of my constituency that in future their interests, their rights and their needs cannot be submitted to the Government of this country without having to wait probably the whole of the session with the risk of being ruled out of order by the Speaker or at the risk of having the Minister of Marine and Fisheries or the Minister of Public Works assuming the responsibility of applying the gag upon the members of the Opposition. I was surprised to see the Minister of Marine and Fisheries on the 9th of this month rising in his seat to refuse permission to the right hon. the leader of the Opposition to answer the Prime Minister. What a nice job the Minister of Marine had on that occasion? I can assure him that his conduct and the conduct of his party towards the right hon. the leader of the Opposition will not soon be forgotten by the people of Canada. The hon. minister (Mr. Hazen) was supposed to be until the introduction of this measure, a gentleman who would be the last to deny freedom of speech to my right hon. leader, but I am sure that very few of his colleagues would have done what he did on that occasion. The Minister of Marine then played a part which the greatest Tory in this country would hesitate to undertake. This closure is possibly the most important measure that has ever been presented by a Government of Canada. We saw in this House the great men of the Conservative party standing up one after the other to approve the conduct of the Prime Minister and the conduct of the Minister of Marine and Fisheries in denying freedom of speech to our leader, and that conduct the people of Canada will repudiate the first opportunity they have. Was the Government afraid of the Opposition having a fair chance to move an amendment to the resolution? I say that judging by the conduct of the Prime Minister and his followers on that occasion, the minority in this House may no longer expect British fair-play under the proposed rules. I want to ask you, Mr. Speaker, if you know any country in the whole world which has taken such unfair means to get closure through Parliament? The gag was put upon us on the introduction of this measure by unfair means and we cannot any longer believe in promises of fair play from the present Government. I hope the Minister of Public Works will not lead this House on the closure, with the hon. member for Brandon (Mr. Aikins) in the Chair, with the Minister of Marine and Fisheries in his seat and with the hon. member for Portage la Prairie (Mr. Meighen) as his adviser.

Who prepared the new rules which we have now under consideration? I believe I am not far away now from one or two of the hon. gentlemen who had all to do with them. We listened for two long hours to the hon. member for Portage la Prairie (Mr. Meighen) who has always expressed astonishment at the length of our speeches on the navy. For the dignity of this House and the good of this country the

speeches should be short and to the point, says the hon. gentleman. What an example the hon. member for Portage la Prairie has given us! If we on this side of the House have spoken long on the Navy Bill, the hon. member from Portage la Prairie has also spoken long on a measure which does not require long speeches. In effect the hon. member's position is: I want the members of the Opposition to practice what I preach; as for myself, it does not matter how long my speeches are on this measure. Does the Government expect to use the closure in reference to the Bill to increase the number of senators before the redistribution of the seats in this House is made? What a fine piece of legislation that Act will be, passed under the closure. We will have the Bank Act before us soon, and I consider that every member in this House should have an opportunity to express his opinion, at length if necessary, on this Bill. Some doubts have been expressed in connection with these rules as to whether or not members of the Opposition could bring before this House the grievances of their electors. Let me read section 4:

(4) On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

If there is doubt as to the meaning of this section, it is the duty of the Government to make it clear and explicit.

My hon. friend from Portage la Prairie, the master of the proposed rules, was unfair to my hon. friend from Carleton, N.B. (Mr. Carvell), when he said that the mind of that hon. member was disturbed when he made the statement that Thursday and Friday are together when discussing section 4. Sir, the minds of hon. members opposite are disturbed on the rules to be applied to members in the future; and the minds of intelligent Canadians are disturbed, and every hon. member opposite knows it. My hon. friend from Portage la Prairie quoted the words of my hon. friend from Carleton, N.B., but he forgot to read the remarks on closure of the former member for South Simcoe, now Judge Lennox. Let me read what that hon. gentleman said:

Well, Sir, it will be a wretched Opposition when the Opposition shall consult the Government of the day as to what they shall do and how they shall criticise the expenses of the country and the policy of the Government. It is the duty of the Opposition to guard the public treasure, to watch closely the progress of public business, to scrutinize the acts of the Government and in the honest discharge of their duty there should be no hard fast rule laid down to bind them. The Opposition are to-day only too anxious to take the verdict of the people of the country on whether they have been faithfully discharging their duty.

In the same debate he says:

When an iniquitous measure is brought in, one that is far reaching in its consequences, one that is totally indefensible, one that should not be passed in the interests of the people as a whole, not some little side issue that affects a small number of people but a great measure that affects the dearest rights and privileges of all the people of Canada, the Opposition should use every legitimate means in their power to prevent such legislation being passed.

And further on, the hon. gentleman said:

There are times when it would be quite proper for an opposition absolutely to refuse to grant supply as a legitimate means of opposing the proposed legislation.

That is pretty strong language from a Conservative, an admirer of the conduct of his leader and of his friends on the other side not very long ago. If that gentleman were in the House at this moment, I venture to say, he would not be a supporter of this present measure. The Prime Minister, when he presented this resolution to the House said in a prophetic voice and almost with tears in his eyes: 'No one is more ready than I am to acknowledge that liberty of speech and freedom of debate must be preserved.' When these words were uttered, I could not imagine for a moment that an arrangement had been made between the Minister of Marine and Fisheries (Mr. Hazen) and the member for East Hastings (Mr. Northrup), that a scheme headed by the right hon. the Prime Minister was to be carried out to prevent an opportunity being afforded my right hon. leader to offer to this House an amendment to the proposed rules. Have we now any doubt as to the position of hon. members to your right, Mr. Speaker? I sincerely believe that the Opposition will be of little value if the gag is forced upon the minority of the members of this House, and the need which always exists for a strong opposition will be more and more felt as time goes on. In Redlich's work on the procedure of the House of Commons, I find the following at page 131:

The minority ought to have all conceivable right for expressing its views and aims and ought to be allowed free use of all permissible weapons of speech and political tactics in its fight against the expression of the wishes of Parliament which is the consequence of possessing a majority.

Protection of the minority is therefore no mere privilege of the minority for the time being in the British Parliament; it is a vitally important institution developed in the

highest interests of a nation ruled by Parliament.

In the name of the electors of my constituency. In the name of two hundred Irishmen, in the name of three hundred Danes, in the name of four hundred Scotch, in the name of the two thousand English-speaking, in the name of three thousand French Acadians and French Canadians, in the name of the minority of my province of New Brunswick and in the name of the Canadian people, I desire to enter my strongest protest against such rules and regulations as those now proposed by the Government of this country. In the near future our friends on the other side of the House will have to appear before their jury, before the Canadian people. I have no doubt what the verdict will be: In view of the fact that you have taken away from our representatives in His Majesty's loyal Opposition the freedom of free speech, you no longer have our confidence. You have abused your authority which we unofrtunately placed in your hands and consequently we condemn you. You have ruled this young country in a very unwise manner. You have not faithfully fulfilled your mandates. You have had rules passed during your short regime to stop proper discussion on everv important measure; you have applied the gag to your fellow members of the Opposition; and we, the great masters of the destiny of the British dominions beoynd the seas, no longer trust you with the power to administer the affairs of Canada.

Mr. J. DEMERS (St. Johns and Iberville) (Translation): Mr. Speaker. After hearing the admirable speech delivered by the hon. member for Bonaventure (Mr. Marcil) and the very pertinent remarks made by my hon. friend from Victoria, N.B. (Mr. Michaud), I felt like giving up the idea of addressing the House on this question; but considering that the people I have the honour to represent here, are made up mostly of the descendants of those who fought against oppression and tyranny, I deem it incumbent on me not to let this opportunity go by without entering my protest against the revolting deed which the government is about to perpetrate, and without giving vent in this House, briefly it is true, but as tersely as I am able to do, to the indignation aroused in that community by the arbitrary and tyrannical action of the Government, when introducing that famous closure rule.

While closure in itself does in no sense whatever appeal to me, in the first place because it is an infringement on freedom of speech, on liberty of discussion, and, on that sole account, is suspicious and repugnant to me, and then, because, in the case under consideration, it may be applied by any one, whether he be a most respectable man or a scoundrel; nevertheless if the methods followed to have it adopted had been such as good sense, decency, traditions and constitutional usage warranted, we might have discussed the question without acrimony and without bitterness. But when a government has recourse, I will not say to force, but to cynicism and cowardice, then the victim of such abuse can only hate and despise his tormentors, and the victim, it is not the House, the actual victim is the people.

I shall not recall in detail what occurred on April 9, 1913, the actual date on which closure was enacted; the whole reading public is acquainted with all the particulars, as some newspaper correspondents have given quite a vivid account of it.

However, it is especially important to note that the most drastic and retrograde measure which it is possible to introduce in any parliament has been submitted to the House with due notice to the members, the representatives of the people, that they are not to consider it or to submit any amendments.

It is important to note that the effect of this measure is to set aside liberty of speech, freedom of discussion, those sacred and beloved franchises which the people have secured through years and centuries of dogged strife and bloody warfare.

It is important to note that this measure changes, in the heat of the struggle, the rules laid down for the encounter and that the opponent is bound, so that he may be more easily struck.

It is important to note that never has such tyrannical action been resorted to by any civilized government, if I may use that expression. As a matter of fact the Canadian authority as regards constitutional law, Sir John Bourinot, condemns the action of the Government, and I shall quote here what I find at pages 258 and 262 of his work on Parliamentary procedure.

At page 258, I find the following:

> The great principles that lie at the basis of English parliamentay law have, however, been always kept steadily in view by the Canadian legislature; they are: to protect the minority and restrain the improvidence and tyranny of the majority. . .

And further on, at pages 262 and 263, the author quotes Hatsell:

> 'So far the maxim is certainly true, and founded on good sense,' says Hatsell, 'that as it is always in the power of the majority by their numbers to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves from similar attempts from those in power, are the forms and rules and proceedings which have been found necessary from time to time and have become the standing orders of the House by a strict adherence to which the weaker party can alone be protected from those irregularities and abuses which these forms were intended to

check and which the wantonness of power is but too often apt to suggest to large and successful majorities.'

Here all rights are taken away from the minority, which is handed over gagged to a servile majority.

Bourinot states besides that such a procedure should be thoroughly considered, that is in committee of the whole House. Here is what he says, at pages 260 and 261 of the same work:

Procedure in revising rules and orders:

Whenever it is necessary to appoint a committee in the Commons to revise the rules and Standing Orders of the House it is customary to place it under the direction of Mr. Speaker, the motion being:

'That a special committee of members be appointed to assist Mr. Speaker in revising the rules of the House, &c.'

'When this committee has reported, its proceedings will be ordered to be printed, generally in the Votes and Proceedings; and after some time has been given to members for the consideration of the proposed changes, the House will resolve itself into a Committee of the Whole on the report. When the rules or amendments to the rules are reported from the committee, they must be formally concurred like any other resolutions; and when that has been done they regulate the procedure of the House.'

Now, the by-word of this Government is: Down with the minorities; down with the rules, down with the law, down with decency, we want despotism, czar rule, brute force. But woe to those for whom the law, traditions and usage count for nothing; woe to those who infringe on popular franchises, for the people is at times unmerciful to those who have been guilty of ignoring the people's rights.

Hon. gentlemen on the other side have sought an excuse in precedents. The comparison which has been made between the closure rules now laid before this House and the rules adopted in Great Britain, holds good practically to the same extent as a comparison between a fire-cracker and a bomb as destroyers. By the way, I may state right here that I am satisfied the Government's bomb will not be of any use; the Government loaded it, but it will never explode, as the plot is discovered and the police, that is to say the people, will put them all out of business before it does any harm.

Now, reverting to the subject under consideration, the closure as introduced by Gladstone was a mitigated measure, if I rightly understand the summary of the lecture delivered yesterday by the former Minister of Public Works (Mr. Monk), who holds as we know, the chair of constitutional law at Laval university, Montreal. That measure was introduced with prudence, and in accordance with the rules of the House, following on a liberal discussion. Moreover both parties in Great Britain were at one in respect to this question. And I may say further that the Government may have had some excuse for introducing such an unusual procedure, owing to the fact that they were confronted with obstruction of a general and arbitrary character, carried on by an insignificant minority in the House of Commons.

Nevertheless, what occurred? The Government acted with the utmost caution, and it was decided that the closure rule would be dependent entirely for its application on the Speaker of the House of Commons, whose fairness cannot be questioned in Great Britain, owing to the permanent character of his office, and the Speaker of the House of Commons was empowered to take advantage of that privilege only on a vote of three to one, when at least three hundred members would be present. As is known, in Great Britain, the Speaker stands above party strife, above party passions, and his function is of a quasi judicial character.

Later on, the following year, it was decided that the presence of 200 members, instead of 300, would be sufficient, but it was resolved that, if forty members were opposed to closure, then it would not pass unless one hundred were in favour of it.

Such is the closure system which is referred to in justification of the arbitrary and tyrannical conduct of this Government, which has just proposed that a Minister should have the right, whenever he thinks fit, in furtherance of his own views, to deprive the representatives of the people of the right of speaking in this House on behalf of the people.

Then, on introducing this measure, it is forbidden to discuss it, in this sense that no amendment is allowed. The bill has to be swallowed as prepared, and that because, by means of an unfair, iniquitous and unprecedented procedure, so bold and reckless that an effort is being made to excuse it in every way, the leader of the opposition has been refused the right to speak, though the Speaker, that is the chairman of this House, had in person granted that privilege, recognized that right to him.

An hon. gentleman on the other side, the hon. member for Portage-la-Prairie (Mr. Meighen) by way of excuse—which I rather took as a piece of sarcasm—just stated that the right hon. leader of the Opposition was not prevented from speaking for more than a minute and a half. Is the hon. gentleman aware how long it takes to kill a man? The leader of the Opposition is gagged at the start, then he is told: Now, you may talk if you like.

Fortunately outside of Parliament there is the people which can be spoken to, and hon. gentlemen opposite will soon be in a position to ascertain, willy nilly, what the people think of them. They will find out

at their expense that those narrow-minded men who rejoice because of the destruction of the rights of minorities are not numerous in this country, and that the people of Canada is made up largely of broad-minded, liberal and patriotic citizens, peace-loving citizens, who will see in this action of the Government a menace of disorganization and destruction, in a word, the threatened overthrow of our national structure, owing to the wresting from the minority of what constiuted its most effective weapon, freedom of discussion. Disgraced be the introducers of gag law, and may the penalty which is in store for them be not commensurate with the grievousness of their offence.

Mr. J. J. HUGHES (Queens, P.E.I.): Mr. Speaker, this is a question of such gravity that I think every section of the country should be heard in a protest against the present measure which the Government intends to impose on this House. If the Government had followed the course usually adopted, that is to appoint a committee of both sides under the presidency of the Speaker, to take into consideration the rules which it would be deemed advisable to change, and make a report accordingly, then the House would take the report into further consideration and finally adopt the amendments that would appear to them to be needed. Both sides of the House would be represented and the rules in that way would appeal to the common sense and good judgment of the House. But what rule of procedure did the Government follow on this occasion? They brought in a drastic measure of closure and said to this House that it must be accepted exactly in the way in which it was presented. They say to the Opposition: You can discuss it if you like, but we will not allow you to change a word, or a syllable or a letter in it, we will not allow you to dot an (i) or cross a (t), we will not allow even your leader to move an amendment or suggest any change. Is the Government really serious in supposing that a rule passed in that way will commend itself to the Opposition? It is not reasonable to think so. Just as all governments in civilized countries must, in the last analysis, rest on the consent of the governed in order to be stable and enduring, so must all rules in free parliaments rest on the consent and free will of those they are to govern, otherwise they cannot be accepted and cannot be properly enforced. The Government have sought to justify themselves in the course they are pursuing in this matter because of the adoption of closure in the Imperial Parliament. But surely everybody in this House knows that the conditions in the British Parliament and the conditions here are not at all similar. When Mr. Gladstone introduced closure in the Imperial Parliament, the Irish members, in pursuance of what they believed to be their duty, had blocked all legislation in that Parliament. In their estimation there was no other way of bringing the condition of their country before the British Parliament and the British people. There was such a vast mass of business to be transacted in that Parliament, there was such a multiplicity of matters to be considered, that the particular question to which the Irish members had addressed themselves, could not get a hearing and they felt justified in blocking all legislation until the particular question in which they were vitally interested and concerned, had been heard. The King's Government, under those circumstances, could not go on and therefore both political parties in the Imperial Parliament thought that they were justified in changing the rules, in bringing in the closure so that the business of the country could go on. Is that a condition of things that existed here? To begin with, we have not a tithe of the business that the Imperial Parliament considers, neither has the Opposition in this session of this Parliament blocked legislation. The Government cannot say that any measure that was brought forward during this session has received opposition from this side of the House except the one Bill, the Naval Bill. Therefore public business was not blocked, no attempt was made to prevent the King's business from proceeding and were not the Opposition amply justified in trying to prevent the passage of the Naval Bill? When the Prime Minister of this country on the 21st of September last, before a large meeting in Montreal, announced that he would ask Parliament to give immediate and effective aid to the British Naval Service and that if Parliament refused to give that immediate and effective aid he would appeal to the country, did he not then, expect opposition to this Bill? Why was he anticipating opposition? Was it because of the nature of the proposal he intended to make to Parliament? Was it because he had changed his policy entirely from what it had been a few years before? Was it because of any arrangement he had made with some of the members he had taken into his Cabinet? It was an unusual declaration for the Prime Minister of Canada to make because under ordinary circumstances he would not be justified in expecting opposition to a Bill he intended to submit to Parliament which was then about to meet. It was both a threat and a promise, a threat to Parliament and a promise to the people of the Dominion. Was he threatening the Opposition? If so the threat did not amount to anything. Was

he threatening the members who supported him? Did he fear that he would not have the full support of his own side of the House and was he telling them if he had not their support he would send them to the country and many of them might not return? For some reason or other he anticipated the opposition he received. Therefore it is not unreasonable that there should be opposition and the introduction of closure under those circumstances, in my opinion, is not because of the opposition that has been given to the naval Bill. The naval Bill has been made the excuse but the closure is needed for other purposes and in my judgment the Government intended to force closure on this House because they intend to introduce legislation later on that they could not expect to have pass this House except by means of the closure. We do not know what kind of legislation will be introduced further on but we have good reason to fear it. We know at least that a redistribution Bill will have to be introduced into this Parliament and that before very long. We have reason to fear the kind of redistribution Bill that will be brought down when closure has passed this House and we are prevented from properly discussing it. We know some of the things that have been done during the past year and a half. If one-half of the things that are said to have happened in the by-election in Macdonald, Manitoba, are true, we have reason to dread what will take place in the future. We know that men were imprisoned under documents signed in blank by a magistrate, taken from one jail to another, and kept in prison until the election was over, and then discharged because there was nothing against them. We have seen what happened in the by-election in the county of Antigonish, when supplementary estimates which had not even been considered by Council were published in the newspapers in order to influence the electors. We have seen what took place when charges were made against an hon. minister of the Crown in regard to what had taken place in the election in Hochelaga, charges made by a member of this House on his responsibility as a member, and we have seen that an investigation was refused. Even the Montreal Star has said that the Government should not allow that matter to rest. These are only some of the things which we know have happened. Then it is said that a large block of land within the city limits of Prince Albert was given to a friend of the Government as a homestead, and in this instance hundreds of thousands of dollars have been given away for nothing. These, I say, are some of the things that have been done when they could be discussed under the rules of the House which permitted discussion and investigation. We have reason therefore to dread what will take place when the gag has been applied, and when legitimate discussion has been made impossible. These are the reasons why I dread this closure resolution, and why I raise my voice against it and wish to record my protest. That resolution has been introduced, not because of the opposition that has been offered to the Naval Bill. That is but the excuse. The Prime Minister gave his promise that if Parliament refused to pass the Naval Bill he would appeal to the country. There is not a man on the Government side now who says that that promise will be carried out, and yet that promise was given by the leader of the Government in his official capacity as the Prime Minister of this country. It was repeated on the 5th of December in this House when he introduced the Bill. Does a promise of the Prime Minister, made under such circumstances, amount to nothing? But the opposition of the Naval Bill is not the reason why closure is introduced at this stage and introduced in the way it has been, and the Opposition will be justified in fighting it with every means in their power. I do not believe that even you, Mr. Speaker, can reasonably expect the members of this side of the House to submit to rules passed in this way, rules in the framing of which they have had no voice or part whatever. It is unreasonable and unprecedented. Have the Opposition in this House no rights? Have the people of this country, probably more than one-half of whom are represented by the Opposition, no rights, and are they to be treated in this way? It appears to me to be the most unreasonable thing that was ever attempted in the Parliament of Canada, and it will have results. The Opposition may be prevented from discussing the legislation which the Government intend to introduce in this House, but the discussion will go on in the country. It is stated in some newspapers that certain applications of an extraordinary character will be made to this Government within the next year or two. It is said for instance that the Canadian Northern railway Company intend to make an application to the Government for a loan of $30,000,000 or $40,000,000. No doubt other applications of a peculiar character will be made, and the inference is fair and reasonable that it is to meet conditions of this kind, and not for the purpose of passing the Naval Bill that the Government have introduced this resolution. It is a serious matter indeed, and the Liberal members in this House and in the Senate, will be justified in endeavouring to compel the Government and the Prime Minister to carry out the promise that he made to the people of Canada in Montreal when he addressed

a great assemblage there, and also when he introduced the Naval Bill on the 5th day of December last. These are some of the reasons why I object to the resolution now before the House. I repeat that it is unreasonable and unprecedented, and under the circumstances we will oppose it by every means in our power. We will be justified in refusing to be bound by the rules that are passed in this way.

Mr. W. E. KNOWLES (Moosejaw): Mr. Speaker, there are many reasons why hon. gentlemen on this side of the House are against the passing of this proposed amendment of the rules. Some of the reasons have to do with the compilation of the rules from the general viewpoint as standard rules of the House which we must abide by year in and year out. And other reasons why hon. gentlemen on this side of the House are opposed to it are the peculiar circumstances under which the Government have introduced this motion at the present time. I think I may say that on both grounds I am against the proposed amendment. I am against it as being most untimely, and I am against it believing that it is not justified at this juncture. In fact, I think the arguments which have been made by the right hon. leader of the Opposition to the effect that the resolution should not be thus forced through, that the question be not put without an opportunity of considering amendments, and that it should be referred to a committee is unanswerable. So far as I have had an opportunity of hearing the discussion, I have not heard any hon. gentlemen opposite seriously combat the argument of the right hon. the leader of the Opposition on that point. The question remains whether it would be better, more profitable, and more satisfactory, if some such rules are to be eventually adopted, to have them first submitted to a commitee acting in conjunction with yourself, Mr. Speaker, or whether they should be rammed through in this most tyrannical manner. I think there is no doubt upon the point. Leaving aside party strategy, it would be better that the system which has been adopted in past years and which is ordinarily adopted in the British House of Commons should be adopted on this occasion, and that if the rules are to be amended, they should first be sent to a committee where they could be deliberately and freely discussed and pruned of things that are not desirable, and where the collective wisdom of the Speaker, the representatives of the Government side, and the representatives of the Opposition could be brought to bear upon them. I am not aware of any occasion upon which the rules of this House have ever been amended without the House receiving the benefit of the Speaker's advice upon the matter. I look upon that as a very grave feature. It goes without further saying that you, Mr. Speaker, are well versed in the rules of the House. We have no statement, no evidence from the Government, that you have been consulted about these rules in any way. You know more about the rules of the House probably than any other person in this House from your long experience, from the lore that must come to a man who has been a member of this Chamber for so long a time and from the study which you, as Speaker, must have given to the subject. It is wrong on the part of the Government to seek to ram these rules through the House without giving us the benefit of the wisdom, the knowledge and learning of the Speaker upon the question. I repeat that I know of no occasion upon which the rules of the House, in Canada at any rate, and as far as I know, in Great Britain, have ever been amended without the assistance, advice and counsel of the Speaker, I think I would be quite in order —although I am not going to do it—to ask whether these rules were submitted to you, Mr. Speaker. I think I would be quite within my rights in rising in my place and asking you whether you have given us the benefit of your advice and knowledge in the compilation of these rules. But on the face of it, and in the absence of a statement to the contrary, we are to believe that you have not, and there is no reason why we should depart from the practice which has always been followed, namely, that a committee should be appointed, with yourself, to supervise and counsel them in their work, to revise the rules of the House. The point that was made by my right hon. friend the leader of the Opposition is absolutely unanswered and unanswerable.

Of course, we have the new dictum of the hon. Minister of Public Works (Mr. Rogers) who comes down here, and having in mind his own administration of the Department of the Interior, having in mind his administration of the Department of Public Works, and having in mind, no doubt, many other things he intends to do in the department, if a merciful Heaven spares him, says: For goodness sake, let us get the closure on so that we can stop investigation by those fellows at the left of the Speaker. It is all very transparent. The hon. Minister of Public Works does not propose to meet us in a fair field. He says: We would be glad of an election because if there was an election not more than five Liberals would come back. Imagine the hon. Minister of Public Works, the real master of the Government from every point of strategy, saying that he was con-

vinced that out of two hundred and twenty-one members they would have two hundred and sixteen and the Liberals only five. Is there a man here who believes that the hon. Minister of Public Works was serious in making that boast? Did hon. gentlemen take him seriously, and if he did not address himself to this and other questions seriously, there is a reason and it is that he is not able to justify his case in the serious discussion of it. He does not expect that he should be taken seriously in that matter.

Not so many years ago we had a much greater freedom and breadth of discussion in the House than we have now even. I well remember that when I came to this House, and I think for some years after, there was an opportunity for any member, every day that the House sat, to rise and move the adjournment of the House for the purpose of discussing any question which might concern his own constituency or what he might feel it his duty, perhaps his whim sometimes, to bring to the notice of the legislative body. That has been removed to a large extent, but at the same time the very fact that, for decade after decade, it was desirable to have that great freedom of discussion in the House is evidence that full discussion is a thing of tremendous importance to this assembly. I do not need to dwell upon that point. This Parliament is here for the purpose of deliberation, not for the purpose of having the hon. Minister of Public Works put the gag upon us, not for the purpose of having little conclaves of millionaires, corporations, mergers, combines and trusts saying: We will ram this through, the consumer be hanged, the homesteader be blowed. Whenever anything is desired by the Government is brought in here, the hon. Minister of Public Works may say: Put the gag on them and bring on the vote as soon as you like. On the face of the matter, it requires no discussion, it requires only the statement of the condition of affairs which the hon. Minister of Public Works has brought about in this House to explain and prove the folly and unfairness of the whole thing from the viewpoint of British parliamentary traditions.

There are a great many things done by the Government which hon. gentlemen on this side of the House would like to discuss, a great many things that have been done and, I have no doubt, a great many things yet to be done. I myself had two or three things that I thought should be brought to the attention of the House. I am not going to do more than illustrate them to-night. We are not going to have the opportunity for discussion which we have had on going into Committee of Supply, as by the proposed change in the rules, that is very largely taken away from us. I have a few cases that I should like to have brought up if we had been given the old privilege of discussing these matters on going into Supply. I believe that the discussion of these matters will be largely prevented by all this jockeying in connection with this clause about Thursdays and Fridays so that we will have very little opportunity of calling the attention of the House to questions of great public importance. I have in my riding very many homesteaders whose wrongs I want to ventilate here, whose grievances I wish to declare in this House and have discussed and remedied if possible. I would wish that there might always be an opportunity of making known to this Parliament certain instances which to my mind indicate a very grave condition of affairs in the administration of our lands in the West. I wish that the hon. Minister of Public Works were oftener in his seat because he is out almost every time that I happen to be speaking. I wish to call his attention to a few outstanding and glaring frauds in the administration of the land laws while he was Minister of the Interior. I am prepared to state on my word as a member of this House, believing that my allegation is correct, that there have been taken away from men in western Canada valuable homesteads because they voted Liberal in the province of Saskatchewan in the last election and that to Tory heelers have been given patents to homesteads when they never performed the duties called for by the law. I have in my pocket an official communication from the Department of the Interior showing where a man got his homestead after having performed the duties upon it for only six months. During the election he had gone about the country boasting that by a six-months' residence upon the land and by a lot of work for the Tories, he was going to get his patent for his homestead and he got it. The Minister of the Department of the Interior at that time was the hon. Minister of Public Works. In another instance a young man held a homestead pre-emption. At one time the land was not considered valuable, but a railway came within a mile of the place, and the land became very valuable. A certain young man worked very hard in the last election for the Conservative party and during the winter the young man who had performed his duties and who was in residence upon the land received a cold-blooded notice from the department to get off because the homestead had been given to this Tory heeler. In instances like that where wrongs are committed and where our constituents are being cheated we would not be worthy the name of their representatives if we did

not insist on freedom to ventilate their grievances. And that right is to be taken from us by the Minister of Public Works who has come to this Parliament, and within a year and a half seeks to revolutionize it. He knows so much about elections that he is supposed to be an authority on parliamentary procedure. Did it ever occur to you, Mr. Speaker, you who went into the fray of election after election like the rest of us, you, who like us ran with the crowd and fought in the army, that the Minister of Public Works would not stand for a seat behind the Prime Minister until he was first assurred Mr. Borden was in power and that he was sure of his portfolio. Did it ever occur to you that the Minister of Public Works would not go out in the cold tempest of a prairie campaign until his party was fixed in power and he had a portfolio in his pants' pocket and $7,000 or $8,000 a year. Is it any wonder that we do not take the Minister of Public Works very seriously? I see the hon. member for Selkirk (Mr. Bradbury) smile. Does not the hon. member for Selkirk feel, after having fought campaign after campaign, that it was a little selfish; I will not say a little cowardly, but certainly a little timid and a little effeminate in the Minister of Public Works not to risk himself until his party was in power. He was not such a brave gagger then; he did not face an election; he said: I will wait until I see how this reciprocity campaign turns out and if the Tories win I will take a seat in the federal House, and so the hon. member for Selkirk sits, not in the Cabinet, but four or five seats behind the hon. member for Winnipeg to-day. However we are told that there is to be a new portfolio, a portfolio of health, and that it is possible the Minister of the Interior (Mr. Roche) who we are all very sorry is sick, for although he is a dyed-in-the-wool Tory, I think he is a very nice and very honourable man; we are told the Minister of the Interior is to get the new portfolio, and then there will be hope in the eastern sky for my hon. friend from Selkirk—see how he smiles now. And when the hon. member (Mr. Bradbury) gets to be Minister of the Interior I hope he will see to it that the Grits who lost their homesteads because they voted Liberal last fall will get them back, and that the Tory heelers who were given homesteads on six months' residence against the laws of Canada will be compelled to disgorge.

Mr. BELAND: What about the hon. member for Portage la Prairie (Mr. Meighen)?

Mr. KNOWLES: Our friend from Portage la Prairie is quite the junior of the hon. member for Selkirk. I am sure my hon. friend from Selkirk will be the very first to agree with me that while the member for Portage la Prairie is a man of much importance in this House the hon. member for Selkirk is of a great deal more importance.

Let me say, Mr. Speaker, that the purpose which rule 17 was put to on this occasion was not the purpose which was in mind when it was created. It is not the purpose of that rule to be used in the drastic fashion in which it was used. There are many rules of this House more or less archaic which if you tried to apply them you would cause trouble. I understand, for example, Mr. Speaker, that if any member rises in his place in this House and surprises you by telling you there is somebody in the gallery, you are bound to clear the gallery and put them all out. That is ridiculous of course, but it is a rule of the House. Suppose that when there is a beautiful gathering of the gentler sex filling these galleries, when the word goes round that the Prime Minister is going to read a letter from dear Mr. Churchill; suppose when the gallery is crowded with those robed in backless and frontless garb, and the men are there with their starched shirts, some hon. member from away back in Saskatchewan or elsewhere were to get up and much to your surprise say that there were one or two persons in the gallery, you, Mr. Speaker, would have to order them all out. That, as I understood it, is the rule, but of course it is absurd. In the same way, rule 17 is a rule which has never been used in this House, and in any event it is not there for the purpose to which it was applied on this occasion. There are many rules under our old British system which are there for the protection of the commoners. I am informed, that rule 17 in its spirit dates back to the days when the Speaker might in some way be under the influence of the King and show favouritism and the House of Commons naturally anxious to keep within its own hands the right to appeal from the decision of the Speaker, whether it be on points of order or any other, and anxious to assert its own supremacy and omnipotence within its own chamber, established this rule. That is the purpose of rule 17 if it has any purpose at all, and it was manifestly never placed in the rules for the purpose of being used as it was the other day. when it was used to prevent Sir Wilfrid Laurier from speaking. This closure rule we are now considering is too drastic. I think the Prime Minister was joking when he told us in his speech that it was not as drastic as the English rule. The fact is it is much more drastic. Let us remember the circumstances under which the closure rule is administered in the British House of Commons. The Speaker there who is removed from party politics entirely, who does not have to go before the people and fight an election campaign on party lines, who occupies a judicial position, who not

only is as Speaker specially trained and environed for his duties as our speakers are not, is placed there above all as the protector of the Opposition and of minorities. Even in the case of our Speakers with their different training and their different environment, it would be well for the minority to have their protection. You know, Mr. Speaker, that I am not in the slightest way making any comparisons between the Speaker here and the Speaker in Great Britain other than as to the conditions which prevail in both places, but I say that if we have the protection of the Speaker here, chosen as he is by the party in power, coming as he does into Parliament from the heat of political fray and getting ready for another election whenever the time comes; I say if we had even the protection of such a Speaker we would feel a great deal safer, because when the Speaker is in the Chair and occupies the position he feels the duty is upon him to protect all the commoners whether to his right or to his left. I would support very heartily an amendment which would give us the protection that first the Speaker should believe that it is reasonable and necessary that a motion for closure should be made.

Mr. WHITE (Renfrew): Why did you not accept the proposition of the Prime Minister and take the English rule?

Mr. KNOWLES: Because the English rule was never offered to us.

Mr. WHITE: The Prime Minister offered it.

Mr. KNOWLES: The hon. member for North Renfrew (Mr. White) although we went to school together is younger than I, but he knows that when the Prime Minister in the middle of a discussion threw out the statement: Would you rather have the English rules; it is not fair to say that the proposition ever was made to us that we had the choice to select the English rule instead of the rule now proposed. If it was right for the Prime Minister to offer the English rule the other day, then it is right for him to offer it to us yet.

Mr. WHITE (Renfrew): You would not accept it when it was offered.

Mr. KNOWLES: It never was offered. If the hon. gentleman wishes to stand before this House as one who says that that offer was made in a reasonable way as between party and party in the House, I am ready to let him have that opinion and leave the House to judge which is right.

Mr. WHITE: I certainly say it was offered.

Mr. KNOWLES: I say it was not, and the House will have to judge which of us takes the correct view. Well, to take seriously for a moment the proposition which the hon. member for North Renfrew has put forward, let us consider it. How was this offer made? In the middle of a speech by the Prime Minister, the hon. member for St. John interjected a statement that these proposed rules were very drastic. The Prime Minister said: 'Not so drastic as the rules in Great Britain.' To which the hon. member for St. John replied: 'They are more drastic.' And the Prime Minister replied: 'Would you like to have those rather than these proposed rules?' The matter was merely spoken in passing. And here hon. members have the audacity, the matchless, unspeakable audacity, to say that this offer was made and that we refused it. We do not want either set of rules, for that matter; we do not accept the English rules. When the hon. member diverted my attention—courteously and nicely—I was saying that there was a feature of these English rules that we wished was incorporated in these. The whole question is one that the people will have to settle. But the Government is more and more influenced by its fears. There is a great deal of talk from the Prime Minister and from our hon. friends opposite about the sacredness of the majority and the holy of holies in which they dwell. But it is not pride in British institutions or regard for British traditions that influence hon. gentlemen opposite; it is fear—f-e-a-r—that has taken hold of them. They ask why they do not go to the country; I will tell them,—they are afraid. They have fifteen or twenty Nationalists, one of them your deputy, Mr. Speaker. They have not this element cemented with the section of the party represented by the Minister of Militia and Defence,——

Mr. HUGHES (Minister of Militia and Defence): And others.

Mr. GRAHAM: Notwithstanding the change in the duty on cement.

Mr. KNOWLES: They will need to make cement more than free, they will need to make greater concessions than they have ever made to complete that union. But no matter what they do they will never be able to bring together these two sections that are diametrically opposed, that are as far apart in their policies for the government of this country as the poles asunder. And it is because of the unholy alliance existing for the time being that they are afraid to go to the country at this moment. Is there a man from Ontario who will not say that they are afraid to go to the country as long as the Postmaster General (Mr. Pelletier) is in the Cabinet? They do not want to go into the Orange settlements and explain how that hon. gentleman came to be a member of the Government. Of course, in some cases, there will be no difficulty. I am told, for instance, that the

hon. member for East Hastings (Mr. Northrup) will not have much difficulty in explaining to the Orangemen who are so numerous there that what he did was done against a Catholic and Frenchman. But they cannot carry Quebec on that cry. And while, in the last election, they ran the double-faced game, they were compelled to depend on it to such an extent that the people have found them out. There has been a reaction in Ontario because of their falsity of position, and the same is true of Quebec also. Hon. gentlemen opposite realise that in these two provinces alone there will be such a change as will sweep them out of power.

On motion of Mr. McCraney, the debate was adjourned.

On motion of Mr. White (Minister of Finance) the House adjourned at 11.07 p.m.

HOUSE OF COMMONS.

WEDNESDAY, April 16, 1913.

The SPEAKER took the Chair at three o'clock.

PRINCE ALBERT HOMESTEAD ENTRY —PROPOSED CENSURE.

Mr. OLIVER: Mr. Speaker, I desire to move, seconded by Mr. Murphy:

That the homestead entry for part of the southwest quarter of 8-49-26-2 was granted to Arthur Donaldson on April 16, 1912, in violating of the rules and practice of the Department of the Interior.

That the Hon. Robert Rogers was Minister of the Interior at the time the said entry was granted, and that therefore the Hon. Rogers is deserving of the censure of this House.

Mr. SPEAKER: I would like to say in reference to this motion that it would be out of order to move it now, as this is not a compliance with the rule requiring notice of such a motion. Rule 40 says:

Two days' notice shall be given of a motion for leave to present a Bill, resolution or address.

This is a resolution, and, of course, could not be introduced on this short notice.

Mr. OLIVER: Would it be out of order to ask exactly under what circumstances such a resolution might be introduced?

Mr. SPEAKER: It might be introduced when the House was moved into Committee of Supply.

Mr. PUGSLEY: Hear, hear.

Mr. SPEAKER: The new rules would prohibit a motion of this kind being introduced on Thursday or Friday, except by the consent of the House; but there would still be opportunities left to hon. members because there are about fourteen departments, and the head of each must move the House into Committee of Supply on at least one occasion, when a motion of this kind could be introduced.

Mr. PUGSLEY: By the consent of the majority of the House.

Mr. SPEAKER: It is a right, and not with the consent at all.

Mr. PUGSLEY: Would you object, Mr. Speaker, to allowing the matter to be discussed for a little, because it is a question of grave importance.

Mr. SPEAKER: There is no motion before the House.

Mr. PUGSLEY: There is this motion before the House.

Mr. SPEAKER: But I have ruled the motion out of order.

Mr. PUGSLEY: Would you not hear discussion before ruling it out of order?

Mr. SPEAKER: It is not a point of order; it is a resolution presented to me, and the Speaker is bound to rule according to his judgment. This motion which has been submitted to the House is not debatable in the same way as a point of order would be.

Mr. PUGSLEY: Would you not think that, where a member is desirous of presenting his views to Your Honour, it would be only reasonable to hear him?—because this is a matter of enormous importance in view of the resolution which is under the consideration of the House. If Your Honour's ruling is sustained, it is very clear that members will be absolutely debarred from presenting these motions for the consideration of the House.

Mr. SPEAKER: I am dealing with a rule of the House that I think I understand distinctly, and it does not require any information to be brought to my attention to change my mind. I think it important to abide by the rule which is laid down so plainly. This is a motion submitted to me to be presented to the House, and upon that I am bound to rule. I have ruled that it is out of order, and I have given the reason why; and therefore it is not debatable.

Mr. BORDEN: Immediately after this debate is closed, we will move the House into Commitee of Supply to give the hon. member (Mr. Oliver) an opportunity of making his motion.

Mr. OLIVER: With regard to the new rules, I understand Mr. Speaker to say that there will be as many opportunities of moving a motion like this as there are departments. Is that to be understood as meaning a number equal to the number of

ministers or a number equal to the number of departments?

Mr. BORDEN: There will be an opportunity on three days of the week to move any vote of censure against the Government if we go into Supply on those days. I assure my hon. friend that if it is suggested that any hon. member on the other side of the House is desirous to make a motion censuring the Government or any member of the Government, we will take particular care to give him the earliest possible opportunity of doing it.

Sir WILFRID LAURIER: Can such a motion be made to-morrow?

Mr. BORDEN: I said, after this debate is concluded.

Mr. SPEAKER: So that my observations may not be misunderstood, I wish to say that I was not referring to the new rules for the purpose of giving any ruling upon them, because of course they are not now rules of the House. I was answering the question of the hon. member as to what opportunities would be given in future to move such a motion, and the new rules being referred to in that connection, I made the observation I did.

Sir WILFRID LAURIER: I understood you to say, Mr. Speaker, that we could move on Thursdays and Fridays on going into Supply, but we cannot under the new rule.

Mr. SPEAKER: I did not say that; I said that such a motion could be made except on Thursdays and Fridays, but it could be made on Thursdays and Fridays by the unanimous consent of the House. I made that observation in reply to the hon. member for St. John, when he referred to the consent of the House.

Mr. PUGSLEY: The consent of the House is very different from the unanimous consent of the House; the consent means the consent of the majority.

Mr. SPEAKER: The consent of the House, as decided by many former Speakers, and as I have decided since I have been Speaker, means the unanimous consent of the House.

Mr. OLIVER: I do not wish to press unduly, but I have asked the right hon. the leader of the Government a specific question in regard to the interpretation of the proposed rules; would he be good enough to answer?

Mr. BORDEN: I am afraid I did not quite catch the question.

Mr. OLIVER: I understand that there are to be as many opportunities for moving want of confidence motions as a matter of right, as there are departments of Government. When the word 'department' is used, does it mean the portions of the governmental machinery which are under the control of each minister; or, what would happen in the case of one minister presiding over two departments? Do the two departments count or only the minister?

Mr. BORDEN: My understanding would be that each department would count. I desire again to say that whenever any of my hon. friends on the other side of the House desire to move any vote of censure and we are acquainted with that fact in the ordinary manner by notice the day before, we will take means to have the House moved into Committee of Supply so as to give him an opportunity to do it. In the present instance I would like to finish the debate we are on.

QUESTIONS.

(Questions to be answered orally are indicated by an asterisk.)

STE. ANNE DE LA POCATIERE EXPERIMENTAL FARM.

Mr. LAPOINTE (Kamouraska):

1. Who recommeneded the appointment of Joseph Bégin as superintendent of the experimental farm at Ste. Anne de la Pocatière?
2. What were the claims or qualifications of the said Joseph Bégin to occupy this position?
3. Is he a graduate of an agricultural college? If so, of what college?
4. What was the occupation or employment of the said Joseph Bégin prior to his appointment?

Mr. BURRELL:

1 The Minister of Agriculture.
2 Knowledge of the theory and practice of agriculture.
3. No
4. Agriculturist.

PRINTING AND STATIONERY DEPARTMENT.

Mr. GARLAND:

1. Is it the intention of the Government to reorganize the Printing and Stationery Department along the lines recommended in the special report of the Public Service Commission?
2. If so, will all or any part of such reorganization be carried out during the present session of Parliament?

Mr. CODERRE:

1. The report of the Public Service Commission has not yet been considered.
2. Answered by No. 1.

PUBLIC SERVICE COMMISSION.

Mr. GARLAND:

1. Is the evidence taken by the Public Service Commission in connection with the

Printing and Stationery Department being printed? If not, why not?

2. Is the evidence taken by the same commission in connection with the lake Temiscamingue dam, Sorel shipyard and Montreal Harbour Commissioners being printed?

Mr. CODERRE:

1. No copy of the evidence received save and except the evidence given in the Cook case, which will appear in Volume III.

2. Volumes II and III in press, and nearly completed, will contain the evidence in this connection.

WOMEN PROOFREADERS.

Mr. MURPHY:

1. When was the policy of employing women as proofreaders introduced at the Printing Bureau?

2. On whose recommendation was such a change made?

3. What are the names, home addresses and salaries, respectively, of the women so employed, and by whom was their employment recommended?

Mr. CODERRE:

1. There is no policy in respect to the employment of women as proofreaders at the Printing Bureau.

2. Answered by No. 1.

3. (a) Madame D. Z. Gaultier, 162 Chapel street, Ottawa; present salary, $14 per week. Appointed in May, 1891. No record to show by whom she was recommended.

(b) Madame Blanche Prieur, 2 Grosvenor Apartments, Sherbrooke street west, Montreal; salary, $15 per week. Appointed February 6, 1913, on the recommendation of the Secretary of State.

ST. MARY'S RIVER FISHERY GUARDIAN.

Mr. SINCLAIR:

On whose recommendation was Henry Casey, of Sinora, Nova Scotia, appointed fishery guardian of St. Mary's river, in place of George W. Joletta, the former guardian?

Mr. HAZEN: On the expiration of the period for which Mr. Joletta was employed, Mr. Henry Casey was, on the recommendation of Mr. G. A. R. Rowlings, appointed guardian.

NATIONAL TRANSCONTINENTAL RAILWAY—QUEBEC TERMINALS.

Mr. LEMIEUX:

1. Has the Minister of Railways and Canals received any offer for the site of the National Transcontinental terminals at Quebec? If so, from whom?

2. What is the price per foot in each case?

Mr. COCHRANE:

1. No.

2. Answered by No. 1.

RURAL MAIL BOXES.

Mr. LEMIEUX:

What is the total amount received up to date by the Post Office Department from the sale of rural mail delivery boxes to patrons?

Mr. PELLETIER: The total number of boxes bought was 110,000 at $3 a box, making the total purchase price $330,000. The payments for boxes sold to patrons up to date only amount to $139,033.25.

RURAL MAIL OFFICERS.

Mr. LEMIEUX:

1. How many officers have been appointed in connection with the rural mail delivery service since the 1st May, 1912?

2. In what constituencies were said officers appointed?

3. What is the salary paid in each case?

Mr. PELLETIER: None. A certain number of officers for years in the service connected with the city post offices and the railway mail service, and because of their special powers of organization, were transferred to the inspector's office for the purpose of organizing rural delivery.

POST OFFICE DEPARTMENT LEGAL ADVISER.

Mr. CARVELL:

1. Has a legal adviser to the Post Office Department been appointed in the city of Quebec?

2. If so, what is his name and salary?

3. In what cases has he represented the Post Office Department since his appointment?

Mr. PELLETIER: No.

QUEBEC PILOTAGE COMMISSION.

Mr. LEMIEUX:

Does the Minister of Marine and Fisheries intend to take action during this session on the recent report of the Quebec Pilotage Commission? If so what action?

Mr. HAZEN: The report submitted by the commission appointed to inquire into pilotage matters on the river St. Lawrence, is at present engaging the attention of the Minister of Marine and Fisheries. No decision respecting the same has been reached.

FENIAN RAID BOUNTY.

Mr. CHISHOLM (Antigonish):

1. Has anybody been appointed for the county of Antigonish or any district thereof, to receive claims under the Fenian Raid Volunteer Bounty Act?

2. If so, who, when was he appointed, and on whose recommendation?

Mr. HUGHES:

1. Not by the Department of Militia and Defence.

2. Answered by No. 1.

TORBAY LIGHTKEEPER.

Mr. SINCLAIR:

What expense was incurred by the Department of Marine and Fisheries in connection with the dismissal of James M. Webber, lightkeeper at Torbay, N.S.?

Mr. HAZEN: Mr. Duchemin was paid $69.55 for expenses including witness fees, &c., for investigations in the cases of James M. Webber, H. L. Torrey and J. W. Davis.

NEW HARBOUR POSTMASTER.

Mr. SINCLAIR:

How much was paid to Commissioner Duchemin in connection with the investigation of Archibald Barss, postmaster at New Harbour, N.S.?

Mr. PELLETIER: $23.05.

THE ROYAL MINT.

On motion of Hon. T. W. White (Minister of Finance) it was ordered that the House to-morrow go into Committee to consider the following proposed resolution:

Resolved, that it is expedient to provide for an increase, from a sum not exceeding $75,000 to a sum not exceeding $110,000, of the annual amount payable out of the Consolidated Revenue Fund for the maintenance of the Ottawa branch of the Royal Mint and the refinery forming part thereof.

UNOPPOSED AND UNDISCUSSED MOTION.

Mr. MACLEAN (Halifax):

For a copy of all papers, documents, evidence, reports, &c., relating to the dismissal of B. C. Kanock, late shipping master of Lunenburg, N.S.

AYLMER, QUE., POSTMASTER.

On the Orders of the Day being called:

Mr. E. B. DEVLIN (Wright): I wish to call the attention of the Postmaster General to an item which appeared in the Ottawa Evening Journal, on Friday, April 11, and to ask him a question in connection therewith. The article is headed:

Postmaster of Aylmer Resigned—Mr. Leon Chartier retires from position—Inspectors have been auditing books—Balance of $387 in revenue was owing to the Department—Resignation will likely be accepted in the near future.

The article itself relates to what is mentioned in the heading. I was somewhat dilatory in calling the attention of the Government to this matter, as I expected that the article would be contradicted. Since that date, no contradiction has appeared in the public press. Has the Postmaster General received the resignation of the postmaster at Aylmer? If so, when will it be acted upon?

Mr. HUGHES (Victoria)

Mr. PELLETIER: My hon. friend surely does not expect us to notice everything that appears in the press. If we were to do so, we would be doing nothing else. In regard to his question, I should be glad if he would give proper notice of it, so that I would be able to look into the matter.

Mr. DEVLIN: Do I understand the Postmaster General to tell me that he has no knowledge of the matter contained in the article?

Mr. PELLETIER: I did not say that at all. If the hon. member will put his question with the ordinary notice, I shall answer it.

RURAL MAIL DELIVERY SERVICE.

Mr. LEMIEUX: I should like to ask the Postmaster General a question. I have just put the following question:

How many officers have been appointed in connection with the rural mail delivery service since the 1st May, 1912?

My hon. friend answers, 'None.' He supplements that answer with the following remark:

A certain number of officers for years in the service connected with the city post offices and the railway mail service, and because of their special powers of organization, were transferred to the inspector's office for the purpose of organizing rural delivery.

That is exactly the answer to my question, except that the details are not given. Will my hon. friend kindly revise his answer, and give me the names of those who have been transferred to the office of the inspector? That is the object of my question.

Mr. PELLETIER: The deputy minister prepared that answer for me. He says that is the only way in which he can answer the question, which is: How many officers have been appointed? If my hon. friend wants to know the names of the gentlemen who have been transferred, he does not say so. As I understand it, no new appointments were made but old trained hands were taken from the other offices and put into the inspector's office under the superintendent of the rural mail branch.

Mr. LEMIEUX: I wish to get the names of those who are specially attached to the rural mail service.

Mr. PELLETIER: There are none. They are all in the inspector's office. The question does not ask that, in the first place, and, in the second place, all the organization of rural mail is done through the inspector's office. For that special part of the business, Mr. Bolduc, superintendent of the rural mail branch, gives

instructions to the post office inspector, and it is the employees of the post office inspector who do the work.

NATURALIZATION—RUSSIAN CANADIANS SENT TO SIBERIA.

Hon. C. J. DOHERTY (Minister of Justice): Before the Orders of the Day are called, I would like to ask the indulgence of the House to make a statement with regard to a matter brought up on Monday last by the right hon. the leader of the Opposition. My attention has been called to it by the right hon. the Prime Minister. On Monday the right hon. the leader of the Opposition read the following despatch from a daily newspaper:

Calgary, Alta., April 5.—Gersha Tarsus, a Russian, is raising a fund in the prairie provinces to bring about the pardon of three brothers, Alberta homesteaders, who have been exiled for life to Siberia for alleged evasion of war service during the Russo-Japanese struggle. The brothers took out homesteads here and prospered, and last year visited relatives in their native town in Russia. On their arrival they were arrested by the Russian authorities, tried by court martial for evasion of military duty, and, although citizens of Canada, were sent to Siberia for life. A peculiar phase of the case is that if the men had taken out naturalization papers in Great Britain, England could have prevented the exile, but as they are Canadian citizens and not British subjects, the British authorities declined to interfere.

The right hon. gentleman went on to point out that this brought up in concrete form a matter which had been debated recently in connection with the effect of naturalization in Canada. He stated that it was pointed out at that time that, under the law, although foreigners may be naturalized and become British subjects in Canada, one so naturalized ceases to be a British subject the moment he leaves Canada. He also said:

As will be noticed, the despatch goes on to state that the British authorities decline to interfere on behalf of these men.

In the first place, I desire to say that instructions have been given to have the facts related in this item inquired into and their correctness or incorrectness ascertained. With regard to that, I am not in a position at the moment to say anything. Whatever may be the state of the facts, if these men, who have been naturalized under our laws, as is stated in the article, have on their return to Russia been convicted and sentenced, as is also stated, the rightfulness of that action upon the part of the Russian Government depends in no way upon any naturalization law that Canada could pass or upon any naturalization law that Great Britain has passed or might pass. If Russia has proceeded in the manner indicated, and if she has a right to do so, it is because her own laws, which are applicable to persons who are her own subjects, and which determine upon what condition persons who are her own subjects cease to be subjects, make the persons in question liable. Under the general rule of international law, while it is perfectly true that every nation may make laws to determine whom it will naturalize and upon what conditions it will make a person its subject, it is equally true that every nation has a right to make laws with regard to the expatriation of its own subjects and to determine upon what conditions and to what extent it will recognize any act on the part of the subject as giving him a right to be treated as having been so expatriated and by virtue of that expatriation to be relieved from the effect of the laws by which he was bound as a subject of the country from which he desires to be expatriated. I think that proposition cannot be controverted. I find it stated in perhaps the clearest form and in what, so far as my limited time has enabled me to look into the matter, is the most recent book on the subject, that is, Halleck's International Law, published in 1908, in the following language:

It must be remembered, that although international law recognizes the right of one state to naturalize or adopt the subjects of another, it is not in virtue of this public law that such citizen is naturalized or adopted, but by virtue of the positive or municipal laws of the country which naturalizes or adopts them. The newly made citizen is entirely the creature of municipal law, and is invested only with such rights, privileges, and immunities as that law is capable of conferring upon him. So, on the other hand, while international law recognizes the right of one state to retain the allegiance of its subjects, or to expatriate them, the tie which binds them is not formed, or its nature determined, by public law, but by the municipal code of such state. As the municipal law makes the citizen by naturalization, so, also, it retains or unmakes him, by retaining or dissolving his allegiance. Admitting, then, that the right of expatriation, in its broadest and most comprehensive sense, is recognized as a maxim of international law, this principle must be subordinate to the universally conceded doctrine of the same law, that every independent state possesses exclusive sovereignty within its own territory, that its laws bind all persons within its own jurisdiction, but cannot operate within the territory of another power. It results from this view of the question, that so long as the naturalized citizen remains within the territory and jurisdiction of his adopted country, or within the jurisdiction of any other state than that which claims his primitive allegiance, he retains the national character conferred upon him by naturalization. But if, having renounced his primitive allegiance without the consent of his government, and contrary to its laws, he returns to his native state, and places himself

within its jurisdiction, he is subject to the obligations, charges, and penalties which the laws of that state have imposed upon him.

In this particular instance, these persons, who, it is claimed, have become naturalized Canadian citizens, have returned to Russia, the original state which claimed their allegiance; and, under the general rule of international law, they fall under the provisions of the municipal law of Russia with regard to the effect of any action taken by her subjects with the object of changing their nationality. Under the provisions of the British Naturalization Act, moreover, it is expressly recognized that the status of persons naturalized under that Act, while they are within the country of their original nationality, is governed by the law of that country, unless there be some treaty making other provision between the country in which they have been naturalized and the country of their original allegiance. The third paragraph of section 7 of the British Naturalization Act provides:

An alien to whom certificate of naturalization is granted shall in the United Kingdom be entitled to all political and other rights, powers, and privileges, and be subject to all obligations, to which a natural-born British subject is entitled or subject in the United Kingdom, with this qualification, that he shall not, when within the limits of the foreign state of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty to that effect.

I think the reading of this section makes it perfectly clear that, as well under this provision as under the general rule of international law of which I have spoken, in this particular instance, even if these persons had been naturalized under the law of the United Kingdom, they would cease to be deemed to be British subjects while within the limits of Russia, the foreign state of which they were subjects previous to their obtaining certificates of naturalization. I think, therefore, it is clear that the question involved is in reality what is the law of Russia applicable to persons who find themselves in the circumstances which are said to have existed in the present instance. It would be quite immaterial what our Naturalization Act stated, or even what we under our own constitution have power to state: those persons when they returned to Russia, would remain subject to be governed, as regards their status and the laws applicable to them, by the laws of Russia; in fact, that would be the case by virtue of the express words of the statute of the United Kingdom. So far as I have been able to ascertain what the condition in Russia is, it would appear that Russia adheres most unqualifiedly to the maxim, 'Once a citizen, always a citizen.' It does provide for the case in which a certain action on the part of a citizen or subject will deprive him of his quality as a citizen or subject, as far as the advantages resulting to him therefrom are concerned; but it claims that he cannot relieve himself of his obligations by merely leaving his country and becoming naturalized elsewhere, unless, at all events, he obtains the necessary authority and complies with any requirement of the law of Russia in this respect. I find in the same work, pages 436 and 437, the following:

In Russia the quality of a subject is lost by residence abroad, by voluntary expatriation, and by disappearance for the term of ten years from the place of his domicile. Nothwithstanding the Russian laws of March 6, 1864, a subject is not released from his allegiance by the acquisition of a foreign nationality.

In Webster, on the Law of Citizenship, published in 1891, I find, on page 959, this statement, which, I think, is borne out by all or many authors who have written on the subject:

The position taken by the Russian Government is in direct antagonism to the international or common law practice.

I should not care to be as positive as Mr. Webster seems to be as to the universality of the common law practice to which he refers; but, with regard to the Russian aspect of his statement, it is perfectly clear:

The municipal rules which governs such cases is found in the Penal Code, article 325, which is as follows: Whoever, leaving his country, enters without the authorization of the Government into a foreign service or becomes a citizen of a foreign power, incurs on account of this violation of his oath of allegiance and of his duties as a subject, the privation of all his civil rights and perpetual exile beyond the limits of the Empire, or in case of voluntary return to Russia, deportation to Siberia, to be colonized there.

So that, subject to the result of further investigation as to the actual condition of the law in Russia, it would appear that what is stated as having happened to these particular individuals is in accordance with the Russian law. I think it is for the Russian law to determine, as within the limits of Russia, what is the effect of any naturalization acquired under the laws of any other country by any Russian subject. I desire to make it clear, and I trust that what I have said does make it clear, that the fact that these persons now find themselves in their present unfortunate position is not attributable to any lack of effectiveness on the part of the Canadian naturalization law, but that they would

find themselves in the same position on returning to Russia had they been naturalized in any country save one of the countries with which Russia has a treaty recognizing the effect of such naturalization. There is no such treaty between Great Britain and Russia; therefore persons naturalized under the laws of the United Kingdom would find themselves in precisely the same position on returning to Russia—assuming that they had previously been Russian subjects—as that in which these persons are now said to find themselves. Although it would seem highly improbable that there is any effective step that the Government can take in connection with the matter, we will make investigation of the facts and of the law, and if it is found that any useful steps can be taken, we shall be most anxious to take them, and most happy if we can succeed.

Sir WILFRID LAURIER: By your leave, Mr. Speaker, I would like to say a word with reference to the observations of the Minister of Justice. I have no doubt he has correctly stated the law of the matter, which is this: that these men, who were homesteaders in Canada and had become British subjects according to the Canadian Naturalization Act, are now in Russia, and are accused of having violated the laws which pertain to their Russian citizenship. One thing is clear, that Canadian naturalization cannot be set up as a bar to this prosecution; I think the Minister of Justice is quite right as to that; and, if they had received full British naturalization, even that could not be set up as a bar to the action. But the point to which I would call the attention of my hon. friend is this—and to some extent he has anticipated it, and it shows conclusively the difference between the British naturalization and the Canadian—that the despatch says that because of the fact that these men have been naturalized British subjects in Canada, their naturalization is not recognized by the British Government under the circumstances, and so that Government will not interfere on their behalf. But my hon. friend has intimated that he will look into the case, and if he finds that these men have been naturalized in Canada, he will take all the steps possible to come to their rescue; and there is nothing more that we can ask of the Government.

Mr. DOHERTY: I should be very much surprised to find that the British Government had declined to interfere on behalf of these men on the ground that they were not naturalized in Great Britain. For while, as a matter of right the Canadian naturalization does not entitle the naturalized subject to claim the protection of Great Britain, I think I am quite within the truth in saying that in all cases of this kind the British Government has, as a matter of courtesy though not as a matter of right, extended to our subjects such protection as was in its power. It is much more probable that if they declined to interfere, it was by reason of the fact that they found themselves in a position in which they could not assume any right that would be recognized in the matter.

Mr. BORDEN: I should regard it as remarkable if the British Government would take such a position with respect to the reasons for non-interference as that mentioned in the despatch referred to. The British Naturalization Act expressly reserves the rights of foreign governments over their subjects within their jurisdiction after naturalization in Great Britain. The same effect would be given to our Naturalization Act by the principles of international law. But it would appear to be the right and duty of the British Government to take action in the case of a person naturalized in Canada to the same extent as in the case of one naturalized in Great Britain.

Sir WILFRID LAURIER: But this case brings out the fact that there is a discrepancy between our naturalization and British naturalization which ought to be done away with as soon as possible.

LAW LORDS IN GREAT BRITAIN.

Hon. RODOLPHE LEMIEUX: I desire to draw the attention of the Minister of Justice to the despatch that appeared in the Ottawa Citizen this morning with regard to the appointment of law lords in Great Britain. Has the Canadian Government been consulted, and what is the purport of the arrangement proposed? It does not seem very clear from the despatch.

Mr. DOHERTY: I am not at the moment aware that the Government has any official information on the subject, and I share the hon. gentleman's difficulty in reaching a clear conclusion from the despatch as to the effect of the legislation mentioned. I will inquire, but I am under the impression that we have no communication on the subject.

Mr. MURPHY: Was the hon. minister consulted on the subject when he was in England last summer?

Mr. DOHERTY: There was some general conversation—I could not connect it really with what was stated in the despatch—as to the desirability of taking steps which might be considered to improve the constitution of the Judicial Committee in relation to appeals from Canada.

Mr. LEMIEUX: Would the hon. gentleman inquire if there is any official correspondence on the subject and make the matter clear to the House?—because it seems a very serious piece of legislation.

Mr. DOHERTY: Yes.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Consideration of the proposed resolution of Mr. Borden, to amend rule 17 of the House of Commons, and the proposed motion of Mr. Hazen, that this question be now put, resumed from April 15.

Mr. GEORGE E. McCRANEY (Saskatoon): I desire for a few moments to address myself to that portion of the resolution introduced by the Prime Minister which deals with motions to go into Supply. My understanding of the proposed rule is that there shall be one day given which shall not be a Thursday or Friday for the estimates for each of the departments of government, but that when motions to go into supply are made on Thursday or Friday there shall not be any motion to amend them. I understand that the Prime Minister has to-day assured the House that whenever the Opposition wishes to move a vote of censure on the Government, opportunity will be given by the Government to the Opposition so to do. I hope the Prime Minister will not think I speak offensively when I say that in view of the use of the rules of the House that has been made and the manner in which these closure resolutions have been introduced, I would very much prefer that the rights of members of Parliament shall be the result of declarations by this House, and not the result of sufferance on the part of the Government of the day. There is no doubt that an attempt is now being made to make the privileges of this House a matter of favour. We as members of Parliament have the right to have our rights declared, and our rights should be a matter of right and not a matter of sufferance. At the present time the rule is that whenever any member of Parliament desires to discuss anything which he deems to be a public or private grievance, he may do so when the House is moved into Committee of Supply, by moving an amendment to the motion to go into Supply, or without moving an amendment.

I find, in looking through the Journals of the House for the last twelve or thirteen years, that in those years which immediately preceded a general election amendments to the motion to go into Supply have been more numerous than in other years. The reason is obvious: the parties desire to present their views to the electors, and it is only natural that they should take occasion immediately before a general election, when public attention is concentrated upon Parliament, to bring these matters to the attention of the House. In 1900, I find that there were thirteen amendments to the motion to go into Supply; in 1904, nine amendments; in 1908, fourteen amendments; and in 1911, fourteen amendments. In giving you these figures, Mr. Speaker, I have taken notice only of those discussions on Supply which have resulted in an amendment and in a division of the House. There are many occasions when a motion is moved in amendment, and when after the discussion is considered sufficient for the purpose, it is withdrawn. There are perhaps more numerous instances in which there is no contentious matter before the House, but in which it is thought desirable by some member to take up something that is either a public or a private grievance with a view to having it ventilated, and when his purpose is achieved, the discussion ceases, and the House goes into Committee of Supply. When I have given you these figures, Mr. Speaker, it would be wrong to assume that the occasions on which there has been a division are by any means the only occasions on which this right of a member of Parliament is made use of.

In going through the Journals of the House I find that nearly all the amendments to the motion to go into Supply are moved very near the end of the session. The reason for that is that discussions on amendments are usually founded upon material supplied by the Government as the result of a return brought down. These returns do not come down until well on in the session. Then, the very fact that Parliament has been in session for some time is a reason why information comes to the attention of members. For instance, in the year 1900, between June 14, and July 10, there were nine amendments out of thirteen. In 1904, between July 13 and August 3, there were six amendments out of nine. In 1908, there were nine out of fourteen amendments, referring to the Department of the Interior alone. In 1909-10 between April 14 and 28, there were five amendments out of six. The result of the amendment to the rules proposed will be that those occasions for discussing matters of public grievance will come up in the early part of the session rather than in the latter part, which is the time that is usually made use of.

If my right hon friend the Prime Minister really means to give us all the opportunity for discussion that his words would lead me to believe, I ask him why he has clause 4. There is no reason for it at all. I think I may safely say that, so far as his experience as Prime Minister goes, there has been no abuse of the

rule. There was no abuse of it last session, and so far as his experience goes this session there has been no abuse of it, and the work of the Government has been facilitated by the Opposition. The only experience which the Prime Minister has had, and which might induce him to favour such a rule, is his experience as a member of this House of Commons during the fifteen years when the Liberal Government was in power. I would be very much surprised if he informed this House that his experience as a member of Parliament under the leadership of Sir Charles Tupper or his own experience as leader of the Opposition, would induce him to take the view that the rules of the House should be amended to prevent obstruction when the House goes into Committee of Supply.

I want to bring to the attention of the Prime Minister a couple of instances of the character to which I specially referred, and which are connected with my own constituency. Towards the end of last session, I received a letter from Mr. Thomas Lawrence of Hanley, in which he spoke of the congested condition of the grain traffic at the town of Hanley, and the difficulty of getting cars. It was ten minutes to six o'clock when the House was moved into Committee of Supply. I took the matter up with the hon. Minister of Trade and Commerce, and read an extract from the letter to him. He replied in a sympathetic view, the incident was over, and within a few days the Canadian Northern Railway Company had supplied not only Mr. Lawrence but all the people of Hanley with the cars which they wanted. There was a distinct instance in which the right of ventilating even a private grievance was wholly for the public good. The resolution which my right hon. friend has introduced is limiting that right. There was another instance. Within less than a week of the prorogation of Parliament last session, I brought to the attention of the House on the motion to go into Committee of Supply the fact that the Canadian Pacific railway had changed the name of a town in my riding from Brodrick to St. Aldwyn. There was some misunderstanding as to how it came about. The department of the Postmaster General was being blamed for some reason and I myself did not understand the facts until the discussion came up in the House. Officials of the Canadian Pacific railway were perhaps acting in good faith, but they were making it appear that it was all because of the Railway Commission when, as a matter of fact, the affair had never come before the commission. The hon. Postmaster General gave me a sympathetic reply and I did not suppose that he and his department were not acting in good faith. The incident was over in half an hour but the result was that within a very few days the Canadian Pacific railway announced to the people of Broderick that they were going to again change the name and give them their old name again. It is now the town of Broderick as a result of the public attention which was given to the incident at that time. I have given to my right hon. friend another reason why he should not press this resolution as an amendment to the rules of this House; in fact, he has said to-day that if we want to censure the Government we will have an opportunity to do so. I think he will agree with me that, as a private member of this House, my time has not been engaged very much in censuring the Government but that as a private member I have been of some service to my constituents, a service that these new rules would take away from my people.

The right hon. Prime Minister ought to withdraw clause 4 of these resolutions. The hon. Minister of Marine and Fisheries (Mr. Hazen) has moved the previous question, and the closure has been put even upon the Prime Minister. These are the days of closure. The members supporting the Government have been under closure for a long time past. I think I may safely say that we have had in the history of this Parliament for the last time the spectacle of a Government supported by members on the other side sitting silent week after week being pounded by a vigorous Opposition and offering no reply. The Government are in a panic to-day, they are afraid to go to the electors and therefore we find them putting on the closure. Their case has not got to the people and I cannot say, on second thought, that their case will be very much helped by going to the people. We have had an example of closure on the Prime Minister and the rest of the Government by the use of the previous question and now they are going to deal with us. If there is any good faith in the Government they would only pass such an amendment to the rules of the House as would correct the grievance which their experience has shown to them. They believe that, because they have not got this Naval Bill through the House, they have a grievance. They have no other grievance, they have no other experience, and, assuming that their case is correct, which I do not admit, their remedies should be limited to that case. If they were acting in good faith, I think they would limit them and because of their action in the introduction of these resolutions, and the incident connected with the application of the rules to the House, we would have reason to believe that they are not acting in good faith and that it is their desire to make these rules the occasion for doing very much more

than merely getting their Naval Bill through.

I do not wish to discuss the issues which are connected with the Naval Bill, but I would like to make some reference to that debate to show that we have been justified in the stand we have taken. It was upon the 5th day of December that the Prime Minister made what may be considered in some quarters a very clever presentation which was intended to appeal to three wings of his own party. He said to some: This is temporary and you have reason to expect that it is all. He said to others: This is a gift; we are giving something, we are wiping out an obligation and when we were wiping out the obligation by giving something he added that we were not to have four or five navies. He made an argument which had only one distinction in it and that was one navy or a contribution. Then, to others he said: Oh, we give that and at the same time we take it back. That appeals to perhaps the largest portion of the party supporting the right hon. gentleman. It was necessary, in view of that presentation, and in view of the speeches which were subsequently made in this House, to prolong this debate to see where the policy of the Government would go. There was only one supporter of the Government who was disposed to speak of a Canadian navy. It was the hon. member for North Ontario (Mr. Sharpe) and I want to give him full credit for it because I think he will be a great man some day. But all the other speeches, including those of the right hon. Prime Minister, the hon. Minister of Marine and Fisheries, the hon. member for Brandon (Mr. Aikins), the hon. Postmaster General (Mr. Pelletier), and the hon. member for Montreal, St. Antoine (Mr. Ames), went in one direction. The Government may make whatever declaration they like to-day, but they will have to go a long way to satisfy the House and the country that they have any other intention than the maintenance of the one fleet. One can imagine that circumstances might have occurred between December 5 and the present day under which we would believe still more in the German scare. One might believe that a case might arise which would frighten people and cause them a great deal of alarm. But the fact is, Sir, that everything that has occurred, taking the daily newspapers from that day to this, has tended to dispose of the contention of hon. gentlemen who support their argument by the alleged existence of a German scare because the fact is that there is no German menace, no emergency and no need of these three dreadnoughts in the North sea. The whole base of operations has changed since the 5th of December. The North sea was to bristle with dreadnoughts. Now they are to be sent to Gibraltar. The trouble is that my right hon. friend the Prime Minister is trying to keep up with Mr. Winston Churchill. He cannot follow Mr. Churchill all the way.

Mr. SPEAKER: I think the hon. gentleman is rather drifting from the motion before the House.

Mr. McCRANEY: Very well, Mr. Speaker, I will abide by your ruling and go to another topic. The House went into Committee of the Whole, but closure was on so far as the Government was concerned, and with regard to the important proposal in clause 2 of the Bill to send $35,000,000 out of this country we were asked to put it through that same night, and we were told that debate would be limited. I need not go into the result of that two weeks' siege. It has been stated in some newspapers that there has been some arrangement between the Government and the Opposition that there should be no more all-night sittings. If there was any arrangement of that kind, I am unaware of it. I do not think that the Opposition asked any quarter; I think the Government called off all-night sittings because they thought they were through with it. I do not think that this Opposition will ever ask the Government not to put on all-night sittings; in fact, I think it was a good thing for the men on this side of the House that they were forced to sit all night, and if the Prime Minister ever wants to do us another good service I would commend to him the same tactics, and I would express the hope that next session and as long as the Liberal party is in opposition there will be a few all-night sittings.

When that discussion arose the leader of the Opposition moved an amendment and another amendment was moved by my hon. friend from North Cape Breton. The House was in Committee of the Whole debating the resolution before the House and these two amendments for two weeks and then we were told by the Prime Minister and his supporters that all our discussion had gone for naught and that we were out of order. What kind of leadership is there in this House and what are we to expect from it? Then on the memorable Saturday night the rules were applied strictly so it was said. Men were put into the Chair who had not sat more than one complete session in this House and gave decisions which were intended to make the Chair in Committee of the Whole look somewhat ridiculous. After that, this very strict interpretation of the rules was removed again and we have gone on discussing these questions in Committee of the Whole and the discussion is wide open, and the Minister of Finance and the Prime Minister have taken part

in the debate, and there is no talk now of a strict interpretation of the rules. In view of the situation I would ask if it is at all unreasonable that this House should be kept here to find out where we are at with regard to the policy of the Government and the way in wrich this House is to be run? The reason given for the introduction of this amendment to the rules is that the majority must prevail. Any person who was in the House the other evening and heard the speech of the hon. member for Shefford (Mr. Boivin) in which he pointed out that taking the returns of the last election and having regard for the votes cast for those members of the House who were elected, on the distinct pledge that they would favour no naval policy, the majority against the present Navy Bill was 200,000, out of a total vote of 1,300,000, would come to the conclusion that the majority is on the Opposition benches, and that the Opposition is justified in members taking every means in their power to prevent this legislation going through this House. The Liberal party in this House would be doing less than its duty if it did not exert itself to prevent that legislation, in view of the fact that a majority of 200,000 stand behind us in resisting to our utmost this naval proposal of the Government.

I do not purpose comparing the mode of working out the closure in Canada with the system in the Old Country, but I am very much mistaken if our friends in the Old Country will not see the difference and will not appreciate the fact that this legislation which is about to be passed by this Government can be passed only on the most stringent party pressure that can be put upon members of Parliament.

On previous occasions in this House there have been long sittings and obstruction. In 1885 when Sir John Macdonald introduced a franchise Bill which the Liberal party then in opposition thought tyrannical, the efforts of the Opposition of that day were such that the Bill was modified by Sir John Macdonald and provision was made which was fairly acceptable to the Opposition. Sir John Macdonald had some sense about him, and he knew it was better to amend that Bill than to adopt a closure measure, although at the time he had a majority of between eighty and ninety supporting him in this House. The next occasion was in 1896 when Sir Charles Tupper was Prime Minister and when the Manitoba School Bill was under consideration. I am sure Mr. Speaker that there is no one in this House to-day who would say that the action of the Opposition, and those members of the House who then associated themselves with the Opposition of that day, was not justified because the result of the ensuing election justified it, and the Government which was in favour of putting through the Manitoba School Bill was turned out of power. The next occasion was in 1908 when the Bill with respect to the Manitoba Voters' List was before this House, and the Right Hon. Sir Wilfrid Laurier, then leader of the Government, showed good sense, as did Sir John Macdonald on a previous occasion, and gave up the legislation rather than force it through with closure. When he was not supported by public opinion, he bowed to public opinion. The last instance of that was only two years ago, in 1911, when reciprocity was before Parliament. I am sure the right hon. the Prime Minister would not say that any mistake was made by the Conservative party in resisting those proposals, and obstructing. The fact is that in two of the four instances which I have given the legislation was modified or withdrawn. In the other two, the Government of the day which was being obstructed was defeated. There has been no instance in which a government was obstructed and forced to the country and came back with a majority. Sir John Macdonald might have come back after the obstruction of 1885, because he came back in 1887 with a large majority; and the Liberal party after the obstruction of 1908, could have come back, even if that legislation had been put through, because they did come back with a large majority. I commend to this Government the good sense and the spirit of fair play which was exercised both by Sir John Macdonald and by the present leader of the Opposition in those cases. One cannot help feeling that this Government has challenged the obstruction which had the results of 1896 and 1911. It is all very well for members, one hundred and thirty strong, to say: Oh, you on the other side are all wrong; you do not understand public opinion; we are the Government; we can put this thing through. That is giving to members of the Opposition credit for less sense than they ought to have credit for. I have no doubt myself that if this Government were to go to the country it would realize the results that the experience of 1896 and 1911 showed, and would be turned out. If its obstinacy carries it so far, while it may delay the day, I have no doubt that a people which feels outraged by reversal of policy and breach of pledges solemnly given, will see that this Government gets its due reward, and is defeated.

Mr. OLIVER: Mr. Speaker, I desire to move the adjournment of the House. I wish to draw the attention of the House to the matter—

Mr. MEIGHEN: I rise to a point of order. I think the hon. member, having spoken on the main motion, is not now

in a position to move the adjournment of the House.

Mr. SPEAKER: I do not think the hon. member could properly move the adjournment of the House, since he has spoken before on the main motion.

Mr. PARDEE: I beg leave to move the adjournment of the House.

Mr. SPEAKER: The hon. member is in the same position. He has spoken already.

Hon. H. S. BELAND (Beauce): Mr. Speaker, I realize that I am not in the same position as my hon. friend from Edmonton (Mr. Oliver), and my hon. friend from Lambton (Mr. Pardee). As I have a few remarks to offer in connection with the resolution that we are now discussing, I intend first to submit my remarks, which will be very short, and then I may conclude by the motion which you have at present refused to accept.

The House of Commons was called upon a few days ago to consider and to pass judgment upon a resolution amending profoundly the rules heretofore in force in this House. In discussing this question, it is necessary that one should go back a little and examine the circumstances which have surrounded us during the last few weeks in order to form an opinion upon the subject. What is to-day the situation in Canada and in the British Empire at large? The present Government has made an attempt to force upon the Canadian Parliament a policy which, I submit, is entirely new, and which constitutes a radical and constitutional departure in the political history of Canada. It is not overstating the matter to say that this attempt on the part of the Government has aroused public opinion from one end of the country to the other. It has aroused public opinion also in Great Britain. One has only to look at the press of the United Kingdom to come to the conclusion that even there opinion is divided as to the advisability of this Government forcing through this naval proposition of theirs.

A clamour has made its way to this House from the four corners of Canada calling for an immediate appeal to the people. Supported by what we consider to be a majority of the Canadian people, the Liberal Opposition in this House have offered a most strenuous resistance to the proposals of the Government, which are not merely naval, but are, I contend, also political. In the history of Canada there are many examples of long and unabated opposition to certain legislative attempts on the part of governments, and in every case I submit that opposition has been productive of amendments or has brought about a dissolution of Parliament and has ultimately been ratified by the electorate.

Many instances have been quoted in this House, some by the right hon. leader of the Opposition, particularly those of 1885, 1896, and 1911. I may refer to another instance in 1903, when an important measure was introduced into this House by the then Prime Minister (Sir Wilfrid Laurier), for the construction of the Transcontinental railway. A long guerilla opposition developed at that time. A long resistance was offered, and we know that the suggestions made by the then Opposition brought the Government to the conclusion that certain amendments should be accepted. Take, again, the case of 1905, on the occasion of the debate in this House in connection with the proposed legislation concerning Alberta and Saskatchewan. A long opposition developed at that time, and important amendments were accepted by the Government.

To claim that the new rule of debate which is now submitted for our consideration should not be amended is to claim for it perfection, and who in this House would for one moment contend that any measure can be introduced which is not susceptible of amendment in any way? But that is the position created by the Prime Minister and his supporters in the present instance. The course which has been taken by the Government is, I contend, a desperate action. The guillotine, as it is called, is introduced to quell constitutional resistance and opposition. Is the constitutional course to be despised to such an extent as has been hinted by hon. members on the other side of the House? Let me quote some words that fell from the lips of an hon. gentleman who stands very high in the estimation of my hon. friends on the other side, those of the hon. member for North Toronto (Mr. Foster) during the elections of 1911—words that were uttered at a big mass meeting held in the city of Halifax on the 5th of September of that year. He said:

> On September 21st you will go to the polls to speak on this matter, not because Sir Wilfrid Laurier wished it, but because his Majesty's loyal Opposition forced him to it.

What does that mean? It means what it says: That the then Opposition forced the then Government to the country, and the member for North Toronto, now the Minister of Trade and Commerce, did not seem at that time to relish the contention that such a course should be held to be despicable.

I submit that three courses are open to the Government in respect of the Naval Bill: First, they could withdraw the Bill; second: they could amend it, and, third, they could appeal to the country. They could withdraw the Bill and introduce another on the lines of the policy unanimously agreed upon three or four years ago. They could amend the Bill, as has been very properly suggested by the hon. member for South Wellington

(Mr. Guthrie), to the effect that the heads of the Canadian units, consisting of two powerful ships, should be built in the Old Country, and be brought to Canada, whereupon the Government could proceed with the organization of a Canadian navy, divided into two fleet units. They refused to agree to that, and to-day, when they are face to face with a situation that must ultimately force them to the country, what do they do? They introduce closure in the very heart of a heated debate, and at a time when public opinion in this country is divided as it were, into two camps, one in favour of the proposal and the other against it—two camps which appear to be equal in number, although, if we consider the figures submitted to the House the other night by the hon. member for Shefford (Mr. Boivin), it would appear that the majority of the people of this country, regardless of creed or nationality, are against the naval proposals of the present Administration. What situation will be created if the resolution to amend the rules of debate introduced by the Prime Minister is adopted by the House? It will mean, in a word, that in a few hours the free discussion of any matter can be shut off. A minority—be it Protestant, as it is in the province of Quebec; be it Catholic, as it is in some other provinces of Canada; be it French or German or English or Scotch or Irish—a minority combating strenuously in this House for certain privileges it has enjoyed for a long time, might be shut off from all discussion and gagged by the motion of a single minister of the Crown. This, I say, is the most autocratic power that has ever been confided to any government of any civilized country, not excepting Great Britain herself, which has in that respect, some very stringent rules indeed. I realize that the Government has found itself in a very delicate position, and that is the reason why they made an appeal to the hon. member for Portage la Prairie (Mr. Meighen) to defend the proposal. Why did they select the hon. member for Portage la Prairie? For one and only one good reason—because of his adroitness and his legal attainments, and because of his power, almost without limit, to demonstrate that white is black. They have, through the hon. member for Portage la Prairie practically tried to force this demonstration upon the House, but, I would remind the hon. gentleman that that great English statesman, Edmund Burke, once said that a British subject is the least qualified person on earth to argue another British subject into slavery. In this case it would be parliamentary slavery. I submit, however, that my hon. friend from Portage la Prairie has failed to convince me that the proposed rules are proper or useful or necessary.

Mr. LEMIEUX: Or generous.

Mr. BELAND: They are far from being generous. Let us consider for a moment the manner in which this resolution has been introduced into the House, taking into consideration not only words, but action. But, before I proceed further, I should like to deal with a point which was debated a few minutes ago between my right hon. friend the Prime Minister and my hon. friend from Edmonton, regarding the number of opportunities that would be given to a member to criticise the estimates. In order to make myself clear, I desire to put a question: Will it be possible under this rule for the Minister of Finance, for instance, to move the House into Committee of Supply in order to consider the estimates of the Department of Justice, of the Department of Finance and of the Department of Public Works? Could such a motion for the three departments be made on any one day other than the Thursday and Friday which are specially provided for? If such a motion could be made, there would be only one day for the three departments. And if a motion could be made covering three departments, a motion could be made covering ten, or covering the whole fourteen; and so the time for debate might be reduced to one day —one sitting. May I be permitted to ask the Prime Minister whether that could be done under this rule?

Mr. BORDEN: I should think that the motion would be made in the ordinary course, but the estimates of each department must be taken up on some other day than Thursday or Friday.

Mr. BELAND: Perhaps it is my incomplete knowledge of the English language that has prevented me from making myself clear to the Prime Minister. Will fourteen days be allowed in case we require them for the discussion of the several departments, one day for each department?

Mr. BORDEN: I have already said this afternoon, before this debate began, that whenever any desire was expressed to attack the administration of the Government or to move a vote of censure, we should naturally and reasonably afford the opportunity of doing so. No Government could possibly take any other course.

Mr. BELAND: I might rely upon the generosity of my right hon. friend, though my faith in him has been shaken a little within the last few days; still, every Government in the future will be governed by this paragraph 4 of the rules and what I wish to find out is the exact meaning of this paragraph. If I am told that on any day besides Thursday or Friday the Government may move that the House resolve itself into Committee of Supply for the consideration of the estimates of one

particular department, and that fourteen days will thus be allowed for the consideration of the several departments, I am satisfied this paragraph should be amended.

Mr. MARCIL: There may be fifteen departments next year.

Mr. BORDEN: I do understand the rule in the way in which the hon. gentleman has suggested.

Mr. BELAND: Thank you. Now, let me call attention to the manner in which the Prime Minister introduced these resolutions.

Mr. LEMIEUX: Would the right hon. gentleman explain the answer he made?

Mr. BORDEN: My hon. friend asked if each department would be taken up on a separate day, and I said yes.

Mr. LEMIEUX: So, fourteen opportunities will be given?

Mr. BORDEN: Yes, and more if necessary or desired.

Mr. TURRIFF: Might I ask the Prime Minister, if under the rule as it is proposed it would not be perfectly legal for the Finance Minister, or any other minister, to move the House into Committee of Supply to take up the estimates of any number of departments? Probably the Government might not want to do that; I think the right hon. gentleman would not want to do it; but I am trying to find out whether it would not be within the power of the Government to do that according to the necessary construction of this section.

Mr. BORDEN: I should not regard that as within the spirit of the rule, and if there were any fear of it I would amend the rule immediately.

Mr. BELAND: All that goes to show that a special committee should have been appointed to consider these proposals, and that is manifest to every impartial man in this House. The Prime Minister could not refrain from saying that on a future occasion he would like to submit these amendments to a committee, though he refused to do so in the present instance.

Let me quote to the House some words of the right hon. the Prime Minister. As reported on page 7587 he said:

> It would not be to the interest of any government to exercise them unfairly, and I am sure that, so far as referring these rules to a committee is concerned, I would be very glad indeed to refer them to a committee of the House or to debate them in a Committee of the Whole House, if it were not for the very great loss of time and the indefinite delay which would apparently be involved in any such step. We think that the time has come when the rules of the House ought to be amended, and we are sincerely endeavouring to amend them in a way which will be fair to the minority of the House, and which at the same time will enable public business to be carried on in a reasonable and normal manner. I am willing, however, to say this, that if these rules pass, I shall be perfectly willing at the opening of another session to refer all the rules of the Husoe to a committee of the House in order that in other respects, as well as in those to which I have alluded, there should be a thorough revision, which I think is very much needed.

Why postpone that until next session? Why not withdraw the Naval Bill, because this Bill is the cause of closure? The Naval Bill is the cause of the gag; there is no doubt about that. Then why not withdraw the Bill? Does the Government believe that they will create a revolution in this country if they withdraw their Bill? Why, they are overwhelmed to-day with correspondence from all corners of this country asking them to withdraw the Bill and wait until another session.

Some hon. MEMBERS: Oh, oh.

An hon. MEMBER: It is just the opposite.

Mr. BELAND: We see that the Prime Minister is willing to consider at a later stage the proposition of referring these rules to a committee. We are guided here by British precedents and I do not know of any instance in the parliamentary history of Great Britain, perhaps with one exception, of important rules having been introduced in the House without a committee being appointed to consider them in conjunction with the Speaker of the House. The quotation I have read from the speech of the right hon. the Prime Minister would indicate, first, that amendments are possible and even desirable, and in order to make myself clearer on this point, I will quote a few more words from the same speech:

> Mr. Graham: That would mean the unanimous consent.
> Mr. Borden: I will change that to unanimous consent, if my hon. friends will consent.
> Sir Wilfrid Laurier: We want to debate it first.
> Mr. Borden: Then my right hon. friend does not agree to change it?
> Sir Wilfrid Laurier: I want to debate it first, for there is room for discussion on that.
> Mr. Borden: I offer to change it if my hon. friends desire it.
> Mr. Beland: We might do that in committee.
> Mr. Borden: Very good, if my right hon. friend wants to debate it——

What does that mean? It simply means that these rules are susceptible of amendment, and how can you add the word

'unanimous' without moving an amendment to a resolution, notice of which is on the Order Paper. There is no other way except by amendment. The Prime Minster was willing to put that word in, but how can we think him consistent when a few minutes later he voted to exclude all amendments.

Mr. BORDEN: Of course my hon. friend has not read that portion of my remarks in which I said I thought it had that meaning without the word 'unanimous' being added.

Mr. BELAND: The right hon. gentleman said he understood the words 'consent of the House' to mean unanimous consent, but we may expect anything in these days. In spite of the Speaker, the majority might rule that it does not mean unanimous. Why, Mr. Speaker, you decided the other day that the right hon. gentleman who leads the Opposition should have the floor and you gave him the floor; your decision was challenged immediately, and the majority voted that your eyes were wrong, and that the Minister of Marine and Fisheries should be allowed the floor. My right hon. friend the Prime Minister said that we might have a committee next session. That supports our contention. In the course of his remarks he also assured the House that these rules would be applied with prudence and fairness. That was the manner in which the resolution was introduced, but let us consider for a moment what took place a few minutes afterwards. When the right hon. gentleman sat down, the right hon. the leader of the Opposition rose to reply, and every member in this House will remember what took place. The Minister of Marine and Fisheries rose and called for the floor. You, Mr. Speaker, decided that the leader of the Opposition should speak, and then an hon. member challenged your decision and, availing himself of rule 17, moved that the Minister of Marine and Fisheries should be heard. I want to call your attention to a passage in Bourinot which undoubtedly escaped your attention on that occasion, Mr. Speaker. It is to be found under the title of 'Precedence in Debate' on pages 457-8:

> The Speaker of the Commons will always give precedence in debate to that member who first catches his eye.

In the present case the right hon. the leader of the Opposition caught your eye.

> When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place;——

In this case it was the leader of the Opposition.

> —but a motion may be made that any member who has risen 'be now heard', or 'do now speak.'

That was the rule invoked by my hon. friend from East Hastings (Mr. Northrup) when he made his motion, and if he will do me the favour of following me further I will read the next passage:

> Is is usual, however, to allow priority to members of the Administration who wish to speak; and in all important debates it is customary for the Speaker to endeavour to give the preference, alternately to the known supporters and opponents of a measure or question——

Mark the following words:

> —and it is irregular to interfere with the Speaker's call in favour of any other member.

So in this case it was irregular for the hon. member for East Hastings to challenge your decision. The Prime Minister had finished, the right hon. leader of the Opposition rose, he first caught your eye, you decided he had the floor and the hon. member for East Hastings rose and moved that another gentleman be heard. It was irregular and I am surprised, knowing how well read you are in parliamentary procedure, that you did not avail yourself of this information and rule the hon. member for East Hastings out of order. I am quite sure that, if your attention had been called to it, you would have ruled against him. The rule is plain:

> It is irregular to interfere with the Speaker's call in favour of any other member.

This action has not helped the Government in this House, in this province, in the country at large, or even in the British Empire. It has raised a great deal of indignation not only in the Liberal press but among some of the most ardent supporters of the Administration. The Conservative newspaper of this city places blame upon the Government for their action in this instance. What was the declaration of the Government in introducing this resolution? No amendment is to be considered—everything or nothing. No member, from Your Honour down to my humble self, need expect to contribute in the least to the framing of the rules that will apply to us all. We are debarred from doing that, and for what purpose? No reason has been given by the Prime Minister except that it will take a very long time. Is it not worth while that we should spend a few hours, or a few days, in debate on rules that will apply for all time in the future, if they are not repealed or amended? It is almost a case of the Government against Parliament, and if party obligations were not carried to such an extent in this

House, I venture to submit that a majority of the members supporting the Government would be against the action of the Government in introducing these new rules. What is it that the Government are asking us to adopt? We believe that the project of amending the rules in the way in which it is proposed to amend them emanated from the worst Manitoba instincts of the Minister of Public Works (Mr. Rogers), that it sprang up under the care of the hon. member for Brandon (Mr. Aikins) and that it has been nursed to full life by the careful and attentive watering of the hon. member for Portage la Prairie (Mr. Meighen). The last named gentleman has offered the best defence that could be offered of this tawny and frowning resolution. What is it? Is it such a sacred thing, is it so perfect, that no man should think of amending it? Has it been so laboriously erected that if you strike out a single word it will cause the whole structure to tumble to pieces? No, it is an emergency measure. We have heard of an emergency for many months in this Parliament, but inasmuch as it is devised to relieve the Government of the necessity of launching into an admittedly dangerous venture—an appeal to the people—this is an emergency measure. Yes, the emergency is here at last. We have been closely looking for it from all parts of the country. It had been heralded by the Montreal Star for six months previous to the opening of this session and it had been advertised by other Tory nwspapers. The manufacturers of scares had been working overtime in the Old Country and on the 5th of December we were told that a new project was going to be presented to the members of this House, a new proposal, something imponderous and abstract called an emergency, and the right hon. Prime Minister came forward with a great deal of ceremony and pomp and introduced to us the emergency. He was surrounded by a corps of his supporters and he was like a pagan god sitting in the clouds dispensing thunder and lightning. He left it at that. Then suddenly, the hon. Minister of Marine and Fisheries (Mr. Hazen) rose and welcomed the emergency. It was a dear instrument that would enhance the chances of Imperial federation. It would help to revive the scheme. Then the hon. Postmaster General (Mr. Pelletier) came ahead and pathetically proclaimed the imminence of the emergency. He pictured it under the guise of the British lion staggering under the weight of heavy chains fastened together by numberless padlocks. He appealed for help from the Dominion of Canada. Then later the emergency weakened a little and it got to such a state that the party, before disbanding for the Christmas holidays, thought it would be proper to call upon the master-speaker of the Administration, the hon. Minister of Trade and Commerce (Mr. Foster). The Minister of Trade and Commerce in eloquent strains, clothed the emergency in a different way. He garbed it as you would a poor and needy child for whom sympathy might be expected to well up in our bosoms. It was weakened to such an extent that everybody thought it was dead. The Government thought the moment had come when the emergency should be revived. After a long lethargy, they looked around among their supporters and they found a gentleman who came from that western country so fertile in tornadoes and cyclones. They invited the hon. member for Calgary (Mr. Bennett) to try and revive the dying emergency. A high wind passed through the House and I am sorry to say that the wind blew out of existence the emergency itself. So, it disappeared. This imponderous and abstract proposition, the emergency, has now disappeared from our view.

Mr. SPEAKER: I think that my hon. friend is hardly keeping very close to the question before the House.

Mr. BELAND: Mr. Speaker, I shall abide by your ruling. I am just coming to the point that I want to make. I was going on to show the attempts that have been made to resuscitate and resurrect this emergency but it is admitted on all sides that, in so far as naval defence is concerned, it does not exist. Wherein lies the living and real emergency? It is not in the North sea; it is not on the rock of Gibraltar; it is not in the sea of Marmora, it is here in this House. When this Government was on the verge of a general election, a caucus was held, and it was decided that an extreme measure should be resorted to and the closure introduced, and that is the emergency. There is no other emergency in Canada or in the British Empire to-day. The guillotine is not welcomed in this country; it is damned by almost every British subject. And why? Because the resistance of the Liberal party to the naval policy of the Government is popular, and why is it popular? Because it is directed against this naval proposal of the Government, which not only deals with naval defence of the British Empire, but also involves a profound change in the relations between Canada and the Mother Country. It is a political measure in the full sense of the word. The other day, listening to the Minister of Finance, I heard him ask this question: Will anyone stand up and claim that the Prime Minister has said that periodical and regular contributions is our policy? On the 5th December last, the Prime Minister said in this House—

Mr. SPEAKER: I would remind the hon. member that he is not speaking to the

question before the House. It is not permissible to debate the Naval Aid Bill on a motion to amend the rules, which is the last motion put from the Chair, and is the question before the House. I would ask the hon. member to confine himself to that question.

Mr. BELAND: I bow to your ruling, Mr. Speaker, but I want to explain why I was referring to that debate. It is to limit the navy debate that the closure resolution has been introduced, and it has been introduced to quell and to reduce to naught what has been called by the Government 'obstruction,' but what I call resistance, and which resistance I want to justify by saying that proposal involved in the Naval Bill is such as would justify every possible resistance because it involves the political relations of Canada with the British Empire. If as you say, Mr. Speaker, I cannot refer to that debate, I shall bow to your decision and proceed.

Allusion has been made to the rules of the British House of Commons and to the proposed closure, and they have been compared. I do not want to enter upon that question, but I say that the conditions which prevail in the Mother Country are entirely different from those which prevail here. In the British House of Commons they have to deal with an Empire having an approximate population of three or four hundred millions, and to deal with the whole foreign policy of the Empire. The situation is entirely different in Canada. Our population is comparatively small and we do not have such great problems to deal with as they have. The difference is fundamental between the two, but fundamentally different as the conditions are, we know that in the British House of Commons the closure cannot be applied unless in the discretion of the Speaker it should be applied. The motion may be made, it is true, by a member of the Government, but it is always subject to the approval of the Speaker. In the present instance, Mr. Speaker, you are debarred from passing judgment on a motion that is made from the Government benches. A minister may rise; he may move that this be the last day of the debate, and you, Sir, have to put the question without exercising your judgment as to the necessity for such a motion. That in itself is sufficient to prove that the rules of the English House are quite different from the rules now proposed for the Canadian House of Commons.

I do not desire to delay the House at any greater length, but I would like to point out that almost ever supporter of the Government from the province of Quebec has been elected on what is called the Nationalist ticket which was founded on opposition to naval aid of any kind, whether by a contribution or whether by organization of a Canadian naval service. I will give you the names of the hon. gentlemen who in the province of Quebec are asked to support these proposals, and who have been elected on the Nationalist ticket: Messrs. Achim, Barrette, Bellemare, Boulay, Guilbault, Lamarche, Mondou, Blondin, Brabazon, Coderre, Cromwell, Lesperance, Nantel, Paquet, Pelletier, Rainville, Gauthier (Gaspé), Forget, Girard, Lavallee, Sévigny. I omit Mr. Monk. Here are twenty-one gentlemen in the House who have been elected and pledged to oppose any and every kind of naval expenditure. And, what did we see the other day when this closure resolution was introduced and it was proposed to prevent any amendment to it? We saw twelve of these gentlemen voting with the Government: Messrs. Achim, Bellemare, Boulay, Guilbault, Blondin, Brabazon, Coderre, Cromwell, Nantel, Paquet, Gauthier, (Gaspé), and Sevigny. Six of them were paired: Messrs. Barrette, Lamarche, Mondou, Lesperance, Pelletier and Forget, and they were paired with members of the Opposition. One was absent and was not paired, Mr. Rainville. I do not see Mr. Rainville in his seat now, but if he were I would ask him how he would have voted. Another gentleman who has been elected on the Nationalist ticket, Mr. Lavallée, is the only one who voted against the motion of the hon. member for East Hastings to take the floor away from the right hon. the leader of the Opposition and give it to the Minister of Marine and Fisheries. The Postmaster General was absent and was paired; but it would be only fair to-day to afford him an opportunity of saying how he would have voted on this motion. Would he have voted the reversal of your decision, Mr. Speaker? Would he have voted, when you had decided that the leader of the Opposition had the floor, to take that floor away from him and give it to his colleague the Minister of Marine and Fisheries (Mr. Hazen)? Undoubtedly he would. 'Qui ne dit mot, consent,' as we say in French, 'the one that does not utter a word, consents.' He would have voted for the motion. So all Nationalists, we may contend, with the exception of Mr. Lavallee, have voted to preclude every amendment on this proposition which has been framed with the view of forcing through the Naval Bill, the contribution of $35,000,000, without reference to the people of this country. We have resisted for a long time on this Bill but not any too long. We have been supported, as I said, in the first place by public opinion. We are more supported to-day than we were in the first place. Whatever may have been the duration, the vicissitudes and the physical strain of the resistance carried on by His Majesty's loyal Opposition in this House against the most

objectionable and dangerous principle embodied in the Naval Bill, it has not been without charm; it has not been without some compensation. We have the profound and vivifying satisfaction of having fulfilled a great patriotic duty. Yesterday it was on the ground of Canadian autonomy threatened in its very vitals and in its very existence that we displayed our energy and directed our most generous efforts. To-day another inscription is to be read on the Liberal standard of Canada, and that is, 'Freedom of Speech.' Canadian autonomy, freedom of speech; these are the two paramount ideas. These are the principles governing the Liberal party in this unequal parliamentary struggle. They are the guiding stars that will mark our way and lead our steps in the accomplishment of our destinies. We may succumb beneath the number in this House, but the principle will live and survive and will ultimately triumph.

Before I resume my seat, Mr. Speaker, I wish to move the adjournment of the House.

Mr. OLIVER: Mr. Speaker, I wish to say something, on this motion for the adjournment of the House, on a matter that was brought to the attention of Parliament some weeks ago by the hon. the Minister of Public Works (Mr. Rogers). It is a matter that concerns the administration of the natural resources, the lands, of Canada.

Mr. SPEAKER: I beg to remind the hon. member that a discussion on that subject would not be permissible now. It would only be permissible to give reasons why the House should adjourn now or to deal with the question that is immediately before the House. It is not permissible to wander off on another subject.

Mr. OLIVER: I was endeavouring to give reasons why the House should adjourn, for the purpose of considering a matter which has stood for a number of weeks awaiting consideration by the House, a matter that is of importance to the country at large and that should not be allowed to stand any longer. I submit, Mr. Speaker, that the occasion is of sufficient importance to warrant the motion to adjourn for the purpose of securing its consideration. It was, as I have already said, a matter of such importance that it called for the action of the Minister of Public Works (Mr. Rogers) in addressing the House on a question of privilege.

Mr. SPEAKER: If it is a matter of urgency, there is a provision in the rules for bringing it up. Rule 39 says:

> A motion to adjourn (except when made for the purpose of discussing a definite matter of urgent public importance), shall always be in order.
>
> Leave to make a motion for the adjournment of the House (when made for the purpose of discussing a definite matter of urgent public importance), must be asked after the ordinary daily routine of business (rule 25) has been concluded and before notices of motion or Orders of the Day are taken up.
>
> The member desiring to make such a motion rises in his place, asks leave to move the adjournment of the House for the purpose of discussing a definite matter of public importance, and states the matter.
>
> He then hands a written statement of the matter proposed to be discussed to the Speaker, who, if he thinks it in order, reads it out, and asks whether the member has the leave of the House.

This rule was made expressly for such cases, and the hon. member could take advantage of it to deal with the subject which he now proposes to discuss.

Mr. BELAND: As I made the motion, might I be allowed to refer you, Mr. Speaker, to rule 36, which says:

> When a question is under debate no motion is received unless to amend it; to postpone it to a day certain; for the previous question; for reading the Orders of the Day; for proceeding to another order; to adjourn the debate; or for the adjournment of the House.

Mr. SPEAKER: I am not at all disputing the propriety of the motion to adjourn the House. There is no question about that. It is the question of what discussion may take place on the motion to which I am referring.

Mr. PUGSLEY: Mr. Speaker, it seems to me that the right to discuss various questions upon a motion for the adjournment of the House must be regarded in the light of what has been the parliamentary practice in the past, not only in this House but in the British House of Commons. The universal usage of this Parliament has been that very great latitude is given to a member on making a motion of this character. There are not many opportunities which members have to discuss important questions which are of public interest and in regard to which hon. members may desire to make their views known to the House and to the country. My hon. friend (Mr. Oliver), as I understand, is proceeding to show to Your Honour reasons why it is desirable that the House should adjourn. Your Honour has stated, and I think with absolute correctness, that upon this motion it is quite competent for him to discuss the question of closure; but he can also discuss reasons as to why the House should adjourn, the effect of which will be to supersede the motion for closure which is now under consideration. The reasons which my hon. friend would give might not commend themselves to Your Honour as they would commend themselves to him or to other hon. members; but, such reasons as they are, the hon. member has a right to give them. We are confronted to-day with a proposition to which this Gov-

ernment seems to be devoting the most intense energy, to which it seems to be giving all consideration, from which no consideration of public interest can draw it aside, and that is to gag and to manacle members of this House. That is the phantom which is pursuing the members of the Government and their supporters. Surely, if there is a great question of public interest, one affecting the administration of public lands of this country, one affecting the conduct or administration of the Department of the Interior by an hon. gentleman who is a member of this House and a minister of the Crown, and if my hon. friend (Mr. Oliver) is of the opinion that some time ought to be given for the consideration of that question and that all the time of the House should not be taken up with the motion for closure, surely he has a right to present the motion to the House, the effect of which will be to supersede the motion for closure and to give to the Government and to the House an opportunity to take up other questions of great importance. Upon a motion made in this House in 1891—a motion which, no doubt, my hon. friend the Minister of Marine and Fisheries will remember—there was a long discussion, in which many prominent members of this House, including my right hon. friend the leader of the Opposition, and the present Minister of Marine and Fisheries, took part. This discussion was confined almost entirely to the consideration of questions connected with the formation of the Government. The Speaker at that time might have been unable to see very clearly what the formation of the Government had to do with the motion for the adjournment of the House, yet no one questioned the right of my right hon. friend to make the motion, or the right of hon. members of this House to support it. As I have said, you will find scores and hundreds of cases where a motion for adjournment of the House invoked a wide discussion, during the course of which the greatest possible latitude was allowed, and questions were discussed which were not directly connected with the matter before the House. This has been for centuries the unalienable privilege of members of the British Parliament, and, ever since Confederation, it has been recognized as the right of members of this House to enter upon the discussion of any public grievances—matters connected with the formation of the Government, with the administration of public affairs by the members of the Government, or with the conduct of ordinary members of the House. These questions could all be entered upon, and they are of greater importance than the one now before the House. It would be limiting in an unprecedented manner the right of the members of this House to say that an hon. member cannot urge as a reason why the Government should drop this mad course which it is pursuing in its attempt to gag and manacle the members of this House, that there are matters of far greater importance to the people of this country which ought to be discussed, rather than that the whole time of the Government should be concentrated on this one objectionable proposition, that the members should be kept here day after day discussing this motion, which is against the public interest, and that other vital matters should be wholly ignored. That, as I understand it, is what my hon. friend proposes to argue. It may be his intention to deal with other matters, but, in any case, he has a right, as a member of this House, and in the exercise of his own judgment, to present any reason which he thinks ought to appeal to this House as an argument why this motion should be superseded, and why other matters should be taken up and brought before the House for consideration.

Mr. SPEAKER: It was the common practice, both in England and in Canada, to make these motions. In 1906, the rule which I have just read was adopted for the specific purpose of avoiding these motions for adjournment, and to provide that a motion could be made under special circumstances, to bring before the House a matter that was of special importance. I take the English rule, and I find that the experience of the British House must have been the same as ours, because they have exactly the same rule as we have. If a member desires to make a motion for the adjournment of the House for the purpose of discussing a matter of urgent public importance, leave must be asked on certain days, and a member desiring to make such a motion rises in his place, asks for leave to move the adjournment of the House for the purpose of discussing a matter of urgent public importance, and states the matter. He then hands to the Speaker the paper containing that statement in exactly the same manner as it is done in this House. So that their practice is the same as ours. Before our rules were last amended, I think they revised theirs, and we amended ours to make them in accordance with theirs, and for the same purpose.

Mr. PUGSLEY: I would call Your Honour's attention to the fact that the English rule has a different provision from ours as to the ordinary motion for adjournment. We have been careful to leave rule 39, which extends to hon. members the right to make an ordinary motion to adjourn, just as it stood for years. While an hon. member can obtain the leave of the House, with your concurrence, to move the adjournment for the purpose

of discussing a definite matter of urgent public importance, the right to make an ordinary motion for adjournment remains just as it was before the rules were revised in 1906 and 1910. I presume the reason why the House did not change this rule was because of its desire to refrain from restricting in any way the liberties of members to bring these matters before the House. Rule 39 is as follows:

A motion to adjourn (except when made for the purpose of discussing a definite matter of urgent public importance), shall always be in order.

Mr. SPEAKER: That I did not dispute; I disputed as to what should be discussed on that motion. I held that it was not permissible to discuss any question other than the reasons for moving the adjournment, and the question immediately before the House.

Mr. PUGSLEY: That is all I wish to argue. It is competent for the hon. member to give reasons why the adjournment should take place. He has a most unlimited right to do that; Your Honour or this House may decide that his reasons are not good and sufficient ones, but apparently he must be the judge of the reasons he proposes to submit.

Mr. OLIVER: I was moved to take the action I did on this occasion by what was said by the right hon. the Prime Minister in his explanation of the resolution now before the House, and from the terms of the resolution itself. I read in the first sub-section of the resolution that every motion heretofore debatable made upon routine proceedings, except adjournment motions, is hereafter debatable. Clearly the intention of the new rule is to cut out adjournment motions or a motion such as I have proposed to make. I understood the right hon. the Premier to say that that was the purpose of that particular section of the resolution, and I am bound to believe that that was the purpose. Then, he having made that statement and finding this provision as I read it in the resolution, I assumed that, in accordance with what is admitted to have been the practice of the House, I had the right to make the motion in this form.

Sir WILFRID LAURIER: Mr. Speaker, you have stated the matter correctly; it only now remains for us to determine what are our rights under the rules as laid down. The rule was amended in 1906 for the purpose of giving any member the privilege of bringing forward, with the consent of the House, a matter which he deemed of importance and urgency. But while we adopted this rule, we also left in operation the rule which provides that at any time during the sittings of the House a question is under discussion the adjournment of the House can be moved. You have stated that such a motion can be made, and the matter that remains to be determined is what subjects can be debated on that motion—that is the only question. As I understand it, your ruling would be on such a motion we cannot discuss anything but the subject that is under debate at the time the motion is made, or the reasons why the House should adjourn. If that be the case, it seems to me that the argument of my hon. friend from St. John (Mr. Pugsley) is irresistible, that the member who moves the adjournment of the House must be allowed to give his reasons. Until he has given his reasons, I submit, it would be premature for Your Honour to pass judgment and say you will not hear him; he must be allowed to state what is the reason why the House should adjourn. In this matter, we are threatened with a curtailment of our privileges. I understand that during the two weeks' almost continuous sitting we had some time ago—I was not present during the last week—the Chairman of the Committee of the Whole ruled that on a motion to adjourn anything and everything could be discussed except the question which was then before the the Chair; he would not allow a discussion of the Navy Bill which was the question then under consideration. Now, as I understand you, Sir, we must be confined to what is before the House. So, at one time, we are told we cannot debate what is before the House, and then we are told that we must not debate anything else. We want to know our rights. Whatever is the ruling of Your Honour we shall submit to it. But, if your ruling is that we must confine ourselves to the subject before the House, then, when we come to debate the Naval Bill and desire to move a similar motion, we must be allowed the privilege of debating that subject and not be told then that that is the one subject that we must not discuss. It is these contradictory rulings which perplex us, and we should have an authoritative determination of what our rights are in reference to this matter.

Mr. BORDEN: I remember an occasion when this very question was debated between the right hon. gentleman and myself, some few years ago. If I remember well, he took the position at that time that there is a distinct difference between a motion to adjourn when no debate is in progress and a motion to adjourn when a debate is in progress. I think the view that my right hon. friend put forward is sustained by the authority. I find in the eleventh edition of May, pages 316-7 the following:

Motions for the adjournment of the House, when there is no question under discussion, must be clearly distinguished from similar motions during a debate.

In the one case any subject can be brought up for discussion; in the other case as I have understood the matter, the debate is limited. And I think the same view is recognized by Bourinot, pages 466-7. I should think the House would be impressed with the manifest inconvenience and undesirability of introducing into the midst of a debate such as this the matter to which the hon. member for Edmonton referred on a previous occasion to-day and which he says is of such a character that he desires to make a motion with regard to it conveying censure upon a member of the Administration. I should think every member would be impressed with the inconvenience and undesirability of approaching such a question in that way. My hon. friend had the opportunity of making his motion some two weeks ago when the House was moved into Committee of Supply on various occasions, and when other motions of this character were made.

Mr. OLIVER: May I say a word there? The information upon which I base the argument I desire to place before the House had not been brought down at that time.

Mr. BORDEN: I accept the hon. gentleman's explanation. But he spoke of this as a matter that had been under consideration for some months, and I was not aware that the information to which he alludes had been brought down at so recent a date. But in addition, if he regarded this as a matter of urgency, and it did prove to be a matter of urgency, he could have taken it up on motion to adjourn the House to-day, when the Orders of the Day were called. That would seem to me a much more convenient course than the one which he now proposes to adopt. However, as it is nearly six o'clock, perhaps we had better call it six o'clock and allow His Honour the Speaker to consider the matter.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. GRAHAM: It is not my intention or desire to prolong the discussion on the point of order that was raised.

Mr. BORDEN: Perhaps I may obviate the necessity of my hon. friend speaking on the subject. I have consulted the hon. the Minister of Public Works, and he is very anxious indeed that there should be no delay in respect of the discussion of any matter which involves the question of his administration of any department of the Government. He is also most anxious that no difficulty should be placed in the way of taking the opinion of the House upon any question relating to his administration of the Department of the Interior or of the department of which he is now the head. I may therefore say to my hon. friend (Mr. Oliver) that if he desires to proceed with this matter to-morrow, I will see that the House is moved into Committee of Supply for the purpose of giving him an opportunity to make the motion which he desires to make.

Mr. GRAHAM: So far as that concerns my hon. friend from Edmonton, I think it would be perfectly satisfactory. But from my own personal point of view, what I desired to have made clear, Mr. Speaker, was not so much the point of the hon. member for Edmonton as to this particular discussion as this: During the past few weeks, we have had what I consider some peculiar rulings by temporary chairmen; I mean chairmen who were taken from the body of the House, and in some instances very young members of the House. We argued strenuously; but some of their particular rulings, in my opinion, were not according to the rules of the House at all. I think I am not putting it too strongly when I say that. I believe that if the business of the country is to be carried on properly and in order, these rulings will have to disappear from the records as rulings of this House. If I remember correctly, there was one ruling on the motion that the Chairman do leave the Chair that no discussion could take place on the motion that was then before the House, and the ruling was very peremptory on that point. Thinking that that was not in accordance with the rules of the House—and I would judge from your intimation this afternoon, Mr. Speaker, that that was your view—we appealed. However, the majority of the House upheld that decision. I think that this would be an opportune time to have a ruling from you, Sir, that would put right this question, so that we may know what is the proper procedure on that point. My own view is, and I present it merely as my opinion, that the Chairman's ruling in that respect was wrong, and that we were at perfect liberty to discuss the motion before the Chair. To make my point clear, I may read the record. On the 10th of March:

Objection being taken in the committee to the decision of the Chairman (Mr. Aikins) on a point of order, and an appeal being made to the House,

Mr. Speaker resumed the Chair, and the Chairman of the committee made the following report:—

An hon. member in speaking to a motion that the Chairman do now leave the Chair, was proceeding to discuss the merits of the Bill previously under discussion in the committee.

A point of order was raised that such dis-

cussion was irrelevant, and I ruled the point of order well taken.

Against my ruling the hon. member for St. John city (Mr. Pugsley) appeals to the House.

The question being put by Mr. Speaker: shall the ruling of the Chairman be confirmed; it was decided in the affirmative, on the following division.

The Chairman, in the case, ruled absolutely that we could not discuss the merits of the main question that had been before the committee on the motion to adjourn. As a private member of the House, I would like to have a ruling on this point, so that we may know exactly where we are at on these motions

Mr. SPEAKER: I would like to say, with reference to that, that the motion before the House to-day is a little peculiar. The original motion is a certain resolution; the subsequent motion is the previous question. The previous question might entirely displace the original motion. Any debate on that motion would necessarily involve the original question, and therefore could be debated. As the motion to adjourn the House would displace both of these, in my opinion the discussion might properly be confined either to giving reasons why the House should adjourn or to the original motion. There are some exceptions which on the spur of the moment I cannot give. In some cases there would be a reason why you might refer to the original motion, but as a general principle of debate, relevancy means that you must discuss the last motion before the House. May on Relevancy, page 293, says:

> He must direct his speech to the question under discussion.

It follows, therefore, that debate must not stray from the question before the House to matters which have been decided during the current session. Then, Cushing on page 628, says:

> The question to which a member is bound to speak is that which was last proposed from the Chair, which is thus immediately pending, and which, according to the course of parliamentary proceedings, is next to be taken.

That is the last motion that is put to the House, and therefore the debate would have to refer to that. But with reference to amendments another principle comes in on which I gave a ruling, and I think that some misunderstood it. With reference to amendments to a Bill, if an amendment was that all the words after 'that' be struck out, in the event of that carrying, it would displace the Bill entirely, and therefore the original motion would be debatable. If the motion was that a portion of the clause be struck out, or that a portion of a clause be added, or that a new clause be added, then the discussion must be confined to the last motion before the Chair. That would be different. There are some other cases which I have not clearly in mind at present, but which at some subsequent date, I shall endeavour to deal with.

Mr. PUGSLEY: The motion to which my hon. friend from South Renfrew (Mr. Graham) refers, was a motion that the Chairman do now leave the Chair. The effect of that is to displace the resolution. It has the same effect as a motion to adjourn the House would have, according to Your Honour's ruling.

Mr. SPEAKER: I would not say anything in reference to that, because I am not dealing with it just now. The objection which I took was not to the motion, but to the relevancy of the debate on the motion, which I think ought to be confined to the subject before the House and should not be allowed to stray to other matters that are not relevant.

Mr. OLIVER: The proposition of the right hon. the Prime Minister is entirely satisfactory to me, so far as the subject which I wish to bring before the House is concerned. But I may say that that was only part of the purpose I had in view. I considered that the present was an opportune time to acquire a knowledge of what rights existed under our present rules permitting a vote of censure upon the Administration, so that we would know when the new rules came into force, what the difference would be between existing conditions and the conditions that would thereby be created. It seemed to me that a decision in a concrete case would probably be the best way to arrive at a conclusion, in view of the fact that the Government has not seen fit to give us that full and detailed explanation of the changes in our rights that will come about because of the passage of the resolutions. I am still, Mr. Speaker, in some doubt, even after you have given your decision on the point which required elucidation. You have decided that a motion to adjourn the House is in order, but there is a question as to the relevancy of the debate upon that motion. I understand you to rule that there is a perfect right to discuss the question that is before the House when the motion to adjourn is made, but it is in regard to the possibility of discussing other questions on the motion to adjourn the House that I am not clear even although you have delivered your ruling. Subject to correction, I am aware that it has been the practice in the House to discuss questions, other than the main question that is before the House, on motions to adjourn, such

as I have made, and it is, I presume, that hitherto exercised right that is to be taken away by the resolutions now before the House.

Mr BORDEN: Is the hon. gentleman speaking of a motion arising during a debate or a motion made afterwards?

Mr. OLIVER: A motion made afterwards; a motion made as I have made this motion. I am desirous of knowing, for present information and future guidance, what the ruling of the Chair is with regard to relevancy in a discussion based on a motion to adjourn the House such as I have made.

Mr. SPEAKER: Looking over the authorities, I find that the English rule is very much the same as ours. In Sir Erskine May's Parliamentary Practice I read that:

Motions for the adjournment of the House, when there is no question under discussion, must be clearly distinguished from similar motions during a debate. The former can have no object but the discussion of some extraneous subject;—

That is a substantive motion for adjournment.

—the latter has referred only to the adjournment of the question then before the House.

Because it refers to that simply. Bourinot takes the same ground. He says:

A motion for the adjournment of the House may be made while a matter is under discussion, or in the interval of proceedings. In the first case such a motion is in the nature of an amendment, and in the other it is a substantive motion, to which a reply is permitted to the member who makes it.

I have not 'Hansard' under my hand where the question was debated at considerable length by the Hon. Mr. Blake, but he contended that there must be a substantive motion made to allow of the bringing in of some particular question that the members desired to discuss. He expressed the view that it could not be properly done by interjecting it into the debate on some other question. Then, I have a quotation here from the English 'Hansard' with regard to this question in which the Speaker, in giving his ruling, said:

That when there was a question before the House it was quite open to move the adjournment of the House upon that question; but in so doing the hon. member must confine himself to the question.

The hon. member in question was trying to debate another question, but the Speaker ruled that he could not do so, and then the member gave notice that he would take it up on another day.

Sir WILFRID LAURIER: I understand your ruling to be, Mr. Speaker, that on this motion to adjourn the House, we are confined to the question now before the House, which is a proposal to amend the rules of the House. I have certainly no fault to find with your decision; I bow to it with great respect. Therefore, I understand that henceforth it will be the rule that upon a motion to adjourn we are confined to the question then before the House. The present effect of this is to prevent us from having the discussion which we intended to have. But I may perhaps be allowed to recall again to your attention the fact that upon a previous occasion the House ruled quite against your decision. I would refer again to the matter which was brought to your attention on the 10th of March.

Mr. SPEAKER: What year?

Sir WILFRID LAURIER: This year, during the naval debate.

An hon. member in speaking to a motion that the Chairman do now leave the Chair, was proceeding to discuss the merits of the Bill previously under discussion in the committee.

This was the report which was received by you from the Chairman of the committee. An hon. member was proceeding to discuss the merits of the Bill which had been previously under discussion in the committee.

A point of order was raised that such discussion was irrelevant, and I ruled the point of order well taken. Against my ruling the hon. member for St. John city (Mr. Pugsley) appeals to the House.

The ruling was confirmed. On that occasion the point of order was taken that upon a motion for the committee to rise we could discuss everything except the Naval Bill which was under discussion. On the present occasion the ruling of the Chair is—and I submit to it with great respect—that upon a similar motion, although not exactly identical, we cannot discuss anything except the motion before the House. We cannot do now what we could do at that time. We are perfectly willing to be shut out at some time, but not every time. Thus, henceforth, we will understand that when we come again to debate the Naval Bill, if we move an adjournment of the House, we can exhaust our twenty minutes in speaking to the Bill itself and perhaps we shall not be called upon to speak at all.

Mr. MEIGHEN: Mr. Speaker, as one who took a little part in advocating such a motion, I think an explanation to the House is becoming at this time. I might recall that at the time the House was in committee and it was debating clause 2 of the Naval Bill. It was held from the Chair, and held doubtless correctly, that inas-

much as the Bill had passed its second reading, the principle of the Bill was no longer a subject of discussion, that it was not consequently before the committee and that the committee was engaged in the discussion of the details of clause 2. In order to circumvent that very proper decision, in my mind, the device was adopted of moving that the chairman of the committee leave the Chair and thus it was sought to discuss the principle of the Bill which before had been ruled not to be the subject of discussion. The subject of discussion was clause 2 in its details. The Chair ruled that, inasmuch as the principle of the Bill was not the subject of discussion before the committee, it could not be made such by a motion that the chairman leave the Chair. The decision of the Chair was appealed against and the House upheld the Chair. But the decision of the House to uphold the Chair on that occasion, is in line with its decision at this time inasmuch as you, Mr. Speaker, have held that only the matter under discussion when the motion to adjourn is made can be made the subject of discussion after the motion to adjourn.

Mr. SPEAKER: That is one of the subjects that I did not refer to, and that I desired a little more consideration of. When a debate takes place there are other rules that must be observed as well as the one I have referred to, and one is that, when the judgment of the House has been given on a specific subject, that cannot be revived during the current session.

Mr. GRAHAM: I thought that perhaps the majority might find it necessary to amend the Bill again, to meet the ruling that Mr. Speaker has given, in order to be consistent.

Mr. PUGSLEY: I understand that the judgment of the House would bind Your Honour, and if it was an erroneous judgment, that, on the motion that the Chairman leave the Chair the merits of the Bill which was then under consideration could not be discussed, the question raised by my hon. friend from Edmonton would be very important.

Mr. SPEAKER: It would be a precedent, but if I thought it was wrong of course I would not be bound by it.

Some hon. MEMBERS: Hear, hear.

Mr. OLIVER: May I say one word in justification of the view that the Chairman was right when he decided that the subject before the committee could not be discussed upon a motion to adjourn. If a motion to adjourn under these circumstances has any reason at all or is to find any reason, I submit it must find that reason outside and separate from the subject that is before the House or the committee. Otherwise the motion to adjourn if allowed simply permits doubling up the speeches. Now, in support of the motion I made, (to illustrate my point merely), I desired to give the House reasons why the debate on the resolution should not for the time be continued, I being prepared to urge that other matters of grave public importance called for the immediate attention of the House. It was on that ground that I based my motion and I submit again, it is worthy of consideration, if that is not a better and more useful interpretation of the right of adjournment of the debate than the suggestion that on the motion to adjourn the subject under consideration is still and must still be discussed.

Some hon. MEMBERS: Question.

Mr. SPEAKER: Is this House ready for the question?

Mr. BELAND: I withdraw my motion.

Motion withdrawn.

Hon. CHARLES MURPHY (Russell): Mr. Speaker, if this were not the last occasion upon which the present Government intends to permit the minority in this House to exercise the privilege of free speech in a free Parliament I would not feel that it was incumbent upon me to take part in this discussion. But, Sir, having regard to the revolution in the public life of this country that will inevitably follow the adoption of the resolution standing in the name of the right hon. the Prime Minister, I feel it is my duty to add my protest to the protests already uttered upon this side of the House against this deadly attack upon the rights of minorities, upon the privileges of Parliament and upon the freedom of debate. And, Sir, to that observation let me add the expression of my belief that whatever the historian of the future may say as to the general record of this Administration he will not fail to point out that in one respect, at least, it stands unique. It stands unique in this: that within eighteen months after its accession to office, it put constitutional government on trial for its life, passed capital sentence upon it, and invented a new-fashioned kind of guillotine for the purpose of more speedily carrying that sentence into effect. That, Sir, is an achievement of which no other Canadian Administration could boast, and of which no other Administration would care to boast.

And what reasons did the Prime Minister give for his proposal to place the minority in this House at the mercy of a single minister, whether that minister be a man with a fine sense of honour and a high conception of duty, or a machine politician defiant of all the rules and amenities that are supposed to govern the proceedings of a deliberative assembly? In the first

place the Prime Minister claimed that public business had been obstructed. That claim, as practically every gentleman who has taken part in this debate on this side of the House has proven, is absolutely without foundation. The public business that the Government brought down for our consideration passed and passed promptly, and the same remark applies to the Supply for which the Government asked. The Supply for last year was voted in its entirety and one-sixth of the estimates for this year was voted after very brief debate indeed. But, some hon. gentlemen say that the Naval Aid Bill is a matter of public business and that its progress has been delayed. Well, Sir, we on this side of the House, and I believe the majority in this country, do not regard the Naval Aid Bill as a matter of public business. We regard the Naval Aid Bill as a deal; a deal between the Nationalists and the jingoes; a deal between an hon. gentleman on one side of the Atlantic and an hon. gentleman on the other side of the Atlantic; a deal that we, the members of the Liberal party, have decided to resist to the uttermost of our powers and to the very end of the chapter.

Now, Sir, the right hon. the Prime Minister in support of this proposal of his quoted the opinions of certain Liberal newspapers and of certain members of the Liberal party in favour of what he describes as some form of closure. In that connection he did me the honour to mention some observations I made during the campaign of 1911. Let me point out that neither in any language of mine nor in any language used by any other Liberal speaker, can the Prime Minister find one syllable in approval of the closure which is contained in his resolution now before the House. The remarks I made in 1911 were elicted by the conduct of the right hon. gentleman himself and of his followers in their obstruction of the reciprocity agreement in this House. My idea then as it is my idea now of what should be done to meet such a situation as they raised, was to follow the precedent that I had seen followed in 1910, namely: to appoint a committee to act with you, Mr. Speaker, to revise the rules and to report their deliberations to the House. My further idea in that regard was that such a revision should take place in the first session of a new Parliament when any revision of the rules could not be said to apply to any particular piece of legislation brought before Parliament.

As a justification for the time limit of twenty minutes which the right hon. the Prime Minister proposes to apply to speeches at a certain stage of procedure in this House, he referred to a time limit of five minutes which prevails in the United States House of Representatives. He quoted from Bryce's American Commonwealth to show the advantage of such a time limit. If the right hon. gentleman had been more familiar with Bryce's monumental work, or with the procedure at Washington, he would have known that the very privilege which he propose to take away from this House exists unchecked in the United States House of Representatives. In support of that statement, let me read another quotation from Bryce's American Commonwealth, Vol. I, page 135. There the author says:

> To use the power of closing debate as stringently at Westminster as it is used at Washington would revolutionize the life of the House of Commons. But the House of Representatives is an assembly of a very different nature. Like the House of Commons it is a legislating, if hardly to be deemed a governing body. But it is not a debating body. It rules through and by its committees, in which discussion is unchecked by any closing power; and the whole House does little more than register by its votes the conclusions which the committees submit. One subject alone, the subject of revenue, that is to say, taxation and appropriation, receives genuine discussion by the House at large. And although the power of limiting debate is often applied to expedite business, it is seldom applied till opportunity has been given for the expression of all relevant views.

Mr. Speaker, you cannot have failed to note that that statement ilustrates the great difference that exists between the procedure at Washington and the procedure at Ottawa. As the author of the American Commonwealth points out, at Washington the great bulk of the business of the House of Representatives is done through its committees, and that closure cannot be applied in those committees. That, however is the very thing which the right hon. the Prime Minister proposes to do in this Parliament; he proposes to apply closure in committees as well as in the House itself. The extract also shows that at Washington the subject of revenue, or Supply, as we would call it, receives genuine discussion by the House at large; but, under the rules proposed by the right hon. the Prime Minister, in this House hereafter there is only to be such discussion of Supply as a minister will permit. In other words, a minister under these new rules can force through committee and through the House, after little or no debate, estimates which at Washington would receive genuine discussion both in the committee and in the House. I think you will agree with me, Sir, that the right hon. the Prime Minister was not very happy in his choice of this illustration to buttress the rules which he has submitted for the consideration of the House.

What other justification did the right hon. the Prime Minister give for his new

departure? He cited the British precedent of 1882. Then, although he did not directly say so, he hinted that the public favoured these new rules. The British precedent to which the Prime Minister referred was the closure of 1882, the Gladstone closure as it has been called. As has been pointed out over and over again, that is not the closure which it is proposed to apply here. The closure contained in the proposed resolution is the Tory closure of 1887. It is a matter of history and it has been mentioned during the course of this debate that the first guillotine motion in the British House of Commons was moved on June 10, 1887, by the Right Hon. W. H. Smith, then the Conservative Prime Minister, to force through the committee a perpetual coercion Act for Ireland. That is the model followed on the present occasion by the right hon. the Prime Minister and supported by those of his followers who have spoken in this debate.

On the other branch of the right hon. gentleman's argument, I deny that he has any mandate from the people in support of these revolutionary rules. Singularly enough the Montreal Star, which, as the Ottawa Citizen says, is passing through a period of delirium, violently supports these new rules. That very paper, in an editorial published on November 24, 1908, discussed both British precedent and public opinion in their bearing upon closure in Canada. The article is so interesting at the present time that I shall read a few extracts from it. These extracts are as follows:

> There is talk of amending the rules of debate next session so as to make it possible for the majority to clôture the minority. British precedent will doubtless be quoted in favour of such a step. But British precedent fails to cover our case in several important respects. In the first place, there is no such danger of the congestion of business from too prolonged debating as exists at Westminster; for we have nothing like so much business to get congested. Then we have no second chamber worthy of the name to prevent a majority in the Commons from railroading through measures without sufficient consideration which might be very mischievous in their effect upon the nation.

Some hon. MEMBERS: Hear, hear.

Mr. MURPHY: I would ask my hon. friends on this side of the House who cheer that statement to bear in mind that it was made by the Montreal Star.

Mr. MARCIL: What was the date of it?

Mr. MURPHY: November 24, 1908. That, as my hon. friend from Edmonton (Mr. Oliver) said, was during a lucid interval and before it became the great naval authority on this and every other continent.

We must never forget that freedom of debate is a right of immense value. The power to do business may be of greater value; and no one doubts, for example, that the American Congress was justified in putting a stop to the 'filibustering' which prevented that body from transacting the business of the nation. But the condition of blockade ought to precede the application of the remedy. The nation must really suffer before it will be willing to give up the privilege of free debate.

With a Parliament so little burdened with business as ours, it is hard to conceive of a condition of affairs under which our people would be willing to give to the majority the power to gag the minority at will. That is a very tyrannical and dangerous power; and might be used most despotically. The nation could be made to suffer far more under present conditions from the shutting off of free discussion than it is likely to suffer from the tieing up of public business. Conditions may change as Canada grows and our national business becomes more intricate and voluminous. But it will not do to regard the addition of the parliamentary gag to our weapons of party warfare as a matter of little importance, and a step abundantly justified by the tediousness of the talkers in the Commons.

A summary of the arguments made by the Montreal Star would result in the conclusion that British precedent, which the right hon. gentleman has invoked, does not apply in Canada, because, in the first place, there is no such congestion of business in this House as there is at Westminster. That was true in 1908, and it is true to-day. In the second place British precedent does not apply, says the Star, because we have no second Chamber worthy of the name to prevent the majority in the Commons from railroading through measures which might be very mischievous in their effect upon the nation. As to that observation, its truth, or the reverse, remains to be seen. The Star further says that public opinion will justify closure only if a condition of blockade of public business exists, and if the nation has really suffered. No hon. gentleman will seriously contend that either of these conditions exists to-day, and, this being the case, closure, according to this argument of the Star, cannot be justified. That, I submit is a perfectly correct statement of the situation—a statement with which I and my friends on this side of the House entirely concur.

But, Sir, in discussing British precedent, the right hon. Prime Minister has—what shall I say? perhaps to be parliamentary I had better say, overlooked two important features of the closure rule in England which make that rule far less objectionable than the one which he proposes here. The first feature that the right hon. gentleman overlooked was the provision that under a temporary chairman—and we have heard of such gentlemen in this House—closure cannot be enforced in the

British House of Commons. We have no such safeguard in the rules proposed by the right hon. Prime Minister, and the importance of having some such safeguard must come home very strongly to my hon. friends on this side of the House, who, during those two strenuous weeks of continuous session, had such extraordinary experiences with the temporary chairmen who were selected to preside over the deliberations of the committee at that time. The second feature of the English closure rule which the right hon. gentleman overlooked is that excellent provision which precludes the Speaker or the Chairman from putting the question if the closure motion be either an abuse of the rules of the House, or, what is much more important, an infringement of the rights of the minority. This safeguard also is absent from these proposed new rules, and I think you will agree with me, Sir, that, bad as the English closure rule may be, the absence of this safeguard in the rules now before the House makes them, in the estimation of every fair-minded man who will give to them patient and serious consideration, infinitely worse.

Next to the Prime Minister the chief apologist for the introduction of coercion in this House was his colleague, the hon. Minister of Justice (Mr. Doherty). As one of that hon. gentleman's friends and well-wishers, I regret that he appeared in that role. Having regard to his nationality, to the people he is supposed to represent, and to his well-known sense of fair play, I would have thought that such a role would have been so repugnant to him that no pressure could have forced him to assume it. But, as he out-Heroded Herod in proclaiming his belief in coercion, he will not, I hope, take it amiss if I make brief reference to some of his remarks. First let me read one of his opening statements as contained on page 7617 of 'Hansard.' Discussing the protest made by the right hon. leader of the Opposition against the conduct of the Government in preventing him from speaking and moving an amendment, after you, Mr. Speaker, had ruled that he had the floor, the Minister of Justice said:

> When these rules in their simplest and clearest meaning were applied to himself, he complained that he was gagged; he complained of a lack of fairness on the part of the right hon. leader of the House and on the part of members on this side.

Any person who heard the hon. gentleman when he uttered those words, and any person who heard them read just now, would imagine that, according to the Minister of Justice, it was quite a customary thing to apply rule 17 as it was applied to the right hon. leader of the Opposition one week ago to-day. It must have been within the knowledge of my hon. friend, and it is within the knowledge of every man who has studied the annals of this Parliament, that that rule was never before applied in the manner in which it was applied a week ago to the leader of the Opposition in this House. I venture to say that no hon. gentleman on either side of the House can point out a case in which that rule was ever before applied to the most obscure member who ever occupied a seat in this Chamber, and yet my hon. friend the Minister of Justice referred to that rule, as it was applied to the right hon. the leader of the Opposition, as having been applied in its simplest and clearest meaning. I leave the House and the country to judge, both as to the application, of that rule and as to the men who applied it. Now, practically a similar observation was made by my hon. friend with reference to the application of the previous question on the same occasion. Well, Sir, a search of the records of this House indicates that only once before was the previous question invoked against the leader of either of the great parties of this country as it was applied in the case of the right hon. leader of the Opposition a week ago to-day. The occasion to which I refer was the 11th of March, 1886. It was then applied as the result of a trick between two members of the Government of the day. And it is interesting to recall for the benefit of the performers on the latest occasion who were the performers on the other occasion to which I have referred. One of the gentlemen who took part in that performance in 1886 was known as the buffoon of the House. A short time before he figured in that performance, he had entered this Chamber in disguise, and the Speaker, thinking he was a stranger, ordered the Sergeant-at-Arms to remove him; but as the Sergeant approached he pulled off the disguise he was wearing—and received privately, if not publicly, a merited rebuke from his then leader, Sir John Macdonald. The other performer was a minister of the Crown who, a few years later, was driven from public life in disgrace and whose name is never now even mentioned. I am not going to draw the obvious parallel either for the benefit of my hon. friend the Minister of Marine and Fisheries or for the benefit of my hon. friend the Minister of Railways and Canals, but the country will draw that parallel, and will do it at the first opportunity.

Now, the Minister of Justice, in the course of his remarks, challenged the statement of my right hon. leader that the Minister of Justice and his friends who sat on this side of the House in 1911 had obstructed the reciprocity agreement in that year, and he said he was not prepared to admit that there was any obstruction on that occasion. Well, if he will not

accept the statement of the right hon. leader of the Opposition, perhaps I can give him an authority that he will accept. I would therefore refer him to the words of his own leader, spoken during the campaign of 1911. In the Canadian Annual Review of 1911, page 176, there is an account of the address delivered by the present Prime Minister at St. John, N.B., on the 5th of September in that year. After describing several incidents connected with the meeting, the Annual Review says:

In this address also Mr. Borden frankly admitted having obstructed the agreement in Parliament.

And then it proceeds to give his own words as follows:

We would have been untrue to our duty if we had not obstructed.

Further, I would refer the hon. Minister of Justice to the Montreal Star of September 7, 1911 in which he will find the report of a meeting at Sussex, N.B., on the previous day at which the right hon. Prime Minister, then leader of the Opposition, asserted that he and his followers had obstructed the reciprocity agreement in Parliament, and added:

I have no apologies to offer for our course he declared, amid loud cheers. We would not have been worthy of our responsibility if we had done anything else.

As to which statement will be accepted, that of the Minister of Justice or that of the Prime Minister on this question as to whether obstruction was practised by the Conservative Opposition in this House in 1911, I think it is safe to say that every one of us who had a seat in this House during that year will unreservedly agree with the statement of the Prime Minister that there was obstruction—obstruction practised to the very limit of parliamentary rules and procedure.

The Minister of Justice also said that one had only to look at the manifesto which the Prime Minister issued during the last election to see that he had promised, if he were placed in power, to do just what this resolution proposes to do. Well, I have looked over several manifestos issued by the Prime Minister during the last campaign and I cannot find any such promise. I cannot find a single word about closure. But I did find several promises, one of which it might be interesting to recall. I found a promise, repeated several times, that if the right hon. gentleman were returned to power, he would at once bring in a measure of redistribution; and I found that he criticised the former Administration very severely for not having brought in a redistribution Bill before the election of 1911. And having found that broken promise I thought I was fairly well repaid for my search through these dreary manifestos.

In the further course of his speech my hon. friend the Minister of Justice inveighed against some proposition to have the naval issue settled by a referendum or plebiscite. With regard to that I have only to say that his shafts fell harmless on this side of the House; the Liberal party never proposed to settle the naval question by referendum or plebiscite. The only thing I ever heard of that kind was a statement made by the hon. minister's own allies, the Nationalists, that the Prime Minister had promised them a referendum or plebiscite on the naval question. So, any eloquence the hon. minister has to waste on that subject, he had better direct it at his allies. This is, after all, a family row into which I shall not enter.

The hon. the Minister of Justice alluded to the statement of the leader of the Opposition that in introducing closure the Prime Minister had yielded to the pressure of his followers, and the minister wanted to know whether my hon. leader was speaking out of the abundance of his own experience. No, Mr. Speaker, the leader of the Opposition was not speaking out of the abundance of his own experience. Ever since the day when the right hon. gentleman was elected leader of the Liberal party he has led the Liberal party. That constitutes one of the chief differences between him and the right hon. gentleman, who, through courtesy, is said to lead the Government. That right hon. gentleman leads in spells, but we in this House know that he very often surrenders the leadership particularly to his colleague the Minister of Public Works. Let me give you a notable case in point. You will recall that on Saturday, the 15th of March last, there appeared in the Votes and Proceedings of this House a notice in the name of the right hon. the Prime Minister that on the following Tuesday, the 18th of March, he would move a change in the personel of the Committee on Privileges and Elections—he would move that he himself, the Secretary of State (Mr. Coderre) and the hon. member for Toronto Centre (Mr. Bristol) should be dropped from that committee and replaced by the hon. member for Portage la Prairie (Mr. Meighen), the hon. member for North Grey (Mr. Middlebro), and the hon. member for Cumberland (Mr. Rhodes). You will also recall that about that time there were very widespread rumours with regard to the charges that were going to be made by my hon. friend from St. Hyacinthe (Mr. Gauthier) with reference to the Hochelaga election, and every man in the House and out of it knew very well that this notice of motion of the Prime Minister to change the personel of that committee was made because he intended to refer to the committee the charges that were to be made by the hon. member for St. Hyacinthe.

Now, Sir, what happened? I am informed that on Sunday the 16th March, which was the day after this notice was put on the Order Paper, there was a meeting in a certain hotel in this city attended by what some gentlemen irreverently described as the 'strong-arm squad,' and it is currently reported that two of the gentlemen present at that meeting, were the right hon. the Prime Minister and the Minister of Public Works. As to that I cannot speak, nor can I say what took place at that meeting. But we know what took place afterwards. We know that when my hon. friend from St. Hyacinthe (Mr. Gauthier) moved his motion in this House on March 17, to the amazement of every person who had given the matter any consideration, he was met by a straight refusal to refer his charges either to the Committee on Privileges and Elections, or to any other committee. Now, Mr. Speaker, would it not be interesting to know who led and who followed on that occasion, just as it is interesting to know that the Premier's motion has never been heard of from that date to this. I commend that situation to the attention of my hon. friend the Minister of Justice, and to some other hon. gentlemen who are inclined to dispute that a certain man leads and that another man follows.

In the further course of his observations, my hon. friend the Minister of Justice, twitted the right hon. the leader of the Opposition with having to give up Mr. Gladstone as his political model, because, he stated, Mr. Gladstone had first introduced closure in the British House of Commons. While my hon. friend the Minister of Justice did not say so in so many words, his speech left the impression that the closure that we are to have here, is modelled on the closure introduced by Mr. Gladstone. As I have stated in an earlier part of my remarks, the closure that we are to have in this House is not by any means the Gladstone closure. The closure that we are to have in this House is the Tory closure, which was introduced by the Right Hon. W. H. Smith in the British House of Commons in 1887, to pass, not an ordinary coercion Act, but a perpetual coercion Act for Ireland. That, Sir, is the model which excited the admiration and the eloquence of the Prime Minister and his colleague, the Minister of Justice. If my hon. friend the Minister of Justice was aware of the facts, he should have been fair with the House, and he should have stated that Mr. Gladstone while responsible for the closure of 1882, opposed the Tory closure by guillotine, and that the bulk of his Liberal following would not vote for it. For the sake of brevity, Mr. Speaker, I will read a short extract from Morley's Life of Gladstone which sets forth what happened in the British House of Commons when the Tory Government of the day introduced closure by guillotine. The description is to be found in volume III, at page 377.

It was at this point that the Government suddenly introduced their historic proposal for closure by guillotine. They carried (June 10, 1887) a resolution that at ten o'clock on that day week the committee stage should be brought compulsorily to an end, and that any clauses remaining undisposed of should be put forthwith without amendment or debate. The most remarkable innovation upon parliamentary rule and practice since Cromwell and Colonel Pride was introduced by Mr. Smith in a characteristic speech,

I would ask you to pay particular attention to the rest of this sentence:

—Characteristic speech well larded with phrases about duty, right, responsibility, business of the country, and efficiency of the House.

We have heard something like that in recent days in this House.

These 'solemnising complacencies' did not hide the mortifying fact that if it had really been one of the objects of Irish members for ten years past to work a revolution in the parliament where they were forced against their will to sit, they had at least, be such a revolution good or bad, succeeded in their design. Perhaps looking forward with prophetic eye to a day that actually arrived six years later, Mr. Gladstone, while objecting to the proposal as unjustified, threw the responsibility of it upon the Government, and used none of the flaming colours of defiance. The bulk of the Liberals abstained from the division.

After the debate had been closured the guillotine motion was carried by 345 votes against 93, and a perpetual coercion Bill for Ireland was passed into law. That, Sir, is where the right hon. the Prime Minister and his colleague, the Minister of Justice, got their model for the rules which both of these hon. gentlemen so strongly recommend to the favourable consideration of this House.

Mr. MEIGHEN: Is what my hon. friend describes as the Tory closure and what he is now denouncing, the same closure that is in force in Britain to-day?

Mr. MURPHY: I do not want to depart from my line of argument, but speaking off-hand I think it is the same. But, Sir, a rule to be binding in this House, or elsewhere, must have the force of moral sanction behind it. While I admit that the Government has the power to enact such rules as those proposed by the Prime Minister, or any other rules for that matter, I deny that they have the right to exercise that power in the way they have done on the present occasion. The constitutional way would have been to appoint a committee to act with you, Mr.

Speaker, in revising the rules. That constitutional method was rejected, and an unconstitutional method, the power of numbers, was substituted for it. As I have pointed out, the proposed rules cannot be justified on the ground of a blockade of public business, and therefore, Sir, I claim that any rules passed in this way are unconstitutional, are unjustifiable, and can have no binding force on the members of this House. I, for one, decline to be bound by them.

But, Sir, it has been contended by hon. gentlemen opposite that these rules are required to pass the Naval Aid Bill, and that there is a popular majority in favour of that measure. The first part of the argument was exploded by my right hon. friend the leader of the Opposition when he read clause 4 of the rules relating to the passage of estimates, and asked the Government what the passage of estimates had to do with the passage of the Naval Bill. Of course he received no answer, because no answer was possible. The second part of the argument was completely destroyed by my hon. friend the member for Shefford (Mr. Boivin). Taking the figures of the last general election, the hon. member for Shefford showed that when you add to the total vote cast for the Liberals in that election, the total vote given to the Conservatives who were opposed to a naval contribution of any kind you have a grand total of 749,135 votes against the principle of this Bill. Deducting the total of 545,518 votes cast for Conservative candidates who favoured the principle of the Bill, there remains, as my hon. friend pointed out, a popular majority of 203,617 against the Bill. The Government know that and that is why they prefer closure to a general election. That popular majority is growing every day. There is no better indication of that than the letters which appear each week in the columns of that staunch Tory organ, the Orange Sentinel. For instance, last week Mr. Wm H. Boyd of Winnipeg wrote in these terms:

I see that the Grand Lodge placed itself on record endorsing the Borden naval policy. As a Conservative and a supporter of the Hon. Mr. Borden, I am often asked to explain what brought about the change in the leaders of my party as to the naval policy, and I try to explain that the change came about owing to a great emergency in which the Motherland was placed. This explanation does not meet the argument. I then bring forward the Admiralty memorandum, but this is not taken seriously by any person.

Just imagine that in the Orange Sentinel! In the same issue of the Orange Sentinel, April 10, 1913, Mr. James Bryan of Gallingertown, Ontario, has this to say:

Editor Sentinel,—Your paper reaches me through a friend, and I beg to state that in my opinion it would have a much wider circulation both among members of our order and among Protestants generally if you did not take such a one-sided stand in politics. I do not understand how you can ask members of our order to support the Borden-Rogers-Pelletier-Nantel-Blondin combination. The three latter represent the church party in the province of Quebec. In my humble opinion our order was duped in the last Dominion elections. Many Orangemen in Canada will refuse to support said combination in the next fight.

So far as Sir Wilfrid Laurier goes I believe he has always tried to be fair to all classes and creeds.

Such being the sentiments of members of the Orange Order, before they had any knowledge whatever of the episode that took place in this House last week when these rules were introduced, you can imagine, Mr. Speaker, better than I what the feelings of all the members of that powerful order will be when they learn that your decision, giving the floor to the right hon. the leader of the Opposition, was reversed by the votes of the Government majority, led by the right hon. the Prime Minister and the hon. the Minister of Public Works, and that you were subjected to the humiliation of being voted down by the members of your own party.

Let me assure you, Sir, that, strongly as we would oppose these rules under any circumstances, our opposition was intensified by the conduct of the Prime Minister on Wednesday of last week. On that occasion the right hon. gentleman presented a spectacle that I hope has no counterpart in British parliamentary history. Standing in his place in this House, he gave us his solemn assurance, not once but several times, that we could always rely on fair play and generous treatment while he was Prime Minister; yet, at the time that he was making these fair-sounding promises, he knew that, to the right and to the left of him, sat two of his supporters with typewritten motions in their pockets which they would spring on this House the moment he sat down and so would carry out his prearranged plan of preventing the leader of the Opposition from speaking immediately after him and moving an amendment. The only language that I could use to fittingly describe such conduct as that would be language that you, Sir, would declare to be unparliamentary. But desiring to relieve my feelings, I have found a fairly good substitute in some words which I heard Mr. Winston Churchill, whose authority I am sure will not be questioned on the other side of the House, use in the British House of Commons on July 24, 1905, and which the Speaker of the House of Commons did not consider a transgression of the rules of debate. Mr. Churchill spoke on that occa-

sion in condemnation of the conduct of Prime Minister Balfour and his words contain a message which I would urge my fellow Liberals to take to heart and to apply to the present situation. His words as reported at page 98, vol. 150 of the English 'Hansard,' are these:

The humiliations of the Government were not yet ended; and opportunities remained, numerous and varied, for pressing these. He believed that if every member who resented the action taken by the right hon. gentleman would fight him inch by inch and word by word the session could not be concluded at all by this Ministry. And he was sure that public opinion outside the House would approve and acclaim any action which might be taken by the constitutional Opposition to terminate a situation which was as dangerous as it was disgraceful, and to dismiss from unlawful power a minister who had flouted the traditions of Parliament and dishonoured the service of the Crown.

Mr. SPEAKER: I have only to say in reference to the last words, as I expected that the matter would be brought up at some time again, that I have the decisions of two Speakers who ruled such words as 'dishonouring to Ministers of the Crown' out of order.

Mr. MURPHY: Mr. Speaker, I bow to your ruling and I desire to have it placed on record that expressions that the Speaker of the House of Commons in England has held to be permissible in debate there are not considered permissible in debate here.

Mr. SPEAKER: It was by a Speaker of the House of Commons in England that the ruling was given to which I have referred.

Mr. A. VERVILLE (Maisonneuve): Mr. Speaker, so much has been said on this question that the indignation of any one at this present moment would seem to be expressed more clearly by keeping absolute silence with regard to it and that is the course which I would follow were it not for my desire to show to the country the way in which the people's rights are threatened not only in this House but in the country generally. During the seven sessions since I have been in this House, nothing has ever been proposed which more seriously affects the people I represent than the present measure. I have heard all kinds of expressions during the present debate and the labour cause has been introduced into the argument by some previous Speakers. It is my intention, for a few minutes only, to deal with this question as it affects the cause of labour. I ask you if this measure, and especially the famous motion of the hon. Minister of Marine and Fisheries (Mr. Hazen), would be tolerated in any deliberative assembly. Would the medical men in this House when in convention assembled to discuss the interests of their profession, tolerate any such rule as this which would preclude discussion? Would the business men of this House in their meetings tolerate it; nay, would the millionaires of the Cabinet when they meet to further their business transactions tolerate being shut down when they had a suggestion to make which they thought might enhance their wealth. I would ask those members of this House who belong to benevolent societies if they would tolerate a system of closure, when they hold their meetings? I ask you, Mr. Speaker, whether the Orange lodges of the country would permit any rule of the kind that is sought to be perpretrated on the members of this House, to interfere with their deliberations? And when all these organizations preserve free speech and liberty why should this Parliament be inferior to every other deliberative body in the land? In my opinion, Sir, this measure of closure will bring about a very dangerous state of affairs in the country. The masses of the people are studying what is transpiring in this House of which they are kept informed from day to day and it would not surprise me if in the near future, the revolution which is smouldering to-day may become seriously apparent, to demand liberty of speech. I represent a very large element of the population, and as we know, labouring questions are now and then brought to the attention of Parliament—in future they will of necessity become more frequent subjects of debate here—and I ask you in what position will I be when this closure is passed to defend the interests of those I represent? We have heard about the fair play of the Government and my hon. friend (Mr. Murphy) has said something about that, but I may say that as to the present Government, from the experience I have had in this House I have no confidence whatever in their sense of fair play. That feeling has been intensified since the Minister of Marine and Fisheries has belittled himself so as to present that famous motion of his on the previous question. Since then, I feel that no man with any common sense can have confidence in the fair-play of the present Government. There is another important thing which should be considered by us, and that is that we should remember the diverse needs of a country such as ours. It appears to me that this closure measure does not take into consideration that this great Dominion of ours is composed of nine provinces with people of different creeds, different mentality, and different languages. We do not know at what moment the iron ruler of the House of Commons who is the Minister of Public Works will bring in a measure to affect

some of the rights we now have and if such a thing should occur what position will the Opposition be in to discuss such a measure. Why, Sir, the Opposition would be absolutely at the mercy of the Minister of Public Works. If we study the evolution of the economic conditions of the country, we must see that a measure of this kind is almost impossible to carry into operation. For my part, and I take this opportunity of saying so, if this closure be adopted, whenever I have anything to discuss in this House in the interests of the people I represent, if I think I need more than the twenty minutes which is to be accorded to me, I am very much afraid that the Speaker will have to use his authority to prevent me from speaking, I want to be fair, and I state that is exactly how I feel about this matter, and I know that if the House judges me one way I will have the advantage of being judged in another way by those whom I represent. I remember when the hon. member for St. Antoine (Mr. Ames) was a member of the city council of Montreal, how he used to dilate on the rights of the minority, and of course the rights of the minority in Montreal were always conceded and absolute liberty of speech and action has always been accorded them. The hon. member (Mr. Ames) has not spoken on this question, but judging by his applause and his support of the measure I fear that he has now changed his mind about the rights of minorities. The history of the labour movement teaches me to be absolutely and strongly opposed to a proposal of this kind. Anyone who has studied the history of the labour unions in Great Britain realizes how the labour people of the Old Land suffered for the lack of liberty of speech and shivered at the very idea of having a thing of this kind passed in Canada. The history of the trades unions in Great Britain from 1779 to 1825 is one of continuous persecution and oppression. We also know that in the years between 1831 and 1837, England was brought to the verge of civil war by the effort to prevent free speech and to deprive the working people of their liberty. Time and again in this very country men have tried, not to prevent free speech, because it has been tolerated so far, but to prevent if possible the right of organization. The authorities have tried to prevent free speech on the street corners of some of our cities. I never thought, however, that it would be attempted in a body of intelligent men, representing the people of Canada. Free speech might be interfered with in any other sphere, but not in Parliament.

If we follow history a little further, we shall see that labour men upon this very question have shed their blood, have given their lives and have been exiled, just because they have had the courage to express their opinions. That has happened in the Old Land. I am very much afraid, under this proposed Russian rule, that in the near future we shall not have free speech any more in this House. We have had demonstration after demonstration in favour of free speech. We had a large demonstration in this Canada of ours only as far back as 1904, through which we have retained the liberty of speech that we have now. I am sorry that we have not had so far, right at the door of this Parliament, thousands and thousands of people protesting against the measure which we are now discussing. I am almost surprised that such a demonstration has not been made. If the members of the Government wish to know the feeling of the masses of the people of this country, as has been pointed out time and again, they have a very good chance to find out now. Let the Government go and ask the people if they are in favour of this closure or not. Let them ask their very kind friends the manufacturers. Let the Government apply the closure to their own deliberations. Let them apply what the Minister of Marine and Fisheries did at the opening of the discussion. I am almost sure, if you were to take a secret ballot on this very question, that not a dozen would vote in favour of the measure.

We often speak of socialism, which has become a nightmare of the Government, and of anarchy. What will bring about anarchy in this country, if not the prevention of free speech? What will be the cause of the brewing of that discontent, of that ill-feeling that exists now in our social life, but the prevention of free speech; the prevention of myself and others from expressing the absolute opinion of those whom we represent? On the opposite side of the House there are members who possess intelligence enough for the balance of the members, that is to say, they believe so. If they do, they must bear in mind that we, on this side of the House, are also sent here to represent the people, to defend their rights, and that we have as much right to free speech as hon. members opposite. We boast that we live in a democratic country. What is democracy? If the present legislation is democracy, I never want to be a democrat; I would rather go back to the old rule. If the country is democratic, surely the rules should also be democratic; but it seems to me that in the future we are going to have a democratic country but not democratic rules. That is exactly what the people will not stand for. We will not stand for it in this House. As I am not a lawyer, I cannot discuss the constitutional right as it has been discussed by other members. From my own judgment

and commonsense, I do not see how it is possible to enforce this measure. You have all my sympathy, Mr. Speaker, when you are called upon to apply that rule, because I can imagine the position in which you will be placed, especially in some cases.

We must also bear in mind that up to the present time this country has prospered. Our institutions are large and increasing all the time. The needs of the country are very numerous. That is why we occupy so much time legislating. If this resolution has been introduced in order to pass more legislation and to pass it more quickly, I think that the Prime Minister has made a great mistake. More discussion is absolutely necessary. Anyone, who has travelled through the country and has seen the progress of industry, should understand that rules of this sort, especially with the new population that we are receiving on our coasts every year, are impossible. I am surprised that the Prime Minister has not realized that yet. I am wondering why he has permitted one of the ministers of the Crown to move the previous question. If it had been moved by somebody else, probably it would not have had the same effect. I give the hon. minister (Mr. Hazen) notice now that I may have opportunity of going into his city this summer, that is to say, if the Government does not give us an election too soon. I want to tell the twelve hundred longshoremen and many others in the city of St. John exactly what has transpired in this House, especially on this question of closure; and I want to show how good and kind the Minister of Marine and Fisheries was when he moved the previous question before I had a chance or before anybody else had a chance to move any amendment to the present measure. I shall also have a chance—although I know my hon. friend the Prime Minister does not care whether I have or not—to visit his own city, and it will be my duty to do the same thing as I propose to do in the city of St. John.

Some hon. MEMBERS: Oh, oh.

Mr. VERVILLE: Hon. members may laugh, but I can tell them that, when I make up my mind to do a certain thing, I do not know who is able to prevent me from doing it. I think it is fair that I should tell the hon. gentlemen that I am going down there, so that no one will be taken by surprise. I assure you, Mr. Speaker, that I am not going to gag the city; there will be no closure; no moving of the previous question, and we will furnish every opportunity for the moving of amendments. I will conclude by saying that my recent experience in this House has been to me a very great lesson. I have learned that when you, Mr. Speaker, have by your ruling, granted the floor to an hon. member of this House, as you did the other day to the hon. leader of the Opposition, the members on your right can say to you that you are absolutely wrong. I have learned many other things during the present session, and I suppose I shall learn many more. I am strongly against this proposed amendment of the rules, and I hope and trust, whether or not the measure passes—though I suppose it must pass, by reason of the majority on the other side—

Some hon. MEMBERS: Hear, hear.

Mr. VERVILLE: Hon. gentlemen say 'hear, hear,' but let them try to apply it on me when I am talking. I hope and trust, Mr. Speaker, that you will never be called upon to apply that measure of closure, because Russian rule, as I have said, should not be adopted or applied in Canada.

Mr. E. LAPOINTE (Kamouraska): (Translation.) Mr. Speaker, the question now under consideration is an exceptionally important one, and I propose discussing it briefly apart from those hair-splitting considerations with which the Government has attempted to becloud it.

This Government seems to be under the incubus of some fatality. After engaging into a policy of makeshifts, deceit, double dealing of all kinds, our ministers have found themselves under the necessity of listening to the great voice of the people. To-day, they are panic-stricken; they govern under perpetual fear, and rendered tyrannical by their own apprehensions, they have resolved to restrict the rights and liberties of the representatives of the people in this House.

Their closure resolution is a move inspired by a stubborn and selfish desire to maintain themselves through persistently and narrowly resisting the demands of the people. It is the result of a fit of bad temper; it means the sacrifice of one of our most beloved franchise for the purpose of giving a new lease of life to a discredited Administration.

That legislation is wrong in its principle, and its results will be pernicious. It will not even secure the object for which apparently it was resolved. As a matter of fact, never could Great Britain accept a gift offered under such circumstances.

The justification of that closure resolution is the desirability of passing the Government's Naval Bill. How far away have we drifted in the meantime from the spirit which inspired the great Imperialist manifestation which this House witnessed on December 5 last, when the Prime Minister introduced that now famous Bill.

The Borden policy has undergone all manners of transformation, but the various changes effected by the Prime Minister have in no way improved it; to-day something further must be changed, and it is the rules of the House which hon. gentlemen are now thinking of sacrificing. Indeed, the Navy Bill cannot be passed unless Parliament is gagged, and public opinion as well.

The struggle in which we have engaged is brought about by our love of principle; we are intent on preserving to the Canadian Parliament full control over the expenditure of public moneys; that is the very essence of liberalism.

It is to defend that fundamental principle that Canadian statesmen have strenuously fought, and it is to force through a measure which strikes at the very root of our constitution, that this Government finds itself to-day under the necessity of doing away with freedom of speech. Unable to answer us, those gallant gentlemen opposite are anxious to close our mouths.

Is it fair, Mr. Speaker, to have recourse to a closure rule while a great debate is on, a debate which concerns the most sacred interests of the country, and more particularly with a view to putting an end to such a debate?

There is a principle universally recognized by law-makers and it is that a new enactment does not affect any arrangement made previous to its putting in force. Otherwise, the new enactment would be considered immoral, as well as ineffective, and clothed in bad faith and treachery.

Accordingly at all times it has been acknowledged as a principle of law and ethics, that whenever people are deprived of rights or guarantees they enjoyed heretofore, the law has no retroactive effect. A government which refused to take into account such a recognized principle, would be condemned by public opinion.

Now, what is the effect of this proposal of the Prime Minister? It is introduced in the midst of an important debate, wherein the most sacred interests of this country are being considered, and with the express and acknowledged purpose of forcing through this House, by means of the gag, a hateful Bill which public opinion has condemned in no uncertain manner. Is not that violating most outrageously that principle of the lack of retroactive effect of laws which legislators at all times and in every country have respected?

There is another fundamental principle which this closure resolution threatens with destruction; I mean the principle of the separation of the executive and legislative powers. Parliament will no longer be independent of the Administration. The latter will have the upper hand and will limit debate in this House. And what right have they to do so? I represent here five thousand electors in one of the finest constituencies of the Dominion, and the rights I enjoy in this House of Commons are not superior, but are quite equal to those enjoyed by honourable gentlemen who happen to be at the same time members of the Privy Council and of the Canadian Government. Ministers have not and should not have in this House rights superior to those of other members.

The closure resolution which we are asked to pass implies the denial of that principle. In Great Britain, ministers enjoy no such privileges. The Speaker is the supreme arbiter; he can always set aside a closure motion if it impinges on the rights of some minority. Now, in Great Britain, the Speaker is independent of political parties; governments may change, but, the Speaker remains in office, by common consent, and that is the best guarantee of his unfailing impartiality.

Moreover, in Great Britain, there is no discrimination as between ministers and private members, and every member is allowed to introduce a closure motion, subject to the approval of the Speaker and to the concurrence of a majority, the proportion of which is fixed under the law.

The resolution which we are asked to pass will put in the hands of some ministers a dangerous weapon. That weapon will be still more dangerous when such ministers owe their position to lobby wire-pulling, to services of a suspicious character, to a deep knowledge of intrigue. These ministers may then, without apprehension, purchase padlocks or mail bags for several generations, they may appoint to positions of public trust blackmailers and perjurers, as a reward for their work in election time, because they will be in a position to apply the infamous gag which thhy are preparing for the purpose of preventing any criticism of their misdeeds. Freedom of speech will be reserved exclusively to the men in power, and subject at all times to be denied to others. Freedom which is granted only by way of sufferance is really not freedom. We will then have only a parody and a sham of the parliamentary system.

The Government vindicates what it calls the right of majorities. Do honourable gentlemen forget that minorities also have rights? Above the present will of a hybrid majority such as the one we have now in power, does there not exist a community of opinion, traditions, particular interests and future prospects which go to make up a nation?

And those rights of the majority when did we interfere with them? Have we not discussed and passed without unusual delay every measure which the Government

submitted to our consideration? Have we not even pressed the Government to introduce that legislation, promising our assistance towards its completion? Have we not passed every item of Supply which was submitted to us?

So then, the only Bill which the Government charges us with having obstructed is the one referring to contribution for the navy. Now what are the facts? That Bill was discussed when the resolution on which it was founded was introduced. The resolutions were passed after the usual delay, following on a preliminary arrangement between the leaders of both parties. The Bill was subsequently discussed and carried in the same way on its second reading. And it is only in Committee of the Whole, and after the Prime Minister had insisted that we should adopt the clauses before the information to which we were entitled had been furnished, that we were obliged to vindicate our rights and prevent that summary and tyrannical procedure from being adopted.

And now the Prime Minister finding that public opinion is irretrievably opposed to that hateful legislation, comes here and tells us that the rules of the House must be revised, that they are of no use, that these same rules which, in 1911, expressed, to his mind, the essence of freedom are no good. Under those circumstances am I not justified in saying: It is your legislation that is no good? The rules of the House are excellent. If you have recourse to-day to such a tyrannical measure, it is because you realize that you have not at your back the support which is indispensable to governments, the support of the people. Our opponents say that we wish to appeal to the people on the navy question, in the hope of capturing power. Do you not think as I do, Mr. Speaker, that such a claim implies the most severe condemnation of the Government's proposal? In taking such a stand, the Government condemns itself in a way which the people are not likely to forget when an opportunity is offered to them of expressing their will.

The proposal which I am considering is an extraordinary one, but the circumstances under which it is made are still more amazing. Never before have the rules of the House been changed without first a special committee being appointed, made up of representatives of both parties and under the control of the Speaker. Indeed, that is the course pointed out by Bourinot and every writer on parliamentary procedure.

In this instance, the Prime Minister does not even allow us the right of submitting an amendment. His first move when introducing his resolution was to set aside every usage and rule of courtesy by shamefully insulting the right hon. leader of the Opposition, the recognized leader of Canadian politics, by depriving him, through the sheer force of a servile majority, of the right to speak, to which he was undoubtedly entitled. That insult was resented by the whole Canadian people. If your intention was to deeply wound the heart of the people, you could not have adopted a surer, or rather a more effective, plan.

The rules of this House should be made by both parties in the interest of Canada, and not to subserve the temporary requirements of a government at bay. Never in any country has such a course as that adopted by this Government been followed.

In 1882, Gladstone summoned the British House of Commons in special session to amend the rules then in force, for the purpose of facilitating the carrying on of public business. Every member was consulted; every member discussed the proposed changes; amendments were introduced and agreed to by the two great parties in British politics. Why is not such a course followed by this Government? Besides it should be noticed that the British Parliament exists under conditions quite different from ours. It is made up of nearly seven hundred members; the British House of Commons is called upon to transact the business of the whole United Kingdom, to settle local questions as well as others. In Canada, we have a parliament comprising two hundred and twenty-one members, and a large proportion of the business is transacted by provincial legislatures.

Conditions prevailing in the United States Congress are also quite different from ours. Congress meets at dates fixed under the law; it adjourns also at a date prescribed in advance, and every item of business must be transacted within that period. Moreover, passing over the essential differences which exist and necessarily exist between various nations, I may say that Canada has nothing, and will have nothing, comparable with the national and social organization of the countries whose example is constantly suggested to us.

The Government should not lose sight of the fact that the rights of the House are the rights of the country. And any action of the legislator which irritates or counteracts public sentiments, is liable to bring about a dangerous state of discontent. A power which will not allow liberty its legitimate share, is always on the verge of the worst catastrophe. It was not at all necessary to have recourse to such arbitrary means for the purpose of amending rules which are the outcome and the result of the experience of centuries. The Government claims that it is desirous of bringing about a reform. A great French statesman, Prime Minister

Briand, stated on December 5, 1909: 'The idea of progress, of reform, should not present itself in the shape of a stroke with the stick; it is not by such means that it will make greater headway.'

And what are the rules which are being forced on the House? The third is surely the most treacherous. Any minister of the Crown is enabled to prevent the discussion of any proposal. It reads as follows:

(3) Immediately before the Order of the Day for resuming an ajourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any Minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the Committee, and shall not further be pastponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes in any such adjourned debate; or, if in Committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

Under that new rule, the Government seemingly grants us twenty minutes for discussion, after a minister has given due notice accordingly. Now, what would happen if an unscrupulous minister, and there are such, wished to forestall all discussion? Once notice is given, the Government may press the discussion of some other matter, and by two o'clock in the morning the Bill or resolution subject to closure, will be declared carried, although no discussion whatever has taken place. Will not such a measure be termed arbitrary and tyrannical?

Rule 4 reads as follows:

(4) On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House the estimates of each Department shall be first taken up on a day other than Thurday or Friday.

That rule will considerably restrict and, in certain cases, completely destroy that prerogative which has been recognized in Great Britain for centuries, and in Canada since we enjoy responsible government, of making known the grievances of the people before we can be called upon to vote the moneys asked for by the Crown.

The putting in force of that resolution will amount to a refusal of giving a hearing to the members of the minority; it amounts to a denial of the rights of the people; it is an attempt against the freedom of parliament.

In order to show that this closure resolution has been imagined by this Government in the hope of avoiding an appeal to the people, I propose setting forth what the Prime Minister and some of his lieutenants thought of such a measure while they were sitting on the Opposition side. Honour to whom honour is due! I shall begin with you, Mr. Speaker, and quote what you said in this House in 1908, when you were member for East Grey:

It is one of the valuable rights of this House, and one which should not be given up, that any member may bring before the House any grievance before supplies are voted This is one of the rights which no free parliament would ever desire to give up.

Let us now hearken to the utterances of the Prime Minister, then leader of the Opposition. On February 12, 1908, page 2985-6 of 'Hansard,' he expressed himself as follows:

It rather takes the House by surprise to have a proposal of this kind made. The rules of the House are not lightly dealt with in this way; the universal practice is that so important a matter as an important amendment to a rule of the House should be submitted in the first place to a committee, considered by that committee and reported on to the House, when the House would take it into consideration. We revised the rules of this House two years ago, and in the opinion of the House there was no occasion at that time for any such far-reaching amendment as is now proposed. It would prevent the discussion of any grievance on motion to go into Committee of Supply unless two days' notice were previously put upon the order paper. That would be an abnegation of the practice that has prevailed for five hundred years in the British House of Commons and that has prevailed in this House of Commons ever since we have had parliamentary institutions in this country. The hon. gentleman (Mr. McLean) speaks of members of the House being taken by surprise, but they need not be taken very much by surprise if they perform their duty and attend here. Surely matters of public interest can be discussed in this House without two days' notice on the Order Paper. The proposal would cut down to a very serious extent the privileges of this House, and I venture to say that in the end it would not be found to shorten the length of the session. I understood the hon. gentleman to refer to some English rule, but so far as the English practice is concerned, they go infinitely further than I hope we shall ever be obliged to go in this country. If we carried out the English practice to the full we would adopt the English system of closure, under which the passage of the estimates would be reduced to very little more than a farce. Often a sum of £10,000,000 is voted by the Commons

of Great Britain after a discussion of not more than two hours' duration. We do not require any restriction of that kind in Canada, and it would be a most infortunate thing to attempt to restrict discussion as the hon. member for Lunenberg proposes. There has been no very great evil attendant upon the practice of this House since confederation. Hon. gentlemen who desire to bring a matter of public importance to the House usually give notice in advance. That is certainly done when there is intention to move an amendment to the motion that the House go into Committee of Supply. I have always pressed upon hon. gentlemen on this side of the House the extreme importance of giving the Government notice in advance of any amendment to Supply; and apart from that, hon. gentlemen have, from time to time, given notice in advance of their intention to discuss important public questions. I decidedly object to the passing of this motion; first, because according to the usual order of procedure such a proposal should be referred to a committee; and, in the second place, because it does not seem to me that there is any abuse of the present practice which would justify us in making such a very important amendment to the rules.

Several hon. gentlemen sitting on your right, Mr. Speaker, were then in the ranks of the Opposition, and insisted on the great dangers which would result from a change in the rules. About that time, the hon. member for South York (Mr. Maclean) expressed himself as follows:

I trust that this Committee will not interfere with the franchises of parliament and more particularly with the privileges of members of this House. In the United States, it is averred to-day that the popular House has lost its franchises and is at the mercy of the Speaker, who is designated under the name of Czar. That house which should have been a model to similar institutions the world over, has lost all prestige, as well as its attributions; the powers it possessed have been attributed to others.

The Minister of Trade and Commerce and the Minister of Militia and Defence spoke on the same lines. I shall now quote the opinion of the hon. leader of the Opposition (Sir Wilfrid Laurier). Referring to a speech you had made, Mr. Speaker, he said:

My honourable friend may be satisfied that the Government do not propose wielding the majority which supports them in this Parliament to, in the least, interfere with rights and privileges of the members of this parliament. We on this side of the House appreciate these prerogatives just as much as do honourable gentlemen on the other side.

The Prime Minister apparently derived much amusement from pointing out the weaknesses observed in others; he would have been better inspired by meditating over his own past record.

I shall now quote the opinion of l'Evenement, which had as a director the hon. Postmaster General (Mr. Pelletier). In connection with a closure resolution which was then been considered, L'Evenement published the following on July 20, 1911:

There are a number of old-time Liberals, however, who are sorry to see that their old leaders are reluctant to fall like men, in arms, facing the enemy, and that, even previous to the announcement of polling day, they are already deserting the battlefield, dishonoured by their cowardice just as much as by the scandals of their administration.

Nevertheless, L'Evenement boasted that the Opposition at the time had prevented the Government from carrying on public business. I shall quote the following extract, dated July 31, 1911:

Mr. R. L. Borden, whose energy and resources his enemies had inaccurately gauged, has just driven that Machiavelli to straits such as Canada's Prime Minister has never known heretofore. It may be truly said that for the last six months Sir Wilfrid Laurier has not governed the country. It was actually the Opposition which dictated to the other side its requirements and concessions.

Mr. Speaker, all these people have charged their minds. Freedom of speech is to-day in their minds an empty word only, and their only thought is to remain as long as possible in power, that power which they secured through false pretences, at a time when the people were temporarily blinded.

And what is the situation of our friends the Nationalists of Quebec? What is their stand? Not only do they repudiate their pledges, not only do most of them favour the sending of a contribution for the Imperial navy; but they all assist in gagging those who fight that hateful policy, they all lend a hand in stifling the voice of the people. They are working hand in hand with these stranglers of political liberty. They have the zeal of neophytes, or, if you prefer, what Berryer termed the 'cynicism of apostasies.'

Mr. Speaker, the right hon. Prime Minister is committing just now an irreparable mistake. He had allowed himself to be circumvented and controlled by an unwholesome set in his Cabinet, a set which more than any other fears the verdict of the people. I shall quote for his benefit the utterances of a brilliant statesman who has to-day the honour of being the President of the French Republic, Mr. Poincare:

Some political men resemble those travelers who, to recall a famous saw, are prevented by the presence of the forest from seeing the trees. The branches which are nearest to them cut off the view, and they do not even always notice that what they take for a great mass of verdant foliage, consists in dead plants and rotten wood.

I request the Prime Minister to meditate over this, and he may come to the conclusion that he has been led astray by the sight of dead plants and rotten branches.

Mr. Speaker, I do not intend to detain the House any longer. I wish to enter my solemn protest on behalf of my constituents which I have the honour to represent in this House, against this infamous proposal of the Government. When I hand over my mandate to them, I will be in a position to say: You are free citizens and you have returned a free representative; I was desirous of fulfilling my duty, my whole duty; but it happened one day that brute force prevented me from doing so, I was gagged.

But, Mr Speaker, there still remains with us two sources of energy which cannot be gagged: faith in the righteousness of our cause and the nobleness of our aims; the assurance that we retain the confidence and good-will of the country.

Mr. L. J. GAUTHIER (St. Hyacinthe): (Translation.) Mr. Speaker, as this is probably the last opportunity offered me of discussing freely in this House of Commons of Canada, previous to being gagged, I wish to enter my solemn protest against the resolutions which are now being submitted to our consideration. And, to state my whole thought, I venture to say that a government which, to retain power, is ready to run counter to the whole course of our past political history since confederation, a government which is willing to repudiate the stand taken by its own leaders, as well as by its opponents, such a government, I say, is worthy of the measure submitted to the House. Both are on a par.

What! Do you expect the people to believe that this Government, in spite of its majority of forty-eight, is unable to carry through legislation and to provide for the administration of public affairs? What legislation have we opposed? A single Bill. What supply have we refused to vote? Not a single item out of a large number which have been proposed. Every one of them was willingly agreed to. We have opposed a single measure and that one we shall oppose even after you have passed your closure regulations. We shall fight it with all our might, because, even with closure at your disposal you will not be able to prevent us from opposing your Navy Bill. Before your Bill passes you will have gagged and expelled every one of us in succession, because we are satisfied you have no mandate to pass the Bill in question. Even though, after having passed the closure resolutions, you succeeded, by means of the majority at your disposal in this House, to force through your Navy Bill, it does not follow that your Bill will become law. If we are to believe the rumours which are circulated in the lobby, you even entertain the hope that the Senate will never adopt your Bill, but, on the contrary will rid you of that measure which you now wish had never been introduced.

You contend that the closure regulations are brought forward to ensure the passing of Navy Bill. If that is actually your object, what is the sense of that clause of the resolutions which concerns Supply?

I venture to say, Mr. Speaker, that the Government in forcing the consideration of their closure resolutions, in resorting to the previous question as a means of coercion, is preparing the overthrow of the parliamentary system in Canada. When it is realized that this measure with which we have been threatened for such a length of time, is the outcome of the discussion relative to the Naval Bill, when one reflects that this debate, which lasted two weeks without interruption, night and day, and in which every member of the Opposition, without a single exception, participated, and that such debate was one of the most memorable since confederation, both in point of the knowledge evidenced and of the force of the arguments brought forward; when one considers that the interest of that debate never flagged for one moment, and when one thinks that it is following on such a debate that the Government intends to gag the Opposition for the purpose of preventing us from discussing this question further; and above all, Mr. Speaker, when one reflects that, with the rules as they are to-day, the Government has the means of maintaining the debate at the same high level, by preventing useless and tiresome repetitions, it is impossible not to recognize that the reasons given by the Government are not the actual reasons.

I submit that it is impossible, under a democratic system of government, in the interest of liberty as well as in the interest of good administration, to prevent the representatives of the people from expounding their views and those of their constituents. However, that is what is going to happen as soon as the closure regulations are passed.

When a minister of the Crown will have given the notice of motion mentioned in these resolutions, and when the debate, after being limited to twenty minute speeches, will terminate automatically at two o'clock in the morning, are we to believe that the new members in this House will have an opportunity of expressing their opinion and setting forth their grievances? No, Mr. Speaker, old parliamentarians will have precedence, according to usage and as is proper, and it is only after being many years in public life that mem-

bers will be in a position to discuss public matters. So I say without fear of contradiction that, as regards the breaking in to parliamentary work and discussion, this measure will surely produce objecionable and unfair results. It will stand in the way of the exercise of public franchises, and it will prevent new members from acquiring that experience which is indispensable in the performance of their duties as representatives of the people.

The Government in introducing their measure have presented us with a weighty and painstaking statement of the case, and one which seemed inspired by a spirit of fair play. However, in the lobby, hon. gentlemen on the other side stated openly that the Government in moving the previous question, wished to show that they were not afraid of laying hands on the idol of the Liberal party, the right hon. leader of the Opposition. Here is my answer, and I shall make it as short and plain as I am wont to do: I prefer being a supporter of the idol of the Opposition, to sacrificing on the altar of the golden calf which goes by the name of the Minister of Public Works.

That measure will undoubtedly pass, owing to the servile majority at the command of the Government, and I do not propose taking advantage of the last opportunity which is offered me, to impose on the good nature of the House. However, let me, in the name of my constituents as well as in my own name, enter my most solemn protest against the passing of these resolutions.

Let it be well understood, as was stated a moment ago by my hon. friend from Maisonneuve (Mr. Verville), that even after those resolutions are passed, I shall never bend my head before those unfair regulations, when I believe it is my duty to make known my views in regard to the questions submitted to the House.

Since the opening of this session, the Government, by way of practice, have gagged their own supporters one after the other, and they may have surmised that they would not encounter more resistance on the part of the Opposition than they had experienced from their own supporters, docile victims of their authority. But we shall show before the session is over that there is more energy on this side of the House than on the other. We shall claim without weakness and to the utmost limit of our rights, every constitutional liberty to which we are entitled, and that in spite of these new regulations.

After voicing my protest against that measure, after stating as briefly as possible that Parliament should not, in the interest of the proper training of our public men, pass such closure regulations, I may add that it is extremely unfair to alter the rules of debate in the course of a discussion which has already been going on for quite a while.

We protest with all our might, and we rise against this tyrannical, arbitrary and autocratical measure, but we are good enough sports to accept our fate as men. We do not propose whatever may say newspapers at the bidding of the Government, to uselessly make trouble or kick up a row. We propose claiming our rights by every constitutional means, and when the majority of this House has decided that these regulations must be enforced, we will abide by the decision, but we shall take the question before the people, the judge by rights of the Government as well as of the Opposition. That judge is the people, and when we go before the people, be it this year, or in 1914, or in 1915, the Government will always in the end have to answer for their action. That is where the issue will be settled, and it is with confidence that we say to the Government: Pass your measure as soon as possible, a measure inspired by fear, inspired by cowardice and which will be condemned by the popular will as soon as elections take place. That is where your majority will be powerless to instil new life into the straggling remains of that hybrid Administration, which manages the business of the country through the combination of the most incongruous elements ever brought together.

Here is a Government that maintains itself in power through the assistance of an element which has pledged itself to safeguard all popular franchises, of men who, to hear them speak, are opposed to the Navy Bill, and who, nevertheless, help the Government to gag the Opposition, so that this Navy Bill may be forced through by the majority.

I am justified in saying that the Government, with its past record and the record it is now making for itself, is wise in refusing to grant an appeal to the people. Hon. gentlemen on the other side are aware that when a general election comes on, defeat awaits them in more than one constituency represented by supporters of the Government who to-day, by their silence and their complicity, and to-morrow, by their vote, will cause the passing of the closure regulations and of the Navy Bill. They will have to desert public meetings and will be wiped out of existence by popular scorn and indignation.

When accounts are settled I know more than one Nationalist who, in my own province since 1909, scoured all the parishes calling to witness all the church steeples, and, at every crossing of the roads, stirring up our disquieted people, I know, Mr. Speaker, more than one of those stalwart defenders of our popular franchises who will have to render a strict account of their stewardship, a steward-

ship which they are about to degrade and tarnish.

When the people take in hand their own cause, the Government and their supporters will get their due, and I may tell them that it is an exemplary punishment which awaits them. There will be no more closure, the wildest latitude will be granted to us, the accusers, as well as to them, the accused. That will be the day of retribution, and those men who call themselves the masters of the Administration, however great they may be, we shall have an opportunity to meet them. In the meantime there is a punishment which history will settle on them: history will say that when this retrograde, iniquitous and tyrannical measure was introduced in this House, it was hailed by the frenzied acclamations of these paragons of virtue, of these champions of popular liberties, who vigourously applauded the murder of freedom of speech in this House.

One word more, and I shall resume my seat. In ancient Rome, when gladiators, entering the arena, passed in front of the Emperor's seat, they exclaimed: Caesar, those who are about to die hail thee. I abstain from giving the latin wording, so as not to perturb the minds of those who graduated in the country places back of Toronto, and I now put it into common parlance so as to be understood by them: 'Masters of the gag, you who claim to be masters of this Parliament, I am in waiting for you before the people, and I challenge you.'

Mr. LEVI THOMSON (Qu'Appelle): The Prime Minister, when he introduced this resolution, assured hon. members on this side of the House that they might expect the utmost of fair treatment while he occupied his present position. We have no intention of questioning the sincerity of the right hon. gentleman, but if we are to judge by the treatment we have received in the past, I think we have a right to refuse to accept his judgment as to what is fair. We have a vivid recollection of the use of the big club on the 3rd of March last, and an even more vivid recollection of the treatment our leader was accorded while the right hon. Prime Minister was leading the House the other evening. And if a gentleman occupying the position in this country that the leader of the Opposition now occupies, receives such treatment as that—if that is the courtesy and fair play such a man is to receive from the present Government—what may the rank and file on this side expect? I think it must be admitted that we have no right to suppose that we shall be accorded any better treatment than was accorded to our leader.

The hon. member for Portage la Prairie (Mr. Meighen), in a very laboured argument has attempted to justify the treatment accorded to the right hon. leader of the Opposition, but notwithstanding the great ability of the hon. gentleman he has not made very much headway in his performance of that duty. Practically his argument is that had the previous question not been moved at the particular time it was moved, the Opposition, by means of amendments, would have prevented the Government from carrying out their proposal to introduce closure during this session. But in the same speech he tells us that practically every legislature on the civilized world except this already has rules of closure. But, so far, neither he nor any other hon. gentleman has undertaken to tell us that any of the legislatures that have rules of closure, found it necessary to adopt the plan, the discourteous plan adopted by the present Government in order to bring in those rules, nor have they shown that they were obliged to take special means to prevent lengthy discussion on the question of adopting the closure. If other legislatures are able, without adopting such discourteous means, to introduce closure, why cannot this Government do so? Surely, this Government is as competent to perform its duty as are the governments of these other countries.

Mr. GRAHAM: No, you are wrong about that.

Mr. THOMSON: Well, I am willing to admit that. We are all wrong sometimes. I have discussed this question frankly in private conversation with members on both sides of the House, and up to the time when the previous question was moved, I had never heard anyone on either side suggest that it was possible to successfully resist the introduction of closure, provided the Government took the responsibility of introducing it. If my hon. friend really was sincere in his suggestion, I am afraid he was politically in the same condition as people get into physically through long debauchery—I think he 'was seeing things.' If this was not the case, it seems to me the argument must have been used simply for a purpose; in fact, if I may say so without disrespect, I think my hon. friend was not sincere. The hon. member for Portage la Prairie seems to be very much in love with closure. He saw the necessity of closure not merely under the present Government, but while the late Government was in power. Apparently he is a believer also in free trade in agricultural implements. But he approaches these questions in different ways. When he was in opposition he preached free trade in agricultural implements, but now that his side is in power he is silent on that question. On the other hand, now that his side is in power, he preaches closure, but when in opposition he was dumb on that subject. The question

of whose ox is gored is apparently a very important one with the hon. gentleman.

I must not forget the hon. member for Brandon (Mr. Aikins). I am sorry that hon. gentleman is not in his place, because it is always a pleasure to look across the House and see his pleasant countenance. Apparently he is never so happy as when the gag is removed and he is free to address this House. On such occasions he resembles the immortal Tam O' Shanter in one of his moods:

> Kings may be blessed, but Tam was glorious,
> O'er all the ills of life victorious.

That is about the way the hon. gentleman feels when the gag is removed. He is quite a philanthropist; he would relieve people of their troubles and distresses at all times. Not long ago, he saw the Empire in clouds and darkness, and he proceeded to dispel them. He saw that with only six hundred and fifty-five war vessels, the British Empire was in the greatest danger; the collapse of the Empire was certain. But he saw that by adding three vessels to the number all would be safe—six hundred and fifty-five vessels meant absolute ruin, but six hundred and fifty-eight vessels meant absolute safety; and my hon. friend proceeded at once to do his part to bring about that state of affairs. Now, he sees the need of more philanthrophy. He sees that we on this side are under delusions and he proceeds to dispel these delusions. He says we are under the delusion that we shall be able to force this Government to go to the country, and that delusion he proceeds to dispel. He may save his breath, because that delusion if we ever held it, we were forced to give up long ago. We recognize that this Government are bolted and barred to their places indeed the additional locks that the Postmaster General has bought would be merely superfluous for this purpose. We have taken it for granted for some time that the policy of the Government is not to allow the people who are to supply the $35,000,000 to have a say in the matter at all. Whatever happens they are not going to let the people have anything to say as to whether or not this money should be spent or how it should be spent. Another delusion which he thinks it necessary to remove is that we are under the impression that it is our duty to obstruct. I am quite willing to let the hon. gentleman call it obstruction if he cares; he can call it by any name he pleases. When it comes to adopting a certain line of policy on this side of the House, I think we ourselves must decide what it shall be. We shall judge as to what course we shall take in every emergency, if I may be permitted to use that term. When any question comes before the House we ourselves must settle what course we shall pursue, and I think I speak for the Opposition when I say that we are not prepared to adopt the suggestions of my hon. friend for Brandon (Mr. Aikins). We do not consider him a disinterested adviser in this House, and we are not prepared to carry out his advice, unless we consider it to be good advice.

He also says that we are under the delusion that the Conservatives obstructed in 1911. He thinks that it is a delusion to think that they were guilty of the terrible crime of obstruction, and he wants to remove that delusion. He proceeds to prove that we have been obstructing and he proves it by pointing to the time which has been taken in discussing the naval question in its different stages. But he ignores altogether the fact that more time was taken in this House in discussing the reciprocity question in 1911. While practically no progress was made on the reciprocity question, very great progress has been made on the present question. In other words, he does not deny that more time was taken in the discussion of the reciprocity question than in the present question, and yet, according to him, there was no obstruction on the reciprocity question, while there is obstruction in the present case. To me that seems a very funny sort of argument. There is another delusion which he is anxious to remove. He says we cannot convince the people that the reason the late Government went to the country in 1911 was because of the alleged obstruction of the Conservatives or because of the action taken by the Conservative Opposition. He says that is a delusion. He does not say that it is a delusion that the Government went to the country because of the obstruction of the Opposition; he says it is a delusion that we think we are going to convince the people of it. I do not suppose any hon. member would suggest for a moment that had the reciprocity agreement become law the late Government would have gone to the country at that particular time. I do not suppose that any man in his sober senses would say such a thing and if the hon. gentleman thinks he can convince the people of that, I think he will be met with the old answer 'who is this that darkeneth counsel by words without knowledge'? I think that is what the people would be disposed to say to my hon. friend if he attempted to convince them of anything of that kind.

The position in which the Government of the day find themselves is not a new position. Previous governments have found themselves in the same position, and have had to take action under similar circumstances. But no previous government attempted to take the action which the present Government has taken. That is a new departure. Other governments met a situation of a similar kind by appealing

to the people, by compromising, or by dropping the particular matter to which objection was taken. That has been the policy heretofore adopted. But the present Government have made a new departure. They say we will not adopt the policy adopted by previous governments; we will adopt a policy of our own, and they try to make us believe that they are obliged to adopt such a policy. Why they are obliged to adopt what other governments did not adopt, I cannot understand. We are told that members of the late Government and private individuals and certain newspapers supporting the late Government have advocated closure. But when the late Government was placed in exactly the same position as the present Government they did not adopt closure. When they were up against a situation of the kind, they did not take the responsibility of introducing closure. The right hon. the leader of the Opposition, then Prime Minister, refused on every occasion to consider the question of closure, and the attitude he adopted is the only fair test by which he shall be judged. We must remember that when an opposition undertakes by lengthy debate to hold up any question that comes before the House, that Opposition assumes a grave responsibility. We must remember, too, that in the experience of the Canadian Parliament, the Opposition has generally had nearly as many votes cast in its favour as the Government. We must remember that, comparatively, there is not such a very great difference between the vote cast for the Opposition and the vote cast for the Government. Certain figures have been quoted here to show that the votes cast for candidates who are opposed to the policy of the present Government, exceed by some 200,000 those cast in favour of the candidates supporting that policy. But let us assume for a moment that the figures usually quoted as votes cast for Conservative candidates and for Liberal candidates are correct, and we find that out of every hundred, a little less than forty-nine voted for the Opposition candidates and fifty-one for the Government candidates. Is it not quite possible that if you take 100 men and ask for their opinion that the forty-nine of them are as likely to be right as the fifty-one? We know that to be so. When a government undertakes to say that no responsibility rests upon an opposition, and that they have no rights in matters of this kind, they ignore existing facts and take too much upon themselves. It must be remembered that an opposition have rights, and that when a position is taken such as has been taken by the present Opposition in the recent discussion, the Opposition assumes the responsibility for their action, and they should be given much more consideration than the present Opposition have been given in this matter. As I have said, the action of the present Government is a new departure. Former governments have adopted one or other of three alternatives in situations of this kind. Either they have agreed to a general election or compromised the matter in dispute, or they have dropped the question which was objected to. I would say that there is still another course which at present is very popular in the country, though not so popular with the majority of the members of this House, and it is a course which should receive some consideration. That is the suggestion made by the leading newspaper supporting the present Government in the city, that the question should be referred directly to the people to allow them to pass their opinion upon it. I know that serious objections are taken to that plan, but under the circumstances I think the Government would be well advised to seriously consider the advice given by their leading newspaper supporter in this city. When we consider the argument and the figures adduced by the hon. member for Shefford (Mr. Boivin) when we consider that over 200,000 more people have voted against the proposition of the Government than for it, so far as the figures are on record, the Government should take action to get the view of the people before they undertake the responsibility of spending this vast sum of money. The present Government are determined that they will not go to the country. That is one question on which they are unshakable. That does not appeal to them at all. Then, I would like them to consider the fourth alternative, that of asking a vote of the people on the question. After all, who has a better right to decide as to whether or not this vast sum shall be expended than the people who pay the money? The principle is not a new one; it has been adopted pretty generally in municipal matters by provincial legislatures. In Saskatchewan, and most of the other provinces, as far as I know, when a municipality wants to give a bonus, or to expend any unusual sum of money, the matter has to be submitted to the people. A municipal council is not allowed to expend that money or to grant a bonus until the people have by a two-thirds vote expressed themselves in favour of such expenditure. No hon. member of this House will undertake to say that this principle in municipal matters has not worked satisfactorily. It has given universal satisfaction and if the principle has given universal satisfaction in one sphere is it not a good idea to apply it in another sphere? I think we might call this proposed vote a subsidy or a bonus, but if hon. gentlemen opposite

do not like that term, we must all admit that it is a very great and unusual expenditure. We might safely apply the same principle that we have applied in municipal matters and let the people say whether or not this money shall be expended and, if so, how it shall be expended. After all, the people have to pay this money and I see no reason why they should not be able to say whether or not the money shall be expended and, if it is to be expended, I see no reason why they should not be allowed to say how it shall be expended.

On motion of Mr. Kay, the debate was adjourned.

On motion of Mr. White, House adjourned at 11.20 p.m.

HOUSE OF COMMONS.

THURSDAY, April 17, 1913.

The SPEAKER took the Chair at three o'clock.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

SOREL WORKSHOPS.

Mr. CARDIN:

1. Was Mr. W. S. Jackson, the present superintendent of the Government workshops at Sorel, before his appointment to this position, charged, whether alone or with other persons, to make an inquiry or any investigation of the workshops of Sorel and the work done there?
2. If so, on what date was he appointed to this duty?
3. Has he made a written report?
4. Does this report suggest the dismissal of some officials of the workshops? If so, what ones?

Mr. HAZEN:

1. Yes.
2. 11th March, 1912.
3. Yes.
4. The report does not recommend the dismissal of any particular officer, but suggests a reduction of the staff.

MAIL BAG LOCKS.

*Mr. LAFORTUNE:

1. Did the Postmaster General have an interview during the week ending April the 12th with Edouard Lapointe, of Quebec, concerning the purchase on behalf of the Post Office Department of a certain invention for the improvement of the old padlocks for mail bags?
2. Has this invention been secured?

Mr. PELLETIER: No.

*Mr. MARTIN (St. Mary's, Montreal):

1. What does the Post Office Department intend to do with the old padlocks for mail bags?
2. Will they be sold at auction?

Mr. PELLETIER: This matter will be considered in due course.

*Mr. McCRANEY:

Have new padlocks for mail bags been sent to any of the Western postal divisions? If so, where?

Mr. PELLETIER: It has been repeatedly stated that none of the new locks have as yet been supplied.

*Mr. DEVLIN:

How many new padlocks for mail bags will be allotted to the county of Wright for mail service?

Mr. PELLETIER: This matter will be duly considered.

LES EBOULEMENTS MAIL SERVICE.

*Mr. LEMIEUX:

1. Is the Government aware that on the 27th September 1912, a mail contract was awarded, after tenders had been called, to Edmond Tremblay of Les Eboulements, county of Charlevoix?
2. Why has this contract been annulled by letter of March 1913?

Mr. PELLETIER: It is not true that tenders were invited for this service. The temporary agreement of Edmond Tremblay for the summer service between Les Eboulements and Wharf at fifty-five cents per trip expired with the close of navigation, 1912. A renewal of this agreement was authorized, but as it was terminable; at the pleasure of the Postmaster General a new agreement has been authorized with Treffle Tremblay at the same price.

PRINCE EDWARD ISLAND MAILS.

Mr. HUGHES (Kings, P.E.I.):

1. How many tenders have been received by the Postmaster General for the conveyance of the mails from Lorne Valley post office, Prince Edward Island, to the railway station at 48 Road?
2. What are the names of the tenderers, the amount of each tender, and which tender has been accepted?

Mr. PELLETIER: Tenders for this service were due at the department on the 11th April, 1913. They have not yet been considered.

RURAL MAIL BOXES.

*Mr. RAINVILLE:

1. When and how were the hundred and ten thousand boxes for the rural mail paid for, which were purchased by the preceding Government without tender?
2. Was there in 1911 a greater number of boxes purchased than were required?

3. Did the present Government succeed in obtaining a reduction on the price of these boxes, and has it consequently paid a lower price than that agreed to by the preceding Government?

4. Was a certain number of these boxes paid for during the election period of 1911? If so, how many boxes and what amount?

Mr. PELLETIER:

1. Date of Payment.	Number of Boxes.	Amount Paid.
January 28, 1909.. ..	6,000	$ 18,000
February 1, 1910.. ..	4,000	12,000
July 4, 1911..	20,000	60,000
August 2, 1911..	10,000	30,000
September 1, 1911.. ..	10,000	30,000
September 20, 1911. ..	10,000	30,000
June 17, 1912..	50,000	135,000

2. Up to 31st December, 1911, only 18,846 of those boxes had been used. The rest of this question is answered by number 1.

3. Yes. A reduction of ten per cent on the price of the last 50,000 boxes was obtained; the manufacturers receiving $135,000 instead of $150,000, as agreed upon by the preceding Government.

4. Date of Payment.	Number of Boxes.	Amount Paid.
July 4, 1911..	20,000	$60,000
August 2, 1911..	10,000	30,000
September 1, 1911.. ..	10,000	30,000
September 20, 1911. ..	10,000	30,000
Total..		$150,000

PICTON POSTMASTER.

Mr. GERMAN:

1. For what reason was Mr. W. V. Pettit, postmaster of Picton, county of Prince Edward, dismissed from his office?

2. Were charges made against Mr. Pettit? If so, what was the nature of such charges, and by whom were they made?

3. Was any investigation held? If so, what was the nature of the investigation?

Mr. PELLETIER: The postmaster was dismissed for political partisanship, by direction of the Postmaster General. The facts were sufficiently known to render it unnecessary to go to the expense of an investigation.

NATIONAL TRANSCONTINETAL RAILWAY—EMPLOYMENT OF M. BALKAM, C.E.

*Mr. GRAHAM:

1. Is Mr. Balkam, engineer of district 'C' and 'D,' eastern division Transcontinental railway, still in the employ of the Government?

2. If not, at what date did he cease to be so employed?

3. Did he resign, or was he dismissed?

4. In either case, what were the reasons assigned for the action taken?

Mr. RAINVILLE.

Mr. COCHRANE:

1. Yes.

2. His services will end on the 30th April, 1913.

3. The amount of work still remaining to be done on districts 'D' and 'E' does no longer justify retaining two district engineers, upon the advice of the chief engineer of the Transcontinental Railway Commission, Mr. T. S. Armstrong, district engineer of district 'E' will cover both districts.

4. Answered by number 3.

SUPREME COURT REGISTRAR.

On motion of Hon. C. J. Doherty (Minister of Justice) it was ordered that the House do to-morrow go into committee to consider the following proposed resolution:

Resolved, that it is expedient to provide that the registrar of the Supreme Court of Canada shall be paid an annual salary of five thousand dollars.

PRINCE ALBERT HOMESTEAD ENTRY —PROPOSED CENSURE.

On the motion for Committee of Supply:

Hon. FRANK OLIVER (Edmonton): I desire to move, seconded by Mr. Martin (Regina):

That all the words after 'that' be struck out, and the following be added thereto :

That the homestead entry for the north half of southwest quarter of section 8, township 49, range 26, west of the 2nd meridian, was granted to Arthur Donaldson on April 16, 1912, in violation of the rules and practice of the Department of the Interior, and contrary to the public interest;

That the Hon. Robert Rogers, a member of this House, having been at the time the said entry was granted Minister of the Interior, is responsible therefor, and that the granting of such entry is deserving of the censure of this House.

The matter alluded to was brought to the attention of the House on the 14th of February last by the hon. Minister of Public Works (Mr. Rogers) as a question of privilege. It relates to the administration of the Department of the Interior, of which department my hon. friend was in charge at the time the homestead entry in question was granted. At the time my hon. friend made his statement, he evidently considered that the matter was one of very serious importance, because he took the opportunity of placing it before the House as a matter of privilege, under circumstances which, under the rules of the House, debarred discussion. My hon. friend took occasion at the same time to criticise the administration of the department when it was under my charge. I think the House will agree that I have not been unduly critical of the work of the Department of the Interior under the present administration. It may be thought

that I have been, perhaps, somewhat derelict in my duty in not giving to the matter greater attention, and in not being more critical in my attitude towards the department; but my view was that the new Administration was entitled to a fair opportunity to work out any change of policy it might have in mind, and that the proper time to offer criticism of the department would be when the results of the Administration were in evidence. The hon. minister was not satisfied with that condition. Having control of the administration and records of the department, he saw fit to take advantage of an opportunity to make a public attack upon my administration at a time when I was not in a position to reply. My attention was drawn to the case under consideration; naturally I made some study of the circumstances surrounding it; and it is my duty to-day to place before the House the information I have secured and the conclusions at which I have arrived.

My hon. friend, I say, did me the honour, in his defence, to indicate that in the course he or his department had followed, he had taken his example from myself, that is to say, that the action complained of had been taken by the department under his administration, because like action had been taken in like circumstances by the same department under my administration. There is no question as to the facts; they are admitted; my hon. friend, in his statement, did not deny the allegation that appeared in the paper to which he referred; the facts being: that a piece of land of some seventy-three acres, located within the corporate limits of the city of Prince Albert, had been granted as a homestead on the 10th of April, 1912, to one Arthur Donaldson, of Prince Albert; that the land had been under reservation; that public notice had not been given of the removal of the reservation; that the land that became the property of Arthur Donaldson was worth a large amount of money, estimated at $100,000. In other words, it was frankly admitted by the hon. minister that, as he claimed, in the ordinary course of the administration of his department, property of this Dominion of Canada of the value of $100,000 had been presented to a citizen of Prince Albert who happened to be politically a friend of my hon. friend, and not only a political friend but an important personage in the political party of which my hon. friend is the present manager. In order that there may be no question as to the present value of this property, I may say that I have just been handed a telegram which is as follows:

Donaldson homestead put on market as Howard Place subdivision at values aggregating $374,000.

Now, when my hon. friend wants to convey to this House and the country the idea that the system of administering the Department of the Interior, when I had the honour to be its head, contemplated or admitted a business transaction of that kind in the name of the people of Canada, it is necessary for me to come forward with some explanation; and certainly I claim to have been thoroughly justified in the efforts I made yesterday to bring the matter to the attention of the House. My hon. friend has based his assertion of precedent for his action upon the disposition made of the adjoining quarter section under my administration. His words were:

If Mr. Donaldson owes a debt of gratitude to any person for getting an entry for this particular eighty acres, he owes it to my hon. friend the member for Edmonton, because the agent of Dominion lands in Prince Albert followed his ruling to give his friend the very adjoining quarter section a few years before. That rule is standing on his books in his office, and he followed it in this case.

This statement is so specific, so definite, the accusation is so strong, that I think I may fairly be justified in asking the House to listen to me while I show that the statement is not founded on fact. First of all, let me point out the change in condition in our western country in the years since 1908, or in the years between 1908 and 1912. The change in values of certain properties is so great that the comparison my hon. friend attempts to make simply does not hold. Those who have any knowledge of conditions as they are know that there are to-day millions, and many millions, of dollars worth of what is called suburban or subdivision property which in 1908 had only farm land value, and therefore the act of administration which treats subdivision or suburban property as land having only farm land value was treated in 1908 is on the face of it absolutely wrong, absolutely unjustified. If the statement went no further, my hon. friend has condemned his own administration. But he went on to give the House some details in regard to my administration of this adjoining quarter section; and, in order that there may be full knowledge of this matter, before I close, I think I shall be able to demonstrate to the House that the country has an intimate interest in this matter entirely above and beyond any matter of difference of opinion between my hon. friend and myself. This land was under reservation as a forest reserve—and here let me draw attention to an inaccuracy in the statement made by my hon. friend on the 14th of February, when, in dealing with this matter, he said:

A few years ago when my hon. friend from Edmonton (Mr. Oliver) was Minister of the Interior, he undertook to lay out a forest

reserve in that portion of the territory north of the town of Prince Albert.

Now, the fact was that this land was declared a forest reserve in the year 1895, as shown by the return brought down and which I have under my hand. Correspondence began in regard to on the 2nd of August, 1894, and on the 8th of November, 1895, the assistant secretary of the Department of the Interior notified the Crown timber agent in the following words:

There is no objection to the tract shown on the plan being reserved as a forest reservation, and you may make a note in your records that no disposition is to be made of any land within the tract without consulting this department.

Therefore my hon. friend, having the records, with no access to them by myself and no opportunity on my part to question the statement which he made, practically opened his attack upon myself by a statement that was not correct, as is shown by the records.

To follow the history of this forest reserve, it remained under that original reservation. On November 2, 1906, the Crown timber agent at Prince Albert, R. S. Cook, stated that sections 7 and 8, the two sections that are under consideration in connection with this matter, as well as sections 11 and 12, were fairly suitable for agricultural purposes and might be withdrawn from the forest reserve. On October 23, 1907, Cook recommended in the new boundaries the exclusion of section 7 and the undisposed of portion of section 8. On November 25, 1907, the agent in charge of the forestry branch of the Department of Interior recommended the establishment of a statutory reserve according to the boundaries suggested by agent Cook. In March, 1909, Mr. Campbell is on record in the file brought down as stating that the reserve was set apart in 1895; that it has since been continued as a reserve with some exceptions, and that it was not then under the Forest Reserve Act but was still a forest reserve, that is to say, the original reservation had not been withdrawn, although it had not been brought under the Forest Reserve Act. He says:

The southern tier of sections might be withdrawn and disposal made of them as might be considered best, but not in large areas as they are close to the city of Prince Albert.

So far as the records show, the reservation was never withdrawn from these lands as a whole; but from time to time, as portions were disposed of, the reservation was withdrawn for the purpose of making the disposition. I find on the files a letter of January 27, 1910, from Mr. Campbell of the forestry branch to Mayor Holmes of Prince Albert, in which letter Mr. Campbell says that these lands had been withdrawn from reservation. There is no evidence, however, of that withdrawal in any of the files which have been brought down.

On July 19, 1911, a statutory reservation was created which did not include sections 7 and 8. The reason I make the statement in regard to the existence and continuance of this reservation is because my hon. friend (Mr. Rogers) in his statement to the House saw fit to say:

The fact is that in the statement showing the number of sections that had been disposed of by the Administration, by some oversight this eighty acres had been left out; and some Tory to-day has had the good fortune to get that land under the rule as laid down by the hon. gentleman opposite.

What I desire to establish is that this land was placed under reservation, not by myself, not by the Liberal Government at all, but by the Government of 1895; and that, so far as the records show, the reservation placed upon this land in 1895 has not been withdrawn at the time when Mr. Arthur Donaldson received homestead entry for the land. At any rate, it is plain that the land had been under reservation; it is plain from the statement of the chief clerk of the forestry branch that it was under reservation in 1909. There is further evidence in the files that have been brought down that as a matter of fact it was under reservation from the public at large until Mr. S. J. Donaldson, M.L.A., for Shelbrooke, the adjoining constituency to Prince Albert, decided to secure possession of it by locating half-breed scrip upon it. I find further evidence in the files brought down by the acting Minister of the Interior (Mr. Crothers) in response to my request. There is a memorandum on the file addressed by the chief clerk of the patent branch to the commissioner of Dominion lands. The commissioner of Dominion lands had asked the chief clerk of the patents branch if this land for which Mr. S. J. Donaldson had applied to the minister was available for the application of scrip. Mr. Coté replied, after dealing with the particulars of the location and so on:

The north half of the fractional southwest quarter of section 8, however, is vacant in the records of the department, and there would appear to be no objection to the applicant applying scrip thereon provided he is the first applicant and the land is vacant according to the records of the agent of the Dominion Lands at Prince Albert and that land has been posted or advertised in the usual way.

The land was vacant; but, when the chief clerk of the patents branch states in his memorandum that its condition was such as to require notice or advertisement before it was available for entry, that is the evidence that it had been under reservation until approximately that time. There is

further evidence on these files which I deside to give. Here is a letter signed by Mr. John S. Fowlie, of the firm of Romeril, Fowlie and Company, real estate agents, Prince Albert, which reads as follows:

Prince Albert, Sask., Feb. 21, 1913.

I, the undersigned, have never had a personal interview with Hon. Robert Rogers.

From the information I received, however, from the Department of the Interior, as one of the delegation that went to Ottawa with regard to local affairs in January, 1912, I may say that we were assured that there was no land open for homestead entry in the district north of the North Saskatchewan river, now within the limits of the city of Prince Albert.

So that, up to January 1912, the land was clearly under reservation, so far as the public were concerned, and therefore there was no justification for my hon. friend the Minister of Public Works making the statement that he did.

That by some oversight these eighty acres had been left out presumably of the forest reserve.

There was no oversight. The land had not been included in the statutory forest reserve. The reservation which had been placed upon it in 1895 had never been withdrawn, and according to the evidence of Mr. Fowlie, the public had been given to understand, as late as January, 1912, that the land was not available for settlement, and that in fact it was still under reservation. My hon. friend the minister was very strong in his assertion that he did not know anything about this transaction with the Donaldsons. Remember that the transaction was with the Donaldsons, father and son. He says:

Let me say further, Mr. Speaker, that I had no knowledge of any kind or description of the entry that was being made.

He says again:

In so far as this half quarter section is concerned, I had no knowledge of any kind whatever of the transaction, as I can prove by the records of the department.

In response to the request made, I have been favoured with some portion of the records of the department, and I find on one of the files brought down the following letter, a copy of which I shall read:

File No. 1,335,979.

In Session at Regina,
February 14, 1912.

Dear Mr. Rogers,—Referring to our conversation at Winnipeg, in regard to the southeast quarter of section 7, township 49, range 26 west 2nd, and ninety acres contained in the southwest quarter of section 8 in the same township and range, as I have the scrip on hand, I would be glad if you would give me the necessary permission to apply it on the above parcels of land. I inclose map showing the land in question.

Yours faithfully,
(Sgd.) S. J. Donaldson.

Honourable R. Rogers,
Minister of the Interior,
Ottawa.

You will observe, Mr. Speaker, that a delegation from Prince Albert visited Ottawa in January, 1912. Mr. Fowlie was a member of that delegation, and I am credibly informed that Mr. Donaldson was also a member. While these gentlemen were here, no doubt, in the interests of the city of Prince Albert, it also occurred to them, no doubt, that they might do a little business on behalf of Fowlie, Donaldson & Company, and on the statement of Mr. Fowlie, they evidently made judicious inquiries in the department as to whether there was something good that might be picked up. So far as Mr. Fowlie is concerned, they were informed that there was not anything there, and they went home with the report, 'nothing doing.' But apparently Mr. Donaldson is no quitter, and having got to the session at Regina, he got his second wind, and wrote direct to the Minister of Public Works, not on behalf of the city of Prince Albert, but on behalf of S. J. Donaldson. I am bound to assume from the statement made by the hon. minister that he never saw this letter, that it was never brought to his attention. I can only say, in view of the circumstances which followed, that his method of conducting the business of the Department of the Interior is certainly worthy of very serious criticism, because we find that this land which had been under reservation from 1895 until February, 1912, at once came into action. The date of the first letter of Donaldson is February 14. On February 27, there is a memorandum on the file from the commissioner of Dominion Lands to the head of the patent branch:

Will you kindly advise me in regard to copy of letter addressed to the minister by S. J. Donaldson?

The chief of the patent branch replied on March 4. They were not losing very much time you will observe, Mr. Speaker, once Mr. Donaldson got into action, and it was on March 4 that Mr. Coté replied to Mr. Greenway in the terms I have mentioned. The matter was no doubt looked up in the department, and in some unaccountable way, so far as the records show, this land, which had been under reservation up to that time, ceased to be under reservation, and Mr. Greenway was informed that it was available. But having been under reservation, it was subject to the regulation of the department calling for ten days' public notice, and Mr. Coté said so in the memorandum that he gave

to Mr. Greenway. On 3rd April Mr. Donaldson was written to by Mr. Cory, the deputy minister. That letter my hon. friend the Minister of Public Works read to the House when he brought this matter up on a question of privilege. I have not been able to find that letter, or a copy of it, on any of the four files which the department have been good enough to place in my hands, but I assume the letter to be authentic, because my hon. friend read it to the House. It is written and signed by W. W. Cory, is addressed to S. J. Donaldson, M.L.A., and reads as follows:

In the absence of the minister, your communication to him in which you make application to apply scrip on the S.E. ¼ of 7 and the S.W. ¼ of 8 in 49-26 west 2nd, has been referred to me for attention.

Legal subdivisions 2, 7 and 8 of the S.E. ¼ of section 7, have been set aside as school lands, while fractional legal subdivision 1 stands as a time sale patented to A. S. Stewart the N. ½ of the fractional S.W. ¼ of section 8, however, is vacant in the records of the department. The agent of Dominion lands has been communicated with and has been asked to advise the department as to the standing in his records of the said last-mentioned parcel. When he is heard from, you will be further communicated with in the matter.

On the 3rd of April Mr. Donaldson was written to by the deputy minister and on the 13th April the assistant secretary of the department wrote in similar terms to the agent of Dominion lands at Prince Albert. He said:

I am directed to request you to advise the department at the earliest possible date of the standing in your records of the north half of fractional southwest quarter of section 8, township 49, range 26, west of the second meridian.

Your obedient servant,
(Sgd.) K. L. Pereira,
Assistant Secretary.

On the 13th April an official inquiry was addressed from the department at Ottawa to the land agent at Prince Albert. The matter had been simmering in the department since the 3rd April when the deputy minister wrote to Mr. Donaldson. It is reasonable to suppose that some echo of the simmerings in the department reached as far as Prince Albert in some way that the files do not show because, on the 16th April, just three days after the official letter left the department here, Mr. Arthur Donaldson, the son of S. J. Donaldson, applied for this land as a homestead and was granted homestead entry. The cost of a homestead entry is ten dollars and that puts the entrant in possession of the land against all the world except the Government of Canada. It imposes certain duties upon the entrant, but these duties can be avoided by the cancellation of the entry and the application of half-breed scrip, in which case the patent can be issued without the requirement as to homestead duties being fulfilled. This action was taken by Mr. Donaldson in due course. Just let me point out the sequence of events. Mr. Donaldson, during a visit to Ottawa, finds that this land is not privately owned. He exercises his pull with the minister by a letter dated the 14th February. Whether the letter ever reached the minister or not, evidently the pull worked and on the 16th April Donaldson's son is the owner of a $100,000 homestead at a total cost of ten dollars in cash. This land is afterwards placed under half-breed scrip. To-day it is offered as a subdivision of the city of Prince Albert and is listed at a price of some $350,000. This is not a business transaction in the interest of the people of Canada and I protest most energetically against being in any way directly or indirectly held responsible for it.

My hon. friend did me the honour to refer to my dealing with an adjoining quarter-section of land in 1908. I shall not weary the House by going into all the details but I will simply state that, while the land was under the original forest reservation, certain parts of sections 7 and 8, were selected by different people as being suitable places for residence. Application was made for homestead entry upon that land. The question of the propriety of keeping the land in the reservation was taken up, considered, discussed, reported upon and it was decided ultimately to place part of it under statutory reservation and that the remainder should not be placed under statutory reservation but that it should be disposed of according to the circumstances of the case as they arose from time to time. At that time the land was of purely farm land value. When it was decided to allow the land to be homesteaded, application was made to homestead and homestead entry was granted. My hon. friend tried to make it appear to the House that I had unduly favoured some particular entrant in regard to that homestead. Let me just briefly give a statement of what occurred. The records show that in August, 1903, J. C. Stewart applied for settlement on this land. On November 14, 1904, Mr. Firmin Bedard applied and on May, 2, 1907, Charles Everett applied. It was decided to release this quarter-section for which application had been made from the reservation after a report had ben made by Charles McGregor, forest ranger, on April 26, 1907. He inspected this section and reported that the land should be made available for settlement. On May 28, Mr. R. S. Cook, land agent, covered Mr. McGregor's report to the secretary of the Department of the Interior and recommended notice to the pub-

lic. On May 30, 1907, he wrote to the department recommending that this land be opened for settlement. On November 25, 1907, Mr. Campbell, of the forestry branch, reported recommending that part of the land be withdrawn and that the reserve be extended in other directions and stated that the reserve was there only by ministerial order. In February, 1908, the secretary of the department wrote to the agent of Dominion Lands as follows:

You are hereby authorized to take the necessary action and grant re-entry to the eligible applicant in accordance with the regulations.

On February 11, 1908, there is a memorandum on file sent by myself to Mr. Greenway authorizing entry to the eligible applicant. On February 14, the assistant commissioner asks the chief clerk of the forestry branch if action has been taken to release this land from the forestry reserve and the chief clerk of the forestry branch replies that the only action necessary is the order of the minister. On March 19, the agent writes that the land is increasing in value and that notice should be posted in accordance with the recent regulations. On March 31, the assistant commissioner inquires regarding the posting of notice for ten days. On March 31 there is a memorandum signed by myself which repeats the instructions of February 4 and on April 4 the secretary of the department instructs the agent of Dominion Lands that the letter of February 4—

—was intended to authorize the granting of free entry to the first eligible applicant in accordance with the regulations, after the receipt by you of the instructions contained in that communication.

Entry was made, and the Minister of the Interior who took occasion to refer to this entry as a justification for the Donaldson entry said:

Although that letter of instructions from Mr. Keyes was sent to the agent at Prince Albert on the 4th of April, 1908, the applicant for the adjoining quarter-section to the section just referred to was granted a homestead entry on the 1st day of April.

That is to say, the minister says that the entry for this homestead was granted before the instructions were issued here. I have looked through the file very carefully and I do not find on the file particulars as to the date of entry by Charles Everett. So that, so far as the minister's statement is concerned, I would be in his hands before the House, and his statement would have to be accepted that there had been impropriety in some way in the granting of that entry similar to the peculiar condition that exists with regard to the Arthur Donaldson entry, but fortunately, Mr. Speaker, I have not been left entirely in the minister's hands because on the file as brought down is Charles Everett's application for patent. It is peculiar of course that it should be possible to have an application for a patent without entry, but that is the condition. I find on the application for patent, amongst the memoranda to which Mr. Everett is compelled to swear before he gets his patent, the following:

Q. When did you obtain homestead entry? A. 11th April, 1908.

That is to say, instructions were issued on the 4th of April that entry should be given according to the regulations and on the 11th of April, according to Charles Everett's affidavit upon which he drew patent, entry was given. I think I have established that the two cases are not parallel.

In regard to this man Everett, he got his entry; he fulfilled his duty; he drew his patent, and so far as the records show there never was any question in regard to his entry from the time he made it until the time he got his patent, either then or since. He made his statutory improvement; he did his statutory residence; and he drew his patent according to the law of the land. I say that the minister has no justification for attempting to draw a parallel between the entry by Charles Everett in 1908 for the northwest quarter of section 8 and the entry by Arthur Donaldson, in April of 1912, for the north half of the southwest quarter of that section. I do not know that it is necessary to point out at any great length the situation of this land, but for the information of hon. members, I may say that it is on the north side of the Saskatchewan river from the city of Prince Albert and as nearly as I can figure it is within less than a mile from the post office of the city of Prince Albert. The idea that land so situated is properly subject to homestead must I think appeal to anyone who considers the matter as absolutely preposterous. In regard to the matter of notice, the minister tried to give the House to understand when he was discussing this Everett homestead, that notice as required by the regulations had not been given. I do not know whether notice was given or not; I cannot tell now, but it is on the records that the instructions given by the officers here were that the entry should be given according to the regulations and if there were regulations requiring ten days' notice, then that order was that these regulations should be observed, and as no complaint was ever made against that entry, I assume, so far as I have ever heard, that the regulations were observed. But in the case of the Donaldson homestead, I do not think it is pretended there was any notice given. I will assume there was not, but allow me to place before the House the evidence that under the well-understood regulations and practice of the department, ten days' public notice was re-

quired. I find in the regulations brought down in answer to an order of the House that in these regulations dated the 1st of February, 1909, the following paragraph occurred:

Lands which have been under reservation for any purpose or have been under a timber berth or under lease, which become available to the first eligible applicant at the counter, must first be posted for at least ten clear days.

That is repeated in the edition of 1st of April, 1909, and is again repeated in the edition of the 1st of February, 1911, and from the evidence I have given from the report of Mr. N. O. Coté of the patents branch, it was still the practice of the department to require such notice at the time Arthur Donaldson got the homestead entry, and so far as we have been yet informed no notice was given.

Mr. LALOR: Was Prince Albert incorporated as a city in the year 1908 or previous to that time?

Mr. OLIVER: I cannot say whether it was incorporated as a city then, but it was incorporated as a town or as a city in 1908. At that time the bridge across the river had not been constructed.

Mr. MORPHY: What would you assume to be the value of the Everett lot to-day, which lot passed through your administration and lies alongside of this lot?

Mr. OLIVER: I cannot form any idea; it is just that much further out from the centre of the city, and, as my hon. friend (Mr. Morphy) is aware, the great value of the Donaldson property might be in that portion which was nearer the city.

Mr. MORPHY: You could get it by another telegram, I suppose.

Mr. OLIVER: No, I cannot.

An hon. MEMBER: That's very clever of the hon. member (Mr. Morphy).

Mr. OLIVER: No, it is not clever at all. I want to say to my hon. friend (Mr. Morphy) that the value of the Everett lot to-day has nothing whatever to do with the case. The question is as to the value of the lot when Everett got entry for it just as the question is with regard to the value of the Donaldson lot when Donaldson got entry for it. We do not pretend when we give a man a homestead for a ten dollar entry fee that we give it with any guarantee that that property will not increase in value. But we did adopt a policy, whereby, when it was demonstrated that land was exceptionally valuable, means were taken first to do what was right as between man and man, and give everybody a fair chance to get the land, and, second, to secure for the Dominion of Canada a fair value for its interest in the land.

Mr. LALOR: The land you gave to Everett was within a mile of the city of Prince Albert?

Mr. OLIVER: Yes.

Mr. LALOR: And probably within a mile of the city hall.

Mr. OLIVER: No; the other land lies between it and the city hall. I want to establish the principle that the value of the land at the time it passes from the control of the Government is the question at issue; not the value that attaches to it afterwards. While the late Government safeguarded the public interest, by means which I will explain in a few moments, they never did anything to prevent and never desired to prevent the man who had secured a homestead entry from getting the full benefit of any legitimate increase in the value of the land. Not only were we desirous of refraining from preventing it, but we were very glad when it occurred, because it was an inducement to settlement generally.

As lands in the West increased in value by reason of the conditions surrounding the different centres of population, under our policy of wiping out reservations wherever that could reasonably be done, and making available the odd-numbered sections and all other lands that could properly be made available to the settler, there naturally became available for disposition lands that had a very considerable value; lands that had been held as water reserves; lands that had been subject to a homestead dispute of some kind; lands to which, for one reason or an other, no private person had a right; and in such cases the Government dealt with those lands in a special manner. We dealt with such lands simply by first giving ten days' notice; then by publishing a notice in the newspapers that certain lands which had been withheld from settlement would become available for that purpose on a certain day. As time went on, as population increased, and as the value of lands went up, we found that whenever these notices were published there was a great rush, in which physical force played a prominent part to secure the lands, and it became necessary to devise some other method of procedure in order to do what was fair by the people. So we established the principle of offering for sale by auction, subject to homestead conditions, lands which were not especially valuable, or which had an intrinsic rather than a speculative value; and, finally, land which came to have a serious speculative value, such at this Donaldson homestead, we thought it wise to transfer to school lands, so that in the first place school

lands being subject to sale only by auction, whoever wanted that land would get it on equal terms with his neighbour, and, in the second place, the provincial treasury would benefit by any increased value that would attach to that particular land. That was the principle upon which we administered lands situated as was this Donaldson homestead. In order to bring that point out very clearly, let me direct the attention of the House to the condition in regard to the adjoining section 7. The land in question is the southwest quarter of section 8; I desire to speak of the southeast quarter of section 7, which immediately adjoins 8, is on the same side of the Saskatchewan river, and was included in the original forest reserve.

Mr. HUGHES (Minister of Militia): Does the southeast quarter adjoin section 8 ?

Mr. OLIVER: The map says so.

Mr. HUGHES: The southwest quarter adjoins 8.

Mr. OLIVER: I am afraid my hon. friend's head is turned. I have here the maps and all necessary information; the records of the department show it to be as I have stated. The Donaldson homestead is on the southwest quarter of section of 8; I now propose to give the House an account of the dealings had by the late Government in respect of the southeast quarter of 7 immediately adjoining. I find from the files that disposition was made of some fifteen acres of the southeast quarter of 7 immediately on the bank of the river by conditional sale on May 6, 1907. A. S. Stewart applied to purchase this fifteen acres for the purpose, as he alleged, of erecting upon it a cold storage warehouse, and a sale of the land was made to Stewart at $3 an acre, conditional upon his erecting such a building upon it. In due course he erected the building, paid his money, and a patent was granted.

Mr. McKAY: Do I understand the hon. gentleman to say that Mr. Stewart paid for the land and erected a cold storage building upon it ?

Mr. OLIVER: Yes.

Mr. McKAY: Does the record show that ?

Mr. OLIVER: That is what the record shows; I have no knowledge of it other than the information supplied by the record.

Mr. BORDEN: How much of the fifteen acres would be occupied by the cold storage building ?

Mr. OLIVER: The figures are on the file; I suppose it would be a building about twenty by thirty feet. The building itself is not of serious importance, but the sale was made subject to that condition; the condition was fulfilled and the sale effected. Any hon. gentleman who was acquainted with conditions in the Northwest during 1907 will recall that subdivision or suburban property did not play a very important part in western real estate matters. At the time this property was disposed of to Stewart on these conditions, the property, so far as I can judge, had no exceptional value. Of course it is very valuable to-day. In regard to the balance of the quarter-section, in 1906, W. T. Hutchinson applied to homestead it. Mr. Hutchinson had a homestead elsewhere. These facts I find in the record—he was a contractor, and had been used to winter his horses on this quarter-section, having established stables, buildings of different kinds, and occupied this quarter-section during a part of a number of years, not as a farm or homestead, but simply as a camping place. He applied for homestead rights. He already had a homestead which he occupied, but he was entitled to a second homestead, and on the ground that his occupation of this land entitled him to prior rights, Hutchinson was given homestead rights for it. This homestead entry was given on the 15th of July, 1909. At once Mr. Hutchinson claimed a patent on the ground that he had already fulfilled the conditions of settlement. His claim was not allowed. The file shows that there was a good deal of correspondence and a number of inspections of the land. Apparently he never went into residence on the land, and not only so, but he moved away from Prince Albert to British Columbia. After considerable correspondence, an application to cancel was entered. Mr. Hutchinson put in a protest; the cancellation was thrown out, and he was given another chance. He did not avail himself of it, and ultimately a special inspection was made by the very well-known friend of my hon. friends opposite, Mr. R. E. A. Leach. It was decided to cancel Mr. Hutchinson's homestead entry for this land. That cancellation took place on the 21st of October, 1910. Mr. Leach reported on the 27th September, 1910, that Mr. Hutchinson's statements when he was applying for the patent were entirely at variance with the facts, that the department was justified in summarily cancelling it, and if cancelled that the property should be transferred to school lands or else sold by auction subject to homestead conditions. On the 29th of November the cancellation was confirmed, and on the 10th of January, 1911, the land was gazetted as school lands.

Thus, this land came back to the Government in 1911. At that time its value had increased; a bridge had been constructed

across the river putting it more in touch with the city of Prince Albert; it had come to have value as sub-division or suburban property. If the late Government had done as the present Government did, it would of course have handed this land out as a homestead to some important party supporter, possibly to the local member for Prince Albert city, so as to try to keep the peace between these two dignitaries, one representing the country surrounding, and the other the city. But that was not done. We had a well defined policy for dealing with such cases, and we dealt with this case in accordance with that policy. We had given the man who had a colourable right to that property opportunity to establish his right and to acquire the property. He did not see fit to take advantage of the opportunity. He left that part of the country and we were compelled to cancel his rights. Having done so, we had then to dispose of the property, and we decided to dispose of it in the way I have stated. The reason why we transferred it to school lands was this: When the country comes to be surveyed, sections 11 and 29 of each township are automatically school lands. But in many cases these lands are occupied by settlers in advance of the survey. In order to protect the settler in his rights, the land he is on is withdrawn from the school lands and he is given the land which if the automatic rule were followed would be school land. The school lands to be given to the province are thus depleted to that extent, but other land is selected to replace the lands given to the settlers. In many cases it is not possible to pick up a quarter-section that has the same value as the quarter upon which the settler has squatted. These quarter-sections are sometimes in the suburbs of the towns, and have abnormal value. But on account of the first occupation of the settler he is given the benefit; and then, in order to balance matters up with the school lands of the province, we thought it was wise, and fair, and reasonable, that where any land fell into the Government's hands, as was the case with this southeast quarter of section 7, these lands should be transferred to school lands; so that, first, there should be no favouritism between citizens who wanted to acquire it, and second that the school funds of the separate provinces should get full benefit of it.

I do not wish to deal with this subject at much greater length. I think I have established that my hon. friend had no warrant for asserting to this House that the administration of the late Government gave him precedent for his action in regard to the Donaldson homestead. I think I have shown that if he had no personal knowledge of the transaction in regard to the Donaldson homestead it was because he was not paying that attention to the duties of his department that the interest of this country require a minister to pay.

I wish, however, before I leave this subject, to draw the attention of the House to the fact, that as shown by the files, if the hon. gentleman did not have personal knowledge of or interest in this transaction, certainly some of the officers of his department took a very lively and active interest that would seem to me to call for action or censure on his part directed against them. I have already shown how quickly action was taken when S. J. Donaldson appeared on the scene; how Arthur Donaldson by some means found that the land was available and got entry for it, and how on behalf of Arthur Donaldson the officers of the department here were making inquiries about it. It would seem to me under these circumstances that the land agent at Prince Albert who granted the entry to Arthur Donaldson was certainly entitled to be reprimanded, or else the officers of the department here were entitled to be reprimanded.

The Donaldson homestead is the north half of the southwest quarter of section 8. The greater part of the south half of that quarter was disposed of to a Mr. Sanderson. In order that my hon. friend will not be led into any mistake in regard to who was responsible for the Sanderson application or for the Sanderson ownership of this land, which was more valuable than the Donaldson land, I gather from the file that Sanderson applied for this land on March 28, 1896, and that on May 7, 1896, the then chief clerk of the patents branch, Mr. Goodeve, reported to the deputy minister, Mr. Burgess, that the land might be sold to Mr. Sanderson. As the general election did not take place until June, it will be observed that the Sanderson transaction, like the establishment of the forest reserve, is on the responsibility of the Government that was in existence before 1896 and not of that after 1896. Of course Sanderson's right accrued after the Liberal Government came into power; and in due course the contract entered into between Sanderson and the late Government was carried out by the Liberal Government and Sanderson became the proprietor of the south half of the southwest quarter of section 8, property that I imagine is very valuable because it lies immediately across the river from the city of Prince Albert, and is very close to the north end of the bridge. I find that Sanderson, having done pretty well in regard to that transaction, after he had got patent for the south half of the quarter, came back on the 4th July, 1906. There is evidence that he had applied for this Donaldson land, because there is a memorandum here of that date addressed to Mr. Greenway, commissioner of Dominion Lands, to the chief clerk of the patents branch,

stating that the land is not available as it is in a forest reserve. He says:

The land applied for, as will be seen by the sketch attached hereto, is the Prince Albert forest reserve and is not therefore at the disposal of the department.

That is the last record on this file regarding the southwest quarter of section 8 until March 4, 1912, until S. J. Donaldson got into action. The land lay there apparently without a record against it during a matter of nearly six years. Once Donaldson came on the scene, it only took six months for him to get patent, or for his son to do so. As to the interest of the department in forwarding Mr. Donaldson's desires, let me give a few references. Mr. Arthur Donaldson got entry on the 16th April, but he never intended to homestead. What he intended to do was to put scrip on the land as his father had intended to do. Arthur Donaldson, I presume, jumped in and got entry for it so that there would be no complications by any other of the many friends of our friends opposite applying for the land. After he had acquired the homestead entry, his next move was to apply half-breed scrip, as he was entitled to do under the regulations. The same energy that was used in dealing with the homestead feature of the land was used in regard to the scrip feature. On the 5th of June, the agent at Prince Albert writes to the secretary of the department as follows:

Herewith I beg to enclose declaration of abandonment executed by Mr. Arthur Donaldson of his homestead entry for the north half of the southwest quarter of section 8, township 49, range 26, west of the 2nd meridian, for the alleged reason that he wishes to obtain authority to place half-breed scrip on this land.

I find on the 17th of June a memorandum from Mr. A. B. Hume, who I understand is of the minister's office, addressed to the deputy minister, in which he says:

On the 16th April last, Arthur Donaldson made homestead entry for the north half of the southwest quarter of section 8, township 49, range 26, west 2nd meridian, and on the 5th instant he executed a declaration of abandonment with a request that he be allowed to locate half-breed scrip on the land; and if he is not permitted to do so, he does not wish the abandonment to take effect. This application is submitted through you for the consideration of the minister.

You will observe that the official letter from the agent of Dominion Lands, notifying the secretary of the department that Donaldson wished to abandon in order to place half-breed scrip, does not convey the information that if he is not permitted to do so he does not wish the abandonment to take effect. That information reached the department by some other channel which is not made evident on the file. I notice on the corner a memorandum:

'Held for minister.'

I next notice a memorandum of June 25. This is from the deputy minister addressed to the chief clerk of the patents branch, and says:

Kindly note that Mr. Arthur Donaldson may be permitted to abandon his entry for the north half of fractional southwest quarter of section 8, township 49 (remainder of description not given), and that he be allowed to locate scrip thereon.

I imagine that the officers of the department could not bring themselves to believe that homestead entry had been granted for this particular land and that it must have been in some other township and range. It goes on:

If you are unable to locate this land from the information given, a correct description may be secured from Mr. Donaldson's father, Mr. S. J. Donaldson of Prince Albert, Saskatchewan.

There is a pencil note on the corner.

Wire S. J. Donaldson for complete description and allow request. G. F. B.

I am given to understand that these are the initials of Mr. George F. Buskeard, who at that time was private secretary of my hon. friend the Minister of Public Works. I find a memorandum to Mr. Cory the deputy minister, dated July 26, 1912, as follows:

Arthur Donaldson has asked to be allowed to place scrip on the N. ½ of the fractional S.W. ½ of 8-49. It has been decided to grant his request.

Will you kindly have thee matter put through the department without further delay?

(Sgd.) G. F. B.

Later on, Mr. Speaker, application was made by, or on behalf of Donaldson, for an extension of time for the location of his scrip. At least I presume that an application was made, because I find the following memorandum dated 16th September, 1912, addressed to Mr. Cory:

Arthur Donaldson was recently given time to place scrip on his homestead N. ½ of the fractional S. W. 8-49-26, W. of the 2nd meridian.

Kindly extend this for a further period of three months.

(Sgd.) G. F. B.

Notice of this was sent to Mr. Donaldson on 21st September. It appeared however, that the contingency which Mr. Donaldson had feared did not occur. No doubt he had feared that he was not going to be able to locate the half-breed from whom he had bought the scrip, so that the half-breed could locate, that being the routine required. But apparently he was more successful than he had hoped to be, because I find that on the 17th September, Mr. J.

McMillan, Prince Albert, forwarded to the department a memorandum as follows:

I am inclosing herewith receipt for half-breed scrip located on the above lands, also assignment from Albert St. Denis to Arthur Donadson, abstract of title and certificate as to execution against St. Denis. Kindly have patent issued as soon as possible and advise me when same is forwarded to the registrar here and oblige.

In due course on 3rd October, McMillan was notified that a registration fee would have to be sent. It was sent in due course, and a patent was issued to Mr. Donaldson on the 19th November, 1912. That is to say, on the 16th April, Mr. Donaldson got entry for this homestead, and on the 19th of November, he got patent for it, closing out the transaction.

Now, Mr. Speaker, I have no interest in this matter beyond establishing in the first place, the facts of the case, and in the next place, establishing from those facts that my hon. friend had no warrant for claiming that the policy or the late Administration or my own personal action gave him any precedent for the course he has taken, and that he was not justified in making the statements he made in the House, either in general or in detail.

But there is another feature of the case which I want to bring to the attention of the House, and which I think of very serious importance. It is in regard to the southeast quarter of section 7, the land which came into the hands of the department, or of the Government, after the rights of Hutchinson had been disposed of. I have told the House that this land was gazetted as school land. It was attached to the school fund. It was placed in a position where it could not be acquired by any private individual under our Act except by auction sale, under the terms of the School Lands Act. When sold the value received must go to the School Lands Fund, or in other words, to the benefit of the province of Saskatchewan. That, I contend, was the course which should have been followed in regard to the Donaldson homestead, if my hon. friend had regard to the precedent and the policy of the department under the previous Administration. The urgency that I felt in bringing this matter to the attention of the House, was not so much in regard to my own position, or that I wished to place the facts of the Donaldson matter before the House, as that I found from reference to the files that my hon. friends, having done so well in the case of the north half of the southwest quarter of section 8, proposed, as the record would indicate, to repeat the operation in regard to the southeast quarter of section 7. They are in the position of a man who having stolen a mill came back after the dam. The southeast quarter of section 7 has been placed in the school lands fund, but my hon. friend proposes to take it out of the school lands fund, and what is he going to do with it? He is going to put it through the same course I presume as the Donaldson homestead, to hang it up, with the label, 'for a good boy,' and whichever of his friends in the province of Saskatchewan can show him the best results in downing the Scott Government will no doubt have the best chance of obtaining this plum, as you might term it. I have already told you, Mr. Speaker, that the land was gazetted as school land early in 1911 under the late Administration. You will remember that the election took place on the 21st September, 1911. Our hon. friends had got nicely into office. The southeast quarter of section 7 had been receiving attention. I find a letter dated December 11, 1911, on behalf of J. F. McKenzie who applies for homestead entry. My hon. friend from Prince Albert (Mr. McKay) writes on behalf of Mr. McKenzie. He is informed that the land has been transferred to school lands. The matter rested there. You will observe that at that time the Donaldson homestead episode had not taken place. Inquiry was made regarding the section, in December, 1911. Donaldson began to get active in February, 1912, and by March of 1912 it was satisfactorily settled that he was going to get his patent. Then we find on the file a memorandum from Mr. Greenway, the commissioner of Dominion Lands, to Mr. Hume of the minister's office. On October 11, 1912, I find that Mr. Greenway wants a statement of the facts regarding the Hutchinson homestead. It is peculiar that the commissioner of Dominion Lands should take such a special interest in this particular piece of land which had passed out of his jurisdiction and was under the separate control of the school lands branch. However we find the record there. Mr. Greenway had had an inspiration, I presume; at any rate the inquiry is here. He wants 'a statement of the facts re Hutchinson homestead.' Then, on October 14, we have a memorandum from Hume to Greenway with an endorsation by G. F. B.—'Have agent authorized to hold investigation as to duties performed by Hutchinson.' On October 18, Mr. Cory, the deputy minister, orders Mr. Greenway to have an investigation made by the agent of Dominion Lands and there is an endorsation by Mr. Greenway to Mr. Hume to prepare memorandum to council. On October 19 the memorandum of the minister is dated and on November 12, an Order in Council is passed providing for an investigation of the rights of Mr. Hutchinson to this piece of property which had been transferred to the school lands. On the 19th the Donaldson patent was isssued and the Order in Council to go into the Hutchinson matter is dated November 12, but no doubt it was

well understood in the department that Donaldson was going to get his patent and that the time was ripe for opening up the question of Hutchinson in regard to the southeast quarter of section 7. The Order in Council is dated November 12 and on the same date the instructions of the assistant secretary were sent to the agent. On November 19 they were acknowledged by the agent and on February 8, 1913, the assistant secretary wrote the agent reminding him of the investigation. The file does not disclose anything further. I think this is the important part of what I have desired to place before the House—that, having so dealt with one piece of land within the city of Prince Albert, land that was unquestionably the property of the people of this country, they undertook to go into the question of the propriety of the southeast quarter of 7 being placed in the school lands and, may I be permitted, Mr. Speaker, to think not for the purpose of permitting Mr. Hutchinson to get the benefit of the value of that land. I think that the transactions that I have placed before the House so far would indicate that Hutchinson, living in British Columbia, would stand a very poor chance of getting the value out of that homestead as the result of the investigation that is now being held.

What, I ask you, Mr. Speaker, is to be the position of this Government in regard to matter such as this? Here is a concrete case, brought before the House by the minister himself, not now the minister, it is true, but still a member of the Government, in which he justifies what was done by a precedent that does not apply and makes no suggestion as to any other course that the Government propose to follow. I ask you, are we not compelled to assume that when he made that statement to the House he was deliberately holding out to his followers in the West and throughout this country that there were prizes to be had—magnificent prizes—in consideration of satisfactory political services?

Mr. BRADBURY: There were not many prizes left.

Mr. OLIVER: My hon. friend (Mr. Bradbury) says there were not many prizes left.

Mr. BRADBURY: Not many.

Mr. OLIVER: Well, it does not need many at $100,000 apiece; a few will do. Is it because there were not many that our friends were going to put section 7 through the same process as that which they had already put section 8 through? This is a matter of the most serious importance. We have seen the Government party in this House abdicating their functions as legislators day after day, week after week, month after month—at whose bidding and for what consideration? There has been established in this country a condition that gives reason for alarm. If the property of Canada can be, and is to be, used without regard to precedent, to rule, to law, for the purpose of advantaging party friends, it is desirable that we should know it and realize what such a condition means, not only in money, but in direct control of the public affairs of the Dominion in all its parts.

If the minister had suggested that what had occurred was a mistake or an error on his part or on the part of his department; but he did not. He boasts of it; a good Tory had got this land that the Liberals had left lying around loose; the logic being that if there was anything else lying around loose some other good Tory could get it.

Mr. CARVELL: If it was not loose they would cut the string.

Mr OLIVER: As they propose to do in the case of the Hutchinson homestead.

Mr. MUNSON: There was nothing left when you got out of office.

Mr. LALOR: They overlooked this chunk.

Mr. OLIVER: There is no doubt, Mr. Speaker, we did overlook this chunk.

Some hon. MEMBERS: Hear, hear.

Mr. OLIVER: We overlooked it so far as dealing with it was concerned. If we did not overlook it we would have dealt with it as we did with section 7, but apparently it would not have made any difference what we did with it, when these gentlemen came into office. Precedent is good so long as they think they can use it for their own purpose, but when it does not suit them then precedent is not any good at all, as is the case of the Hutchinson homestead; precedent only works one way for our friends on the other side. I do not wish to detain the House unduly, Mr. Speaker. The minister has seen fit to bring this matter to the attention of the House and to place it in a light that the circumstances do not justify. I have taken the earliest opportunity I could get to place it before the House according to the facts and to let the House and the country understand just how far the Minister of the Interior was justified in the action he took; how far he was justified in the argument he made, and how far he is justified in the policy he boasts of pursuing.

Hon. ROBERT ROGERS (Minister of Public Works): Mr. Speaker, for some time past I have been the recipient of

very considerable attention in this House at the hands of hon. gentlemen opposite, and, Mr. Speaker, I have also been the subject of a very considerable amount of attention at the hands of friends of hon. gentlemen opposite outside of this House. I have also been made the subject of much abuse in the Liberal press of different parts of Canada. Indeed, I may say that probably very few men in the public life of this Dominion have had such falsification and misrepresentation heaped upon them by the reptile press of the Liberal party as I. And not only have I been slandered in the Liberal press, but I have been subjected to misrepresentation and falsification by a bureau of information that has been established in the city of Ottawa to circulate party literature throughout the Dominion, and which is run under the authority of the right hon. gentleman who leads the Opposition. Notwithstanding all this, I think my strongest political opponent will at least do me the tardy justice of acknowledging that I have not offered very much complaint either in this House or outside of it. But, Sir, I am no more than human, and when things reach such a pass that if an old horse drops dead on Sparks street, it is sufficient cause for the Ottawa Free Press or the Toronto Globe to have columns the day following, stating that I was responsible to the owner of the horse for his untimely demise. I say, Sir, that when one is met with such a condition as this I may be pardoned if I feel that decent and fair treatment, which I claim to have at all times and upon all occasions extended to hon. gentlemen opposite, and I challenge any one of them now to deny this. Under such conditions, Sir, I am led to think that further forbearance on my part would cease to be a virtue. I stand here to-day as a member of this House, representing, I think I may fairly claim, one of the largest and one of the most influential constituencies within the borders of Canada. I have respect for my constituents and for myself, and I stand prepared here to-day, or on any future occasion, to face hon. gentlemen opposite or their friends outside this House, or their press in any part of the Dominion, and to challenge criticism of my official administration of the public domain, which has been entrusted to me by the right hon. the leader of the Government.

I must at once acknowledge that I am indebted to my hon. friend from Edmonton (Mr. Oliver) for having brought this motion before the House, thereby giving me an opportunity which I am glad to take advantage of. I was sorry yesterday that the rules of the House prevented my hon. friend from going on, because I was as ready then as I am now to meet the arguments he has advanced. Let me say at once, Mr. Speaker, in respect to this matter which the hon. member has discussed at such great length to-day, that I repeat that which I stated in my place on the 14th of February last: that I had no knowledge of the circumstances under which this case arose, that I had no knowledge of the conditions surrounding it, and that I have not the slightest recollection of having had any knowledge whatever of the matter.

My hon. friend spoke of a deputation which came from Prince Albert some time in the early part of the winter, and of a question asked by Mr. Fowlie as to whether or not there was any land in or adjoining Prince Albert available for homestead entry. If I were asked this question, I would naturally say that there was in that locality no land available for homestead entry. That would be a proper answer, and was undoubtedly the answer I would have given in such a case. My hon. friend went on to say a great deal about the conditions surrounding this special piece of land, but the facts are as I stated them on a former occasion. Mr. Donaldson was able to secure entry for that piece of land not because I was following any precedent established by my predecessor, but because the former Minister of the Interior had laid down in the land office in the city of Prince Albert a rule which the agent followed, under which Mr. Donaldson obtained entry for the land in question, and of which I had no knowledge whatever. My hon. friend has dealt with the manner in which he disposed of the adjoining quarter section. He has gone into that at some considerable length, but he has not told the whole story. Let me make it clear to hon. gentlemen of this House that the reason why my hon. friend was responsible for this condition of affairs, and why Mr. Donaldson is indebted to him for having been able to secure this entry, was because of the precedent the hon. member for Edmonton himself as Minister of the Interior established in the land office. My hon. friend talks about the rules and regulations governing these conditions; why did his rules and regulations not apply as against his friend when he obtained entry for the adjoining quarter section? What are the facts? On the 11th of February, 1908, this memorandum was sent to Mr. Greenway:

Kindly have the necessary action taken to grant entry to the eligible applicant for the N. W. ¼ of 8, 49, 26, W. 2, (Signed) Frank Oliver.

The following was issued on February 14, 1908:

Re your memorandum of the 25th of November last, below.

If this land is in the forest reserve, I presume you will require to take action before the agent is instructed in accordance with the minister's memorandum of the 11th instant.

This is a letter from Mr. Keyes, dated the 4th of February, 1908:

I beg to inform you that it has been decided to make available for homestead entry the northwest ¼ of section 8, township 49, range 23, west of 2nd meridian, and you are hereby authorized to take the necessary action and grant re-entry to the eligible applicant in accordance with the regulations.

This is a letter dated Prince Albert, 19th March, 1908, from the land agent to the secretary of the Department of the Interior, Ottawa:

I beg to acknowledge the receipt of your letter of the 4th ultimo, Ref. 811135, received here on the 10th instant, advising me that it has been decided to make available for homestead entry the northwest ¼ of section 8, township 49, range 26, west of 2nd meridian, and authorizing me to take the necessary action and grant re-entry to the eligible applicant in accordance with the regulations, and I have to ask if it is your intention that any notice should be taken of the applications on file either in this office or in your department (see your letter of 20th May, 1907). This case has been pending for some considerable time past and it is not altogether clear to me from the wording of your letter, whether it is your intention to recognize the applications now on file or dispose of this land in accordance with the recent regulations by posting it on the list kept in this office for a period of ten days and then disposing of it to the first eligible applicant applying in person therefor. My reason for referring this back to you is on account of the situation of the land and the fact that a bridge is now building across the river which will make this land valuable in the very near future and as a consequence I would like to be perfectly clear as to what action you desire taken. I enclose a sketch for your information.

Your obedient servant,
R. S. Cook,
Agent Dominion Lands.

Mr. Fitzroy Dixon addressed this memorandum to Mr. Maber, my predecessor's secretary:

Please read minister's instructions dated 11th February, 1908.

In view of the special value of the land affected, I think it would be well to submit for consideration the agent's letter of the 19th instant.

The point is whether the land should be thrown open to the first eligible applicant after having been posted for ten days under recent regulations, or whether there is a particular eligible applicant who should receive the entry.

To which Mr. Dixon received the following reply:

Re N. W. 8, 49, 26, W. 2.

Referring to the instructions to the agent dated 4th February, advise the agent that the entry should have been given to the first eligible applicant for the same after the receipt of the instructions. He will therefore grant the entry to the first eligible applicant who applied to him for the same after the receipt of the instructions.

Frank Oliver.

I would like to ask my hon. friend how he can harmonize that action with his statement to-day that everybody got an equal chance and fairplay under his administration? The agent at Prince Albert called the attention of the minister to the fact that prior applications had been placed upon the file, and when Mr. Fitzroy Dixon asked the minister if he had a particular eligible applicant who should receive the entry, my hon. friend evidently did have a special and particular applicant, for the records go to show that the entry went to a man by the name of Everett, who was a labourer in the town of Prince Albert, a brother-in-law of the homestead inspector, and the Liberal organizer of that district. Mr. Everett got the homestead because of his relationship to a friend of the Liberal party, and I understand he was able to sell the property a short time afterwards for $100,000, and to divide the proceeds with his friend Gladstone. It is evident that any action based upon the statement that the first eligible applicant was to secure the homestead entry was a violation of what my hon. friend refers to as his rule and regulation. I have before me a copy of those rules and regulations, which state that in the case of the proposed disposition of lands formerly reserved or immediately available, it will be necessary to post up a notice to the effect that such lands will be open for homestead entry at the end of ten days from the date thereof, and to notify the sub-agent. These instructions and regulations, signed by the secretary of the department, were to take effect the 1st day of March.

Mr. OLIVER: Of what year?

Mr. ROGERS: 1908. You will observe, Mr. Speaker, that when instructions were sent to Prince Albert to give this eligible applicant entry for the quarter section to which I have referred, the land agent wrote to the minister directing his attention to this very regulation. He drew attention to the fact that the land was improving in value. But all this was overridden. Mr. Fitzroy Dixon well expressed it—particularly eligible application who should receive the entry, did receive the entry. Here is a letter which has already been read in this House, dated the 3rd of April, and signed by Mr. W. W. Cory, of which my hon. friend complained that he did not have a copy. When I brought this matter to the attention of the House, I had a file or two in connection with it, and if I remember correctly I sent them over to the hon. gentleman and thought that this had gone with the rest.

Mr. OLIVER: I did not get the file for some days afterwards.

Mr. ROGERS: However that is not a matter of any consequence. This letter is addressed to Mr. S. J. Donaldson and is signed by W. W. Cory as follows:

The N. ½ of the fractional S. W. ¼ of section 8, however, is vacant in the records of the department. The agent of Dominion Lands has been communicated with and has been asked to advise the department as to the standing in his records of the said last-mentioned parcel. When he is heard from, you will be further communicated with in the matter.

Now, as I understand it upon inquiry, Mr. Donaldson got that letter about this fractional piece of land stating that it was vacant in the records of the department. He went to the land agent in Prince Albert and found the same condition—the land was vacant there. Then Mr. Donaldson, following the precedent—not set by me, because I had no knowledge of it of any kind or description, but as laid down by the hon. member for Edmonton—was able to secure entry. And for that he is entitled to thank my hon. friend and not me, for if I had known the facts and circumstances, neither Mr. Donaldson nor Mr. Anybody else would have secured the homestead entry.

Mr. NEELY: Why not cancel the entry?

Mr. ROGERS: That would be possible. But, following the practice of the department, for many years, Mr. Donaldson applied for scrip and had it placed upon the land, the same as is done in many other cases.

Mr. MARTIN (Regina): Would the fact that Mr. Donaldson had applied the scrip to western lands prevent the department from taking action to cancel the patent?

Mr. ROGERS: I could not answer that off-hand. But my hon. friend was referring to the matter of placing scrip upon lands like this, and said that such cases had to be held for my approval before going through. That was very correctly stated by my hon. friend, and I will tell him the reason why that was done. When I went into the Department of the Interior I found that a short time before, a policeman had been despatched to Churchill and there had delivered scrip to certain half-breeds in that locality; and I found that in a very short period of time all this scrip found its way back to the city of Edmonton and other parts of the West. So, I made a ruling that this scrip should not be placed upon any land, as my hon. friend knows, without the approval of the minister himself, because I wanted to know where all this scrip was coming from that was being applied upon pieces of valuable land in the West.

I do not know that there is much else that I can add to make more clear the position in this matter so far as I am concerned. I can only repeat that I had not the slightest knowledge that the agent at Prince Albert had acted upon his own motion knowing as he did, the precedents as laid down by my hon. friend in his own office, and that is the reason these lands have been entered as homestead entries. The hon. gentleman has read a telegram with respect to the value of the land. I do not deny that this is a valuable piece of land, but I do say that the value placed upon it by my hon. friend in the telegram he has read—and he did not favour us with the name of the sender of it—is ridiculous and out of all proportions to the value of the land. The hon. gentleman goes on to talk about rules and regulations, about the principles and practices in the administration of the public domains of this country. Now, I stand here to say to my hon. friend that there was no rule or practice so far as he was concerned when he was administering the Department of the Interior, especially if the matter came in conflict with the bosses of the Liberal machine in western Canada who had in charge and under control not only the hon. member for Edmonton but the hon. leader of that Government.

Mr. NEELY: Proof.

Mr. ROGERS: Some hon. gentleman says he would like to have proof.

Mr. NEELY: Yes.

Mr. ROGERS: I shall be delighted to gratify him. I have said that my hon. friend did not control the Department of the Interior. And I will say more—that the right hon. gentleman (Sir Wilfrid Laurier) who leads the Opposition did not control the public domain of this country when he was Premier of this Dominion. That control rested largely in the hands of a gentleman whom my hon. friend has named, Mr. R. E. A. Leach, who was the Liberal organizer for years in western Canada and who was placed at the head of the Civil Service of western Canada and held that position until the defeat and downfall of the Government led by the right hon. gentleman. He has associated with him a gentleman by the name of Howard Douglas who held the important position of inspector of parks for western Canada. With them was associated a Mr. Perry who was the Liberal organizer for years after Mr. Leach had given up that position. Now some gentleman asks me for proof. That is a fair question. I will

prove it in more ways than one. These gentlemen whom I have named as running the political machine of hon. gentlemen opposite proved very bold in their administration of the public domain in western Canada. They grew so bold that they left behind abundant of evidences of their boldness when they left their offices.

So bold was their operation and so legitimately did they look upon the plunder of the public domain of this country, that the proof and the evidence that my hon. friend wants to have and which he will get go to show, in my opinion at all events, that the men whom I have named formed a joint stock company and were carrying on business under that form for the purpose of plundering the public domain. The only capital stock that they had, so far as I can find out, was the power to control the member for Edmonton (Mr. Oliver), and the right hon. gentleman who leads the Opposition (Sir Wilfrid Laurier).

Mr. MARTIN (Regina): Would the minister mind telling the House where this joint stock company was incorporated?

Mr. ROGERS: I shall give the hon. member that information before I sit down. He need not be at all anxious. Just sit quiet and take your medicine; you will get it.

I recognize, of course, that the statement which I make is a serious one, and naturally I would not attempt to make such a statement were I not justified, and had I not under my hand abundance of proof. My hon. friend is anxious for proof in respect of the actions of those gentlemen whom I have just named. I shall get down to a concrete case and furnish him with that proof. I state first of all that my hon. friend the member for Edmonton did not really control his department. I shall prove that to the satisfaction of the memmer for Regina by a certain case. I have told you that Mr. Douglas had charge of the parks in western Canada. The Rocky Mountains park at Banff contains an area of some 1,800 square miles. Mr. Douglas had charge of the administration of this park as well as of other parks. What happened in that locality? Mr. Douglas recommended to my predecessor that the owners of twenty-seven square miles of the timber embraced within this park should be allowed the right to transfer their holdings to a place outside of the park. That land was first held by two Americans in the United States, who applied for this transfer. What answer did they get from the department over which my hon. friend presided? I may say that Mr. R. H. Campbell, who is head of the forestry branch, was probably the most industrious man in all Canada to see that the rights of this machine, as representing the Liberal party in western Canada, got all possible advantage under our land laws. On July 28, 1906, there is this memorandum to Mr. Campbell:

> The recommendation of Mr. Douglas that Mr. Lammers should be allowed to select a berth outside of the park in lieu of the one which he now holds within its boundaries cannot be entertained. Please have Mr. Douglas advised accordingly.
>
> (Sgd.) W. W. Cory.

That was very positive My hon. friend thought he was in control when that order was issued. He thought he was bossing the job. The secretary of the department wrote a letter to Mr. Douglas, dated the 7th of August, 1906, as follows:

> Sir, I beg to asknowledge the receipt of your letter of the 11th instant with respect to timber berth No. 550 situated in the Rocky Mountains park. In reply, I have to say that after due consideration it has been decided that the proposal to permit Mr. Lammers to select a timber berth outside of the Rocky Mountains park in lieu of the one held by him within its boundaries cannot be entertained.
>
> Your obedient servant.
>
> Perley G. Keyes,
>
> Secretary Department of the Interior.

From the records of the department, we find that this Mr. Leach, whom I have just mentioned, appeared at Ottawa on the 15th of September. The ruling so strongly and stoutly given by my hon. friend did not last long when Mr. Leach arrived here, because the records of the department show that Mr. Douglas was notified on the 25th of December that the matter was being attended to, and upon that date Mr. Douglas in turn notified a Mr. Crawford who had secured the transfer from these Americans of the twenty-seven miles of timber lying within the Rocky Mountains park. Mr. Speaker, you might naturally ask who this Mr. Crawford might be who suddenly appeared on the scene. Before I get through, this House and this country will be better acquainted with Mr. Crawford. Some little time evidently was taken for the organization of their plan of campaign, because it was the 3rd of December before official orders went out from this department to grant the transfer of this particular berth and the right to transfer their holdings outside of the park. In order that this House may understand the value placed upon the twenty-seven miles of timber within the park and for which an exchange was being asked. I have here a report made by the timber inspector for that locality under date of November 4, 1904, in which he says:

> This timber is on very rough ground and at a very great height above the Saskatchewan river and five or six miles of a haul to a point that logs could be hauled from to the

nearest market which would be Edmonton. For those reasons to me it has no more value than a gold brick.

Then he goes on to say that it is hardly fair that an annual tax for a concession should be taken from Lammers Brothers. There you get from an officer of the department in 1904 his estimate of the value of this land which they were asking to exchange for a timber berth outside of the park. The inspector reports it as having no more value than a gold brick.

Now, Mr. Speaker, let us follow that up, and here I will give a summary of the fact in order that the House will better understand the true position. This is an official statement prepared by a member of the department on the 25th April, 1912:

As requested, I have looked through the official file pertaining to berth No. 528.

I may say with reference to Mr. Douglas and Mr. Leach that when Mr. Leach came to Ottawa, what he was asking for was that the holding of the parties that had control of the timber on berth 550, then within the Rocky Mountains park, should be allowed to be transferred to, a location outside which was named and known as berth 528, and which was to be held under license by William Crawford, Medicine Hat, with a view to ascertaining what connection either Mr. Howard Douglas or Mr. R. E. A. Leach had with respect to the exchange which took place.

As you know, Messrs Lammers Brothers, of Stillwater, Minnesota, held berth No. 550½, comprising some twenty-seven square miles, which was situated in the Rocky Mountains park, and which Mr. Crawford acquired by assignment. Mr. Crawford was afterwards allowed to select berth No. 528, in the province of British Columbia, in lieu thereof. Berth No. 550½ was at one time known as berth O. and P.

In June, 1906, Mr. Douglas, who was superintendent of the Rocky Mountains park at the time, wrote the department that he had interviewed Mr. Lammers, who had expressed willingness to make an exchange of his berth for one in the province of British Columbia, which exchange Mr. Douglas strongly recommended. The matter was taken up by the department, and it was decided that the exchange could not be made, but before Mr. Douglas was advised to that effect, he forwarded a copy of a communication from Mr. Crawford which indicated that he had secured the berth and was arranging for the manufacture of lumber, in connection with which Mr. Douglas strongly recommended the exchange, as the cutting of timber would destroy the beauty of the lake Louise district, where the berth was situated. On the 7th August, 1906, Mr. Douglas was advised that the suggestion of Mr. Lammers to make an exchange of the berth could not be entertained. Two or three other communications were received from Mr. Douglas, urging the exchange, but no action was taken thereon at the time. There is a slip on the file, marked 'A' which indicates that the file was asked for and sent to Mr. Leach here in Ottawa, apparently some time in September, 1906. On the 15th September, 1906, Mr. Douglas was advised that Mr. Leach had gone into the matter of the exchange when visiting the department recently, and that the exchange would be further considered (see letter marked 'B'), so that apparently some decision was arrived at when Mr. Leach had the file. On the 25th September Mr. Douglas advised Mr. Crawford that the department had signified its willingness to consider the question of asking him to accept an exchange of timber lands in British Columbia for those held by him within the park. I presume this letter was written on the strength of the departmental letter of the 15th of that month, above referred to. The question of exchange was taken up on the 3rd December, 1906, and it was decided to make Mr. Crawford an offer of an exchange (see memorandum marked 'C'). On the 22nd December, 1906, Mr. Douglas was advised that it had been decided to take steps to see if an exchange could be arranged with the holders of the berth, and he was instructed to communicate with the owners and see what arrangements could be made. It was afterwards decided that Mr. Crawford should be granted an equal area in some five or six blocks, outside of the park in the province of British Columbia. The selection was duly made, and the department surveyed the tracts selected. Later on Mr. Crawford represented to the department that in selecting blocks 3 and 5, a mistake had been made in the locality, and asked to be allowed to reselect these blocks. His request was refused by the late minister in January, 1910. Last summer Mr. Leach interviewed me on behalf of Mr. Crawford, who, he stated, intended to make an application for an exchange of some of the blocks of this berth, but the application did not reach the department. He, or some person on his behalf, apparently made application to the minister at Edmonton in August last, with the result that an Order in Council was passed on the 3rd October, 1911, authorizing the exchange of several blocks of the berth selected by Mr. Crawford, which Order in Council, however, has not yet been gazetted.

Mr. PUGSLEY: Who signs that memorandum?

Mr. ROGERS: B. L. York.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. ROGERS: Mr. Speaker, when you left the Chair at six o'clock, I had just concluded reading a memorandum by an officer of the department which set out the facts of the matter with which I was then dealing and with which I now propose to deal further. The facts of the memorandum were that application had been made to the department to transfer the interest in berth 550 and the timber thereon to berth 528 within the borders of

the province of British Columbia. The then Minister of the Interior refused to sanction this transfer on the 7th August. On the 15th September, Mr. Leach arrived in Ottawa to attend to the business as represented by one Wm. Crawford who was making application for this particular transfer. Mr. Leach, according to the files of the department, met with almost immediate success and Mr. Douglas, who was working in conjunction with Mr. Leach in regard to this matter, got notice on the 25th of the same month that the transfer would be made.

Now, Sir, let me point out to you and the House that Mr. Wm. Crawford, who was the applicant for this transfer, was a gentleman living in Alberta and was employed as a railway conductor. Apparently the chief value that he represented to Mr. Leach, Mr. Douglas and their associates, was in the fact that he was a man who could be depended upon, that he was a man who would be absolutely secret in his dealings and his understanding of the circumstances. I pointed out that official notice was given to Mr. Crawford early in December from the department and perhaps I cannot do better than read to the House some of the correspondence that took place upon this question. I have it here in the files under my hand and what I am going to read from are copies of the letters that I desire to put upon 'Hansard,' which are taken from the original files and written by the gentlemen whose names I will quote.

Mr. OLIVER: My hon. friend (Mr. Rogers) is reading from certain files which he has before him. I understand that he is basing an attack upon the administration of the department by myself on the contents of these files. I would ask that they be placed on the table of the House at the conclusion of my hon. friend's remarks for the information of myself and the country at large.

Mr. ROGERS: I have got the files from the Department of the Interior and I will return them to the department. If my hon. friend asks for a return, I am satisfied that he will get the return from that department in the proper way.

Mr. OLIVER: I have been given to understand that there is a rule such as I am now invoking and, if there is such a rule, I ask that it be enforced.

Mr. BORDEN: The rule is that a copy of the document that is quoted from must be laid on the table of the House. That is being done.

Mr. ROGERS: I have a copy here and I will place it on the table of the House, or it will be in 'Hansard' at all events.

Mr. OLIVER: Might I have your ruling, Mr. Speaker?

Mr. SPEAKER: The rule is well known. I do not know whether it actually says a copy of the document, but if any minister quotes from an official document the rule is that he places it on the table of the House afterwards.

Mr. ROGERS: The first letter which I will read—

Sir WILFRID LAURIER: Are the documents to be placed on the table of the House?

Mr. ROGERS: The copies that I am reading from will be placed on the table of the House.

Sir WILFRID LAURIER: Those are not the original documents. My hon. friend is not free to quote extracts. He must place the whole documents upon the table.

Mr. ROGERS: I beg my right hon. friend's pardon, I do not propose to quote extracts, but I shall quote the letters on the file.

Sir WILFRID LAURIER: Very well then, put them on the table.

Some hon. MEMBERS: Chair, chair.

Mr. OLIVER: May I explain myself for a moment?

Mr. SPEAKER: The hon. member (Mr. Rogers) cannot be expected to put them on the table until he has read them. That is the rule and I take it for granted it will be complied with.

Mr. OLIVER: The point is as to whether my hon friend shall merely lay on the table the copies of the letters or communications which he proposes to read and which will appear in 'Hansard.' My request is that the file which he has under his hand and from which he is reading these copies shall be placed upon the table because the file itself is the history of the transaction and a single letter or memorandum from that file is not the full information in regard to the subject under consideration which information can only be given by the placing of the file upon the table.

Mr. BORDEN: I am not aware of any such rule as that which the hon. gentleman (Mr. Oliver) invokes.

Mr. SPEAKER: I do not know that it would include the whole file. Whenever any document, whether it be a letter or statement, is gotten up and compiled in one paper and whenever any selections are read from that, the minister presenting such a statement is obliged to lay the document on the table. But as far as I know at present, I do not think the rule means

that the whole file should be placed on the table.

Mr. OLIVER: If I may be permitted to explain—

Some hon. MEMBERS: Order, order.

Mr. OLIVER: May I be permitted?

Mr. BORDEN: Certainly.

Mr. OLIVER: I just wish to place the position as I understand it before the House. You have stated, Mr. Speaker, that if parts of a document are read the whole document must be placed on the table. Now, the file is the history of the case and one letter or memorandum from that file is only an extract from the history and the history can only be given from the file in full. Therefore, my contention is that the file should be placed on the table.

Sir WILFRID LAURIER: Chair, chair.

Mr. SPEAKER: I have given the rule as I understand it. I will look it up in the meantime, but no more can be expected until the quotations are made.

Sir WILFRID LAURIER: Your ruling is, Mr. Speaker, that letters quoted from must be laid upon the table of the House when they are read?

Mr. SPEAKER: Yes.

An hon. MEMBER: Whatever he reads?

Sir WILFRID LAURIER: No, not whatever he reads, but the original of these letters.

Mr. BORDEN: I do not know of any such ruling.

Sir WILFRID LAURIER: The ruling is, that if a document is read from it must be laid upon the table of the House. The moment a letter is read it is part of the archives of the House, and if my hon. friend reads from it, it must be laid on the table according to the ruling of the Chair.

Mr. BORDEN: I am not aware of such a rule, if the right hon. gentleman means to say that the original document must be laid on the table of the House; a copy?

Sir WILFRID LAURIER: I understand the ruling of the Chair to be that the original document should be laid on the table of the House.

Mr. BORDEN: I do not so understand it.

Sir WILFRID LAURIER: It is for the Speaker to say—Chair.

Mr. SPEAKER: I think it is quite proper for the hon. member to proceed to read the document if he desires to do so. In the meantime I will look the authorities up and give my ruling according to my judgment.

Mr. SPEAKER.

Mr. ROGERS: The first letter I shall read is from the Department of the Interior and is as follows:

Ottawa, 31st January, 1907.

Dear Mr. Leach,—I have your letter of the 25th instant, in regard to the exchange of the limit in the vicinity of Laggan in the Rocky Mountains park which is held by Mr. William Crawford, of Medicine Hat. The matter of the exchange has been approved, as I think I advised you some little time ago, but the details have not yet been worked out. Mr. Crawford has been furnished with a list of the available lands in British Columbia from which he can make a selection but the matter has not yet taken shape in a final form. So soon as he has a definite proposition to submit as to the lands which he wishes to obtain in exchange for those in the park, we will be in a position to deal finally with it. I understand from Mr. Douglas however that Mr. Crawford wishes to get 2½ miles outside the park for each mile which he held inside of it. This may make some difficulty in reaching a final agreement.

Faithfully yours,
R. H. Campbell,
Secretary.

R. E. A. Leach, Esq.,
Brandon, Manitoba.

The next letter is from Banff, Alberta, dated February 14, 1907, and reads:

Banff, Alta., Feb. 14, 1907.

Dear Mr. Leach,—I saw Mr. Crawford since getting your letter and he agrees that it is better for him to go to Ottawa. I think he is writing you to that effect. I think he should wire Jim Ross and ask him what date he could meet him there and then when it was settled what amount of limit they would allow for the exchange, ask for 60 days in which to make the selection.

Crawford said it was possible you might go to Ottawa yourself which I hope is correct. A very good point to raise with the department would be that the list of available limits furnished by McDonald, assistant Crown timber agent, Kamloops, shows only a few miles in each tract which would evidently go to show that the best timber has already been taken and what is now available is mostly culls and it would not pay to put up a large mill plant out any of the small parcels of timber that he is asked to select from.

I certainly think Crawford should go down as soon as he can arrange to meet Ross there.

Your faithfully,
H. Douglas.

Mr. Speaker, I am reading these letters in order that the House may understand the connection between Mr. Leach, Mr. Douglas, and others who had to do with this transfer, in which the Government of that day were so particularly interested. The next letter is from Banff, Alberta, dated August 12, 1907, and reads:

Banff, Alta., Aug. 12, 1907.

Dear Mr. Leach,—I received your letter and express from Calgary, and will forward amounts as directed to the parties, and get voucher from each one. Mr. Oliver spent

Saturday here and seemed to be in fairly good form, and got off at Field for a few hours on Sunday morning and saw Hoar. I think you had better come west as soon as you can and we will go to Revelstoke and get papers fixed up before I leave for the South, which will be about the 1st of September—would like if you could arrange to go along for a week or so. It is only about thirty hours from Lethbridge to Ravelli. Advise me a day or two before you come west, so that I can go through with you to Revelstoke and I will have Dan meet us and get all papers transferred.

Martin sent up a Mr. McVittie for the office here; he only came this morning so do not know how he will pan out yet.

Yours very truly,
(Sgd.) H. Douglas.

The next letter is also from Banff, dated October 22, 1907, and reads:

Banff, Alta., Oct. 22, 1907.

Dear Mr. Leach,—Since I saw you I have been thinking that if the minister wants to show his appreciation I think it would be a good scheme to appoint a general superintendent of all the parks in the West, this to include the Glacier, the Yoko, the Rocky Mountains park, Elk Island, and the new reserve east of Battle river. Don't you think it would be better for the department to have one man responsible for the laying out of the work and looking after all the details rather than have four or five men, many of them inexperienced in the kind of work. There will be a lot of work in getting these two northern animal parks in smooth working order—estimates will have to be got out and fencing and building done, which should be carefully thought out before going on with the work, and I have no hesitation in saying the best results will not be obtained by inexperienced men in this line of work. If such an appointment were made I think I am entitled to consideration, and would like very much to take hold of the Battle river reserve especially. What do you think about this? Would it not be much better to have one man responsible for all the parks instead of five men, each pulling his own way, and no one directly over them to see how the work is being carried out. If you should go to Ottawa soon you might see what the minister thought about this. I think my work here and the Yoko for nearly eleven years has been fairly successful, at least I have not been informed to the contrary, and an appointment of this kind would show that my efforts had been appreciated.

I had a letter from Crawford to-day and he says he is going to Ottawa soon. I have written him to let you know a few days before he goes, and if you could get away it would do no harm to happen along there about the same time; you could then have a chat with the minister about the above suggestions, that is if you think favourably of them.

Yours sincerely,
(Sgd.) Howard Douglas.

The next letter is also written by Mr. Douglas from Banff on November 13, 1907, and is as follows:

Banff, Alta., Nov. 13, 1907.

Dear Mr. Leach,—I have been expecting to hear from you daily for some time, or expected you here as you said in Calgary that you expected to go to Field in about two weeks. I wrote you that Crawford would be in Ottawa from the 20th to the 25th, and thought you might arrange to be there, so as to get business closed up. I have not had any communication from the department about it since I came home.

Yours very truly,
(Sgd.) H. Douglas.

The next letter is also from Banff and reads:

Banff, Alta., Dec. 6, 1907.

Dear Mr. Leach,—There was a telegram from Crawford about a week ago that he could only get one and one-half miles for a mile, and asking if he would accept, all the others were willing and anxious to have it closed, so a reply was sent to make possible deal and close; he was in Ottawa; I expect he is on his way home now, and we will soon know the result. If you do not hear from him I will advise you when I see him. When do you expect to go to Ottawa? The parties all think that a surveyor and cruiser should be put to work as soon as we have things settled, so that we can select the very best of what has been reserved. I presume they will allow a reasonable time to make a selection from the seventy miles that are reserved; if so it will pay to have it all surveyed and cruised, then we have something that we know the value. We will arrange for a meeting soon after Crawford gets back.

Yours very truly,
(Sgd.) H. Douglas.

The next letter is written from Banff, the 31st December, and reads:

Banff, Alta., Dec. 31, 1907.

Dear Mr. Leach,—I only returned from Revelstoke on Sunday night where we spent our Xmas. Also met Dan there and got out descriptions and had them sent in on the 25th so that the department will have it within the thirty days allowed. I suppose you saw that the provincial Government in British Columbia had withdrawn all their timber from the market, which should make our holding double in value.

When do you expect to go west. I might meet you for a few minutes here. Trusting you had a pleasant Xmas and wishing you and yours a prosperous and happy New Year, I am.

Yours very truly,
(Sgd.) Howard Douglas.

The next letter is written from Banff, March 11, 1908, and reads:

Banff, March 11, 1908.

Dear Mr. Leach,—I have just returned from Ottawa and was disappointed at not meeting you in Regina yesterday. I wired you from Winnipeg on Monday night that I would go through on Tuesday; but from the telegram George had you were in Brandon that day. With regard to the Ottawa business everything went on the lines we discussed, and I think you must have fixed things pretty well while you were there, as Campbell and I had no difficulty in getting all fixed very satisfactory. I inclose you copy of my new office.

Hunter will be superintendent here, Hoar at Field, and one to be appointed later for the Battle river reserve. I should have liked very much to have met you and hope the first time you are west you will let me know and I will meet you any place you mention. The timber exchange is all fixed satisfactory and the Government will make the survey. The Surveyor General's estimate for it was $3,500, so you see that is something.

You will also note that in future all park matters come under Campbell instead of Rothwell, for which I am also very well pleased. From what I got in Ottawa, you have your work cut out for some time. I may mention that I heard the minister speak in the highest terms of you while in Ottawa, and considered that you were the most competent man he had for a most difficult work you are engaged in now.

So the Tories have let up at last, and I am sure you must be pleased, although you never feared the result. It was the uncertainty and the trouble and annoyance for so long.

Thanking you for the interest you have taken on my behalf.

I am yours very truly,
(Sgd.) H. Douglas,
Superintendent.

Letter from Mr. Leach to Mr. Douglas, dated at Brandon, Manitoba, 17th July, 1908:

I returned from the East a few days ago and missed seeing Campbell before he left Ottawa. I will be pleased if you will let me know when he will be in Banff and whether you and he have yet made that trip up to Yoko.

Brandon fair has been on all this week and yesterday was a record day.

We have had recently a few rains and the crop will, I think, be a pretty well assured success.

Faithfully,

The next letter is from Howard Douglas:

Department of the Interior.
Office of the Commissioner of Dominion Parks,
Banff, August 27, 1908.

Dear Mr. Leach:

When do you expect to be west again? I expect to leave for Montana any time after the first, and will probably be away for some time.

Crawford has got the transfer of the new limit, but we do not know how the survey is coming on. As soon as that is finished it might be well to meet some place, and decide on something. If you could come west before I go south, we might arrange for a meeting some place, and get some cruising done. McCarter says he can sell a portion at once, if it was cruised, and from the way we have been fighting fires the last month, I would suggest we get at least our money back at once, as the whole thing may burn up.

I have not seen Crawford for a month, but will try and see him in a few days and see what he thinks about it. Please drop me a line on receipt of this.

Howard Douglas.

This letter is from Brandon, and is addressed to Mr. Howard Douglas, commissioner of Dominion Parks, Banff, Alberta:

Do you know the whereabouts of Mr. Galt, civil engineer who was in charge of the Banff waterworks and sewer construction, also would you say if you are on sufficiently intimate terms with him to be able to approach him on a somewhat delicate matter of business?

I expect you will be leaving for Montana shortly. Have you any idea how long it will take you this time?

It might be necessary to see Mr. Galt as soon as possible. I understand he is in British Columbia somewhere, but am unable to say where.

Yours faithfully,

Department of the Interior, Canada; Office of Commissioner of Dominion Parks, Banff,
September 1, 1908.

Your letter to hand this a.m., and in reply would say that I know Mr. Galt very well indeed, and I am sure he is all right. He is living at Vernon, B.C.

I expect to leave for Montana about the 10th, but it is very uncertain. Ayotte has been there for three weeks and has done nothing. I will likely have to go on the round-up again myself, and if so, will likely be gone a month. If I do not get something definite by the 10th, I will leave there.

Howard Douglas.

The next letter is from the office of the commissioner of Dominion Parks, Banff, September 13, 1908:

I am leaving for Revelstoke to investigate a number of charges that were sent to the minister against Hoar, and I am of the opinion that his time will be very short, as I do not think it will be difficult to get the proof. I will be at Revelstoke to-morrow and Golden on Tuesday, and expect to be here after that until the 21st.

I hope you are getting the seed grain of theirs in shape, so that you can get round again. Walter Scott has been here for the last week—left for home last night. The other party from the West was also here for three days, and talked over matters.

Howard Douglas.

Extract from letter from Banff, dated November 28, 1908:

Dear Mr. Leach:

I met Mr. Oliver on Monday, and got along all right. He was in particularly good humour.

The following letter is from Howard Douglas to Mr. Leach, and is dated March 29, 1909:

I enclose you letter I have from McCarter, in reference to one plat of the timber. Of course Crawford and I would not do anything without consulting you. When do you think you will be west? I will be at home all this week. I would try and meet you in Calgary when Crawford would be there; he is there every alternate night. I do not think it would be wise for the three of us to go to Revelstoke, but we could decide on whatever

would do and authorize Crawford to act. You might address me by wire or letter on receipt of this.

The next letter, written from Revelstoke, is addressed to Mr. Douglas:

I have your letter. I have had the Fish Crub block cruiser. It runs over twenty-five millions of fine timber all done to water on good driving stream. Some mill men are in there now examining it, and on Saturday I expect to get an offer for it. I will want you and Crawford to come over if possible to a meeting of the company to decide whether we will accept this offer. T.K. is a hard man to make a deal with, and although he always talks about not being able to sell any or all his stuff, yet when a chance comes up he always wants more than buyers will pay.

I told him of this chance to sell and suggested a dollar a thousand which is a big price, but he said they ought to pay $1.50 as it was exceptionally good, &c. If we can get twenty-five thousand out of this, it will give us our money back and some more and get us all out of debt, and I think we ought to be reasonable and make a sale if possible. The party will pay as good as cash if they buy, as they are good men with a mill on the lake.

You now understand the situation, and should I wire you and Billy to come, you will understand that there is business in sight.

I have also just had the southerly block of Cranberry Crub three and three-quarter miles cruiser. It is somewhat of a disappointment, as it runs only a little over sixteen millions and is very high up, though the timber is sound but not large. I am told that the other block on the north side of Cranberry is better stuff but has not yet been surveyed.

All are well here. We hope to get a trip to Seattle before Easter.

I may say for the information of the House that J. S. McCarter is a member of the firm of Harvey, McCarter and Pinkham, barristers and solicitors, Revelstoke, and I understand he is a son-in-law of Mr. Howard Douglas. The following is a letter from Brandon, addressed to Howard Douglas:

Referring to your favour of the 29th instant, I beg to say that I have been from home a week, only returning yesterday afternoon. This morning I wired you stating that the suggestions made in your letter would be satisfactory. Whatever you arrange for will, I am sure, be all right.

I hope to leave here about next Monday for Calgary and will see you then; will wire you in advance, however, of the date I will be there.

The next is copy of a telegram:

Howard Douglas,
Dominion Parks Commissioner,
Banff, Alberta.

Kindly meet Mr. Cory and myself in Calgary Tuesday morning.

R. E. A. Leach.

There is further correspondence, as follows:

Department of the Interior, Canada.
Office of the Commissioner of Dominion Parks,
Banff, Oct. 28, 1909.

Dear Mr. Leach,—I have been so busy that I have not had time to write you sooner.

Immediately upon my return from the Yellowhead I had to go to Montana for a small shipment of buffalo and after they were delivered I brought the cars here and on Tuesday this week shipped seventy-five heads from here to Wainwright, so you will see I have not been idle.

I made a new note and drew on you a few days ago and hope it was all right .

With regard to the other matter—McCarter says if Perry will sign a transfer of what shares he wishes to dispose of and send it to him it will be all that is necessary. The stock is all in the Imperial Bank in Crawford's name, but he has assigned to Perry and the others.

When do you expect to come west?

Sincerely yours,
Howard Douglas.

To R. E. A. Leach, Esq.,
Inspector of Dominion Lands,
Brandon.

Brandon, Nov. 8, 1909.

Howard Douglas, Esq.,
Commissioner of Dominion Government Parks,
Banff, Alta.

Dear Mr. Douglas,—I regret missing you in Calgary. I got your note all right but could not see any possibility of meeting with you, as I had made dates ahead for a week and was only a few hours in Edmonton, Tuesday evening. Crawford would probably explain matters to you. I expect to be west again before a great while. I arrived home this morning at 5 a.m. . .

Faithfully,

Personal. Brandon, Nov. 13, 1909.

Dear Mr. Douglas,—Mr. Kenneth Mucheson, of Souris, has just phoned me to say that owing to rheumatic trouble he is leaving to take baths. Mr. Mucheson is a personal friend of mine of long standing and an enthusiastic Liberal worker. If you can do anything to make his stay pleasant I would esteem it a personal favour.

I have just learned that Mr. Jas. Madill, Souris, who is the present Liberal candidate for the local constituency, was leaving yesterday for Banff; also my assistant, Mr. Evans, gave him a note to you. He is also O. K.

Faithfully,

Howard Douglas, Esq.,

Commissioner Dominion Government Parks, Banff, Alta.

Banff, April 1, 1910.

Dear Mr. Leach,—When I was in Ottawa it was fully decided that I must move to Edmonton, the minister had fully made up his mind, so I had to give in; this will probably be about the month of June. I had thought of taking McVeity up there, but since then certain things have come out, so that I do not wish to keep him in any capacity any longer, and if you can arrange for his transfer to Edmonton land office it would be acceptable all round. I was up in Edmonton for

a week and that personal letter you wrote me saying he was to be transferred to Edmonton the 1st of April and asking about my own transfer; he had opened it, and half a day after I was home he brought it in saying that he was sorry that he had opened it by mistake, so I asked him to give up his post office key, and in the future not to touch any letters that came in the office. And told him I would ask for a transfer at once, so he quite understands the position, and said he would prefer going to Edmonton; so if you can make room for him in the land office there, I hope you will do so as early as possible. I am writing Mr. Cory and advising him of the facts. Will it be necessary for you to have authority from him to act in the matter?

I would like you to get me a good man to come to the office here under Tom—and I would probably take Kelly to Edmonton, or the new man if he was a good one. I would like to meet you and talk over matters—could you go to Calgary any time. Will be down at the horse show on Wednesday next—if you should be in Calgary soon let me know.

There are some St. Paul men figuring on the Crawford proposition.

Yours sincerely,
Howard Douglas.

R. E. A. Leach, Esq.,
Inspector Dominion Lands,
Brandon, Man.

P.S.—Since the above was written, Mr. McVeity says he would prefer going to the Calgary land office.

Banff, April 15, 1910.

Dear Mr. Leach,—I have a letter from Campbell to-day in which he says if you can arrange for the transfer of McVeity, it is better for you to do so. He said he would see Mr. Greenway in regard to it, so you may hear from him. As matters are now the sooner he is moved the better, and I will arrange to get a good girl stenographer. I expect to go to Montana about the 1st of May and would like to have this fixed up before then.

Yours sincerely,
H. Douglas.

Calgary, Alta., Monday morning.

Dear Mr. Leach,—I got a few lines from Crawford to meet you here to-day. I was just at the station leaving Banff for Edmonton. I expected to meet you at the Yale here this morning, but you was not registered. I have to go on this morning to Lamont. Simmons the superintendent there, sent in his resignation about two weeks ago, and Mr. Oliver wired me to put on a man temporarily the first of the month, so I had arranged to meet a man at Fort Saskatchewan to-night and go on to Lamont. I expect to be in Edmonton on Wednesday and come south in the evening. You might wire me to Lamont Tuesday and say where you will be. I will likely get to Edmonton Wednesday morning at 6 a.m. and be there until four. Could see you either there or here on Tuesday.

Yours sincerely,
H. D.

Banff, Aug. 31, 1910.

Dear Mr. Leach,—The new superintendent is writing you to-day about the two lots that we were holding for you, also one held for Ingram. He is going to see that everything is done right and no favours to any one. I would recommend you strongly to sign an agreement for both lots and send the first year's rent in advance, and if you do not want them next spring you can easily get $100 for the equity in each lot, and you had better advise Ingram to the same effect. There will be no trouble in getting them sold and all you have to pay is $8 on each lot now. You can take them in some other name if you choose and I will guarantee to turn them over if you do not want them, and you advise Ingram to do the same with his.

I expect Sir Wilfrid will see Oliver on Friday at Medicine Hat about my staying or going. Sir Wilfrid told me without asking that he was going to request Mr. Oliver to leave me at Banff. If there is no definite word I must commence to pack next week and move before the 1st of October. If McDonald is left here I would rather go as there is only room for one manager here.

I do not think there was anything very important in the letter you mislaid, in fact I forget now what I wrote you about. I expect to go down to Arcola about next Monday to look up a range for buffalo in the Moose Mountain. Do you ever go in there, if so, perhaps you could make a trip in for a couple of days; if so wire me on Saturday and I will advise you definitely.

Yours truly,
H. D.

Edmonton, Nov. 25, 1910.

Dear Mr. Leach,—I would like to arrange for Crawford and yourself to meet me sometime soon at Calgary to make some definite arrangement about that business. McCarter has done nothing and it seems that if any move is made we must make it. Do you happen to know of a good cruiser that we can get? You might make some inquiry. I have to go to the Moose Mountain between the first and the tenth, and it might be possible to have Crawford meet us at Moosejaw; if you are not coming west soon, let me know and I will try and fix a date.

It certainly is time we were getting something done towards placing this property on the market and unless we move in the matter it will be left as McCarter has so much of his own that ours is left to the last.

Will be glad to head from you what you think.

Yours, &c.,
H. D.

Nov. 29, 1910.

Howard Douglas, Esq.,
Commissioner Dominion Parks,
Edmonton, Alta.

Dear Mr. Douglas,—I beg to acknowledge your favour of the 25th. I have been from home for about ten days and have just returned. If it would suit as well to meet Crawford at Moosejaw, or better still Regina, it would answer me better as I have nothing special to go west for at present time. If you can fix a date with him and wire me as soon as possible I will endeavour to keep that date clear. I am, however, having a number of court investigations and the dates for those must of necessity be fixed somewhat in advance; so on this account I would like to

have as much notice as possible, and if Crawford cannot come to Regina I would like to meet with you there when you come east, if you are not able to come to Brandon. I think it is time something was doing about that matter.

Faithfully,

The next letter is:

Department of the Interior
Office of the Commissioner of Dominion Lands
Edmonton March 31, 1911.

Dear Mr. Leach,—I have a letter from Crawford this morning in regard to our business and things are not looking very good. The cruise is all finished and is most unsatisfactory. I wish you could arrange to meet us in Calgary, sometime soon and decide on something definite as if we cannot get an exchange of some kind the sooner we sell for what we can get the better. Would like if you could possibly arrange to meet us before the end of this month as I expect to be away nearly all April. Wire me a couple of days in advance.

Yours truly,
(Sgd.) Howard Douglas.

I wish to draw attention to the fact that the letters I have been reading previously have been referring to the exchange they had already had of berth 550½ to berth 528. Now they are evidently not satisfied with berth 528 and they want a further exchange. They find, in examining berth 528, that it is not all in one place, that it is divided up into small sections of one, two three, four and five mile belts in eight different places, and a few of those parcels they find not to be satisfactory and not to contain all the timber they would like them to contain.

Mr. MARTIN (Regina): Do I understand that the letters which the minister is reading constitute a part of the departmental file on his desk?

Mr. ROGERS: I am reading the letters and taking the responsibility for them, and I shall lay them on the table when I have finished.

Mr. MARTIN: Do not the letters from which the minister is reading constitute a portion of a private file got from a certain office in the city of Brandon?

Mr. ROGERS: I do not know that they constitute a private fyle, I know they constitute a file containing public records belonging to the department and to the people of this country, and if they contain letters of this kind—

Mr. MARTIN: Are those letters part of the departmental file which had a place in the department in the city of Ottawa?

Mr. ROGERS: Most of the letters which I have read I have here on a file coming form the office of Mr. Leach in the city of Brandon.

Mr. MARTIN: Private letters.

Mr. ROGERS: They are not private letters any more than other letters, the same file contains the public records of the department.

Mr. MARTIN: Stolen letters, stolen letters.

Mr. ROGERS: The next letter reads:

Office of the Commissioner of Dominion Lands
Edmonton April 3, 1911.

Dear Mr. Leach,—I am enclosing you a renewal note to fix up before you leave so it will be all right until your return from the Coronation.

Would it not be well to have a talk with our friend in Ottawa that in case the minister is in England and Crawford goes down he will understand. You might drop me a line from Ottawa how things will be and I will have all arrangements made from this end for location, we wish in exchange. There need be no fear of Crawford, as he is as close as yourself. Let me know if there is anything new.

Yours truly,
(Sgd.) Howard Douglas.

The next letter is from the Department of the Interior to the Commissioner of Dominion Parks:

Department of the Interior.
Commissioner of Dominion Parks.
Edmonton, April 26, 1911.

Dear Mr. Leach,—Yours of the 21st to hand and in reply would say that it is only this Sicamous block we wish exchanged as there is absolutely nothing on it. This timber we expected to get is about one mile east and our property is the bow side of the mountains high up—there was no survey when it was selected and after the lines were in it shut out the timber we expected. Crawford and I was at Revelstoke a few days ago and I think we have a fair prospect of disposing of the balance within the next sixty days. It is being submitted to the Old Country stockholders. We saw Mr. Munther the president and A. McBar the vice president of the company and they both have recommended the purchase at $100,000 and if we can only get the exchange of the Sicamous it will easily be worth as much more and we can well afford to pay the 'Com.' I wrote you about. Drop me a few lines before you leave Ottawa.

Hoping you will have a very pleasant trip and that you will see all the sights.

Yours sincerely,
(Sgd.) Howard Douglas.

The next letter is as follows:

Calgary, July 15, 1911.

Dear Mr. Leach,—I saw Crawford here tonight and he is ready to leave for Ottawa as soon as he learns that Ross is there. Could you find out Ross movement. Crawford would like to meet him here as any place in the West or Ottawa if you could arrange the meeting place at any time.

The parties who were to see the three parcels will return from England on Friday next and we expect something definite from them but after that must fight for the exchange.

I am going to Waterton Lake park this morning and will be back to Banff Saturday next. Wire me there and in the meantime see if you cannot arrange where Crawford could meet Ross.

Yours truly,
(Sgd.) Howard Douglas.

The next is a letter to Howard Douglas, from Brandon:

My Dear Douglas,—We arrived home night before last and have had a most enjoyable trip. I wrote you sometime before leaving England asking if there was anything special to communicate you could write me to Ottawa. As I did not receive anything I assume there is nothing of very special importance. How about the matter of re-selection; has anything been done. Brandon fair is on next week. How would you like to take a run down and talk matters over with me.

The next letter is:

July 29, 1911.

Dear Mr. Douglas,—Referring to your favour of the 25th instant from Calgary I beg to say from the best information I have been able to obtain it would appear that Senator Ross is now on the return voyage from the Old Country. I wired you this morning to Banff to that effect. We will in all probability be coming West shortly; but as soon as he reaches Ottawa I will endeavour to ascertain definitely. This matter should be dealt with as quickly as possible.

Faithfully yours,
Inspector.

The next is a telegram from Brandon to Howard Douglas, Esq., Banff, Alberta:

Available information intimates Ross about returning from England.
(Sgd.) R. E. A. Leach.

The next telegram is dated 29th September, 1911, as follows:

Howard Douglas, Esq.,
Commissioner Dominion Parks,
Post Office Building, Edmonton.
Leaving for East this evening, will only remain a few days.
(Sgd.) R. E. A. Leach.

You will observe that the last telegram I have read was dated September 29, eight days after the election of the 21st of September, 1911. Mr. Leach in it informs Mr. Douglas that he will not remain long in Ottawa.

Mr. Speaker, you will have gathered from the correspondence which I have submitted to the House how anxious those gentlemen were for a further exchange of a portion of limit 528, and that is what they were here appealing for. They had appealed to my hon. friend the member for Edmonton at an earlier period for this exchange, but my hon. friend did not grant it. As on the former occasion when they asked for the transfer of berth 550½ to 528, he refused it until Mr. Leach arrived on the scene. Then the scene changed, and the transfer was made. Now Mr. R. H. Campbell recommends this further transfer in a long memorandum dated 25th January, 1910, in which he goes into the reasons why this transfer should be made. But my hon. friend and predecessor in his own handwriting has written across it:

Mr. Crawford got what he asked for, and can't come again; the deal is closed. F.O.

This is on the original file, and was on the 25th January, 1910. But these gentlemen were still persisting in their efforts, and were coming to Ottawa and asking for a further exchange, believing as they did that a portion of that berth was available, as they thought it ought to be. They came asking for what they call berth 532. I hold in my hand the report of the Crown timber agent at New Westminster, B.C., dated August 10, 1910, dealing with this particular forest of timber limit, for which those parties were making application in the name of Mr. Crawford. This letter of the Crown timber agent reads as follows:

Sir, I beg to confirm my telegram of even date as follows:—'No offers received for timber berth 532,' and to state further that very few persons attended the sale, none of the lumber men from the upper country being in evidence. The lack of interest shown in this case cannot be explained otherwise than that the large upset price was more than many could finance. I am still of the opinion however, that the berth is well worth the price at which it was offered, and would pay the purchaser a handsome profit on his investment, as there is no question about the quantity of timber thereon as estimated by the cruiser, Mr. W. R. Peacock. The berth being situated in the Revelstoke Crown timber agency, the file in connection therewith will be sent to the agent at that point on receipt here of instructions to that effect. See your file 551771 T. G. & I.

Your obedient servant,
(Sgd.) James Leamy.
Crown Timber Agent.

The Secretary, Department of the Interior,
Ottawa, Ontario.

Now, Mr. Speaker, Mr. Leamy refers to the report of the cruiser, Mr. W. R. Peacock, in respet to this berth that was being applied for on behalf of Mr. Crawford, and his report is as follows:

In the matter of the application of Mr. E. L. Kinman to have the timber on certain lands in the province of British Columbia put up for sale, I, William R. Peacock, of the city of Notch Hill, province of British Columbia, occupation, 'timber cruiser,' do solemnly declare that I have carefully cruised the lands mentioned in the schedule hereto attached marked 'A' and 'B' respectively, and to the best of my knowledge and belief the said schedules contain a true and faithful statement of the timber upon said lands. And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made

under oath and by virtue of 'The Canada Evidence Act, 1893.'

Declared before me at North Hill, British Columbia in the province of British Columbia this 4th day of April, A.D., 1910, J.P. or Commissioner in B.R.

(Sgd.) W. J. Smith, J.P.
(Sgd.) Wm. R. Peacock.

What Mr. Peacock swears to, is that he has examined this berth and that it contains 160,000,000 feet of timber. That is what Mr. Leach was making his hurried trip to Ottawa for, to find out if they could get this in exchange for a berth which they themselves acknowledged to be of no value. Now, Mr. Speaker, let me say that while my hon. friend the late Minister of the Interior turned down that proposition, it has never been known in Ottawa or in western Canada that when anything political had to be done Mr. Leach would be turned down. He came here to Ottawa on 29th September to urge upon a defeated government the transfer of this 160,000,000 feet of timber in exchange for a piece that they themselves acknowledged to be of no value. As I stated at the outset, we have here the evidence that there was an organization of men representing the Liberal machine of western Canada, carrying on business in the plundering of the public domain in the manner which is set forth in the letters that I have read, and they were using the name of this individual Mr. William Crawford, as they themselves stated, simply because he was to be trusted. They were careful in western Canada of their movements. They were afraid to be seen, three of them, in the one town on the same night. In addition to this we have the statement that their stock was in trust in the Imperial Bank, and was duly divided up for the purpose of holding their shares in this business transaction in which they were dealing. My hon. friend the member for Edmonton talked to-day about principle and about practice and about rules of the administration of his department. Was I not right, Mr. Speaker, when I stated at the outset that he did not control the rules or the practice or the administration of the department when he came in contact with the machine politics that operated in western Canada? While he refused to grant Mr. Crawford the exchange that would give him 160,000,000 feet of timber for a piece upon which he himself placed no value, I will read to you a certified copy of an Order in Council passed on 3rd October, 1911, twelve days after the late Government were defeated:

The Minister of the Interior submits under date of 16th September, 1911, that by Order in Council of the 27th March, 1908, P.C. No. 642, authority was given to grant Wm. Crawford of Medicine Hat, under the license regulations timber berth No. 528 situated in the province of British Columbia in exchange for timber berth No. 550½ located in the upper valley of Bow river. Strong representations had been made by the Superintendent of the Rocky Mountains park of Canada and by several other persons not connected with the Department of the Interior that it would be advisable and in the public interest to have berth No. 550½ surrendered to the Dominion as if lumber operations were carried on in the locality under the ordinary license regulation, it would destroy one of the most beautiful portions of the park.

An examination of the district had been made by an officer of the Department of the Interior who submitted a report recommending that a surrender of this berth should be obtained from Mr. Crawford and that he should be offered in lieu thereof, an equal area of timber lands in the railway belt of the province of British Columbia.

The minister further submits that Mr. Crawford selected an area of timber lands in the railway belt in British Columbia, in a number of different blocks which comprised an area equal to that contained in timber berth No. 550-1-2. These selected timber lands are shown on the plan attached to the Order in Council of the 27th March, 1908, referred to above, and are designated berth No. 528. Subsequently Mr. Crawford made representations to the Department of the Interior to the effect that he made the selections in some localities where no survey lines were to be found, and it was impossible to locate accurately the particular blocks on which merchantable timber was to be found, but as he was confined to certain localities and only permitted to select an area equal to that surrendered, he stated that in the case of two of the blocks, he had included in the selection, ground which carried no timber of value, and had omitted adjoining ground carrying timber of value, which he thought would fall within the limits of the selection when surveyed. Moreover it was found that block 1 included a portion of Crown grant No. 811, comprising 527 acres.

In view of the circumstances and as it would seem hardly fair that Mr. Crawford should suffer, as the exchange was made on the request of the Department of the Interior, the minister, therefore, recommends that upon a surrender being obtained from Mr. Wm. Crawford of blocks 1, 3, 4, and 5, of timber berth No. 528, he be given authority to substitute therefore an equal area of timber lands in berth No. 532, situate east of Adams lake, in the province of British Columbia, in township 25, ranges 11 and 12, west of the 6th meridian, as shown on plan hereto attached, and to isssue a license under the timber regulations to Mr. Crawford the balance of berth No. 528 and the available timber lands in berth No. 532. The following lands in berth No. 532 have been reported as of agricultural value, and not having valuable timber thereon, and have, therefore, been eliminated from the berth.

Legal sub-divisions 3, 4, 5, 6, 11, 12, 13, and 14, of section 30, township 25, range 11; legal sub-divisions 11, 12, 13, 14, and 15, of section 13; legal sub-divisions 3, 4, 5, 6, 10, 11, 12, 13, 14 and 15, of section 24; legal sub-divisions 1, 2, 3, 4, 6, 7, 8, 9, 10, and 16, of section 25, township 25, range 12, all west of the 6th

meridian, containing an area of 1.97 square miles.

As timber berth No. 550-1-2, referred to herein, and which Mr. Crawford surrendered at the request of the Department of the Interior, has been surveyed the minister further recommends that he be authorized to pay the cost of the survey of the available timber lands in berth No. 532, to be granted to Mr. Crawford under the license regulations, from the appropriation for the survey of Dominion Lands, if such survey should be found necessary.

The committee submit the same for approval.

Here is an Order in Council dated twelve days after the late Government were defeated and what does it mean? It means, Mr. Speaker, according to their own statement here, that because Mr. Crawford claims that he has a certain portion of timber in berth 528 that is of no value, and because he comes down here twelve days after the defeat of the Government, this Order in Council is passed handing over to Mr. Crawford, 160,000,000 feet of timber belonging to the public domain. Do you mean to tell me that a defeated Government would be so generous to a man by the name of Mr. Wm. Crawford had it not been for the fact that Leach, Douglas, Perry, and those associated in the organization of the Liberal party in that country, were interested parties in this matter? But this was the manner and form in which the Government that was destroyed by the will of the people twelve days before, undertook to pay their hirelings out of the public domain and to hand over 160,000,000 feet of the people's timber in the province of British Columbia.

When I read this Order in Council I was amazed and I was anxious to find out what minister in the late Government would be bold enough to go into the Council Chamber and sign an Order in Council handing away the people's property in this manner. I am sure that I will surprise this House and I will surprise the country when I tell you that the minister who signed that Order in Council and brought it down to the Council Board to be approved was no less a person than the right hon. gentleman who leads the Opposition (Sir Wilfrid Laurier). Apparently he was the acting Minister of the Interior as the Minister of the Interior at that time had not recovered from his defeat and had not returned to the department.

Mr. OLIVER: I beg the hon. gentleman's pardon. The minister was not defeated, by some 2,000 majority.

Mr. ROGERS: To talk of principle, to talk of rules and to talk of practice in the administration of the public domain comes well from hon. gentlemen on the other side of the House. You have the record here to-night which makes clear the manner in which the public domain of western Canada was being plundered under the administration of hon. gentlemen opposite during their reign in this country. I think that I have satisfied this House, and I want to satisfy it still further by stating that when I was sworn in Minister of the Interior on the 10th day of October, seven days after the passing of this Order in Council, one of the first acts of my administration of the department was to arrest that Order in Council and to save that 160,000,000 feet of timber. I submit, Mr. Speaker, that my administration of that department in connection with this matter, as well as in connection with all other matters, will meet with the approval of the vast majority of the members of this House and I am satisfied that it will meet with the approval of the vast majority of my fellow countrymen in all parts of this vast Dominion of Canada.

Mr. SPEAKER: In reference to the case raised by my hon. friend from Edmonton (Mr. Oliver), I wish to say that Bourinot, at page 461 says:

> It has been laid down by the highest authorities that when a minister of the Crown quotes a public document in the House, and founds upon it an argument or assertion, that document, if called for, ought to be produced.

Reference is made to May and then the author goes on to give certain examples.

> But it is allowable to repeat to the House information which is contained in a private communication. When such private papers are quoted in the House there is no rule requiring them to be laid on the table. The rule respecting the production of public papers, quoted by a minister of the Crown, is necessary to give the House the same information he possesses.

On the same subject, May says:

> It has been admitted that a document which has been cited ought to be laid on the table of the House if it can be done without injury to the public interest.
>
> The same rule, however, cannot be held to apply to private letters or memoranda.

It goes on to cite some cases, giving the case of Lord Robert Cecil, who contended that papers that had been cited should be produced, and the Speaker held that this rule applied to public documents. On the 10th of August, 1899, the Speaker ruled that confidential documents, or documents of a private nature, passed between officers of the department and the department, cited in debate, are not necessarily to be laid upon the table of the House, especially if the minister declares they are of a confidential nature.

> Indeed, when it is obvious that the House deals only with public documents in its proceedings, it cannot thus incidentally require

the production of papers which if moved for separately would be refused as beyond its jurisdiction.

I am strengthened in my view by the ruling given by Hon. Mr. Blanchet some years ago with reference to the production of papers in this House:

Official papers quoted during the debate should be laid on the table of the House.

In this case, I think that these letters which have been read ought to be laid on the table of the House, but under the supervision of some one who would see that they would not be destroyed or removed so that they would not be available for the department in future, because I take it they are part of a file. I cannot rule that the whole file be laid on the table of the House, because if a motion were passed in this House for the production of that file it would be, as is always understood, only for the production of such portions of it as might be made public; there might be letters on the file which are private or of a confidential nature. But, the letters that are read here I think ought to be laid on the table of the House.

An hon. MEMBER: Letters from the file?

Mr. SPEAKER: Letters from the file.

Mr. OLIVER: May I ask the minister (Mr. Rogers) whether the letters he has read are public or private documents?

Mr. GAUVREAU: He said they were on the file.

Mr. ROGERS: Most of them are public. One or two of them may have been marked private. There are other private documents on the file which I have not touched upon at all.

Mr. OLIVER: Would the minister give me some description by which I could identify the file, because I desire at a later date to move for the placing of that file on the table of the House; the file from which these papers are taken.

Mr. ROGERS: I will give my hon. friend any information he may want about it tomorrow.

Sir WILFRID LAURIER: Mr. Speaker, I do not rise for the purpose of taking part in this debate, because, as to the facts which have been brought to the attention of the House by my hon. friend from Edmonton (Mr. Oliver) and by the Minister of Public Works (Mr. Rogers) I know nothing at all. But the Minister of Public Works has connected my name with an Order in Council which was passed after the defeat of the late Government, as to a recommendation which he said I had signed in the absence of the Minister of the Interior. I have no recollection at all of that. If I did it all, it must be simply in the course of the ordinary routine business which was transacted after the defeat of the Government. But if the hon. gentleman (Mr. Rogers) implies that I did anything wrong, or even makes an insinuation, I will be prepared to meet his charges if he will move for a committee of investigation.

Mr. W. M. MARTIN (Regina): Mr. Speaker, I desire first of all to congratulate the Minister of Public Works (Mr. Rogers) on the two hours' speech he has just made, and which was almost entirely devoted to an endeavour to show that Mr. R. E. A. Leach and some other Government officials in western Canada were just as bad as he is himself. At all events, since dinnertime, his speech has resulted in proving that the hon. member for Edmonton (Mr. Oliver), in his administration of the Department of the Interior, was a decent, honest man. The Minister of Public Works has spoken for two hours, and during that time he dealt with the question of the Donaldson homestead for a period of, I think, ten minutes. In the first part of his speech he posed before the House as a public martyr and complained that the so-called reptile press, which he is so fond of speaking about in this House, had done him an injustice, while in the next breath he admitted that the whole Donaldson homestead transaction was wrong, and if he had known of it he would not have permitted it at all. It seems to me the hon. gentleman has not much to complain about in this so-called reptile press telling the facts in connection with the Donaldson homestead. During the last hour and a half of his address, the hon. gentleman has simply indulged in the familiar tu quoque argument, which is always advanced by hon. gentlemen opposite when they get into a corner. Let me say that there is not a man who knows the facts in connection with this Donaldson homestead deal in the city of Prince Albert, and who knows the value of that property and who has seen it, who will for one moment defend that transaction. I would suggest that the Minister of Public Works should devote some of his time to defending this transaction, and if he does so, I will willingly give place to him so that he may discuss the resolution before us, which he did not refer to at all in the course of his speech. I contend that the minister having admitted that this whole transaction was an absolute wrong, and that he would not permit it himself, should now vote for this resolution moved by the hon. member for Edmonton (Mr. Oliver) and seconded by myself, which reads:

That all the words after 'that' be struck out and the following added thereto:

That the homestead entry for the north half of the southwest quarter of section 8,

township 49, range 26, west of the second meridian, was granted to Arthur Donaldson on April 16, 1912, in violation of the rules and practice of the Department of the Interior, and contrary to the public interest.

The hon. gentleman (Mr. Rogers) who was then acting as Minister of the Interior, has admitted this afternoon that the whole transaction was wrong, and, therefore, he could and should vote for the resolution up to that point. The resolution is not a condemnation of the minister personally, but a condemnation of the fact that this entry was allowed to be made. It proceeds to say:

That the Hon. Robert Rogers, a member of this House, having been at the time the said entry was granted, Minister of the Interior, is responsible therefor, and that the granting of such entry is deserving the censure of this House.

Surely the hon. gentleman (Mr. Rogers) will not say to-day that he is not responsible for the granting of this homestead entry because he knows as we all know that in Canada and every other British country where responsible government exists, the minister of a department is held responsible for its administration. I want to emphasize the point that the Minister of Public Works, having admitted on the floor of the House this afternoon that this whole transaction was wrong, should not, in the face of such admission, oppose this resolution.

The hon. gentleman (Mr. Rogers) is very fond, whenever he gets into a corner, of drawing a red herring across the trail; he believes in the motto that when you get into a corner you should hammer the other fellow, and try and get the attention of the public off the question at issue. He has pursued that course to-night. He is also very fond of making personal attacks on men who have been connected with the Liberal party organization in western Canada. I need not stand here to defend Mr. R. E. A. Leach; it is only during the past few years I have known Mr. Leach but I may say, that he has been a citizen of Regina for the past year or two and I venture to say that if the Minister of Public Works will go to the city of Regina he will not find many citizens, even of the Conservative stripe of politics, who will say very much against Mr. R. E. A. Leach. If he would like to hear about them, I can tell the hon. Minister of Public Works something about his own personators and thugs in the province of Manitoba. It has been rumoured throughout Canada that the present Minister of Public Works, who has been associated with the Manitoba Government, has succeeded in building up the most complete system of political crooks that has ever existed in the Dominion of Canada. When he came to the Dominion House of Commons and became Minister of the Interior, and subsequently Minister of Public Works, he was not satisfied to leave all of his political crooks in the province of Manitoba; he brought three or four of them to Ottawa, and, at almost any stage in the proceedings of this House, one can see two or three Manitoba personators and crooks sitting around the galleries of this House. On half a dozen different occasions I have seen sitting around the galleries of this House two or three men connected with the Manitoba political machine who are a disgrace to the citizenship of Canada. They came to Regina last summer during the Saskatchewan elections; they were not there long, but we knew their mission. One of them escaped in a small compartment which is usually found at the end of a railway car, while another hid in a public building for a day or two, and, during midnight, put on another man's clothes in order to help him get out of the city. That is the kind of men the Minister of Public Works brings to Ottawa to sit in the galleries, because he likes to perform in their presence, and is fond of their company.

I do not intend to say anything more that is not germane to this discussion. As far as the matter discussed by the Minister of Public Works is concerned, the whole thing is entirely out of order. The minister knows this, and I would have risen to a point of order, but I thought it as well to let him run himself out. He succeeded in showing that the documents which he read, and which he said in the first place belonged to a departmental file of public documents, were nothing more or less than private letters stolen from the office of Mr. Leach in Brandon, some of them being even marked private. Imagine a minister of the Crown, who aspires to be master of this Administration—

Mr. ROGERS: I absolutely deny that I quoted from any documents that were stolen.

Mr. MARTIN: Will the minister deny that these documents, some of which were marked private, were on a private file?

Mr. ROGERS: They were not stolen.

Mr. MARTIN: I will have my own opinion about that. Will the hon. minister tell us how he got them?

Mr. ROGERS: They came from the officers of the department.

Mr. OLIVER: What officers?

Mr. ROGERS: Mr. Stephenson.

Mr. MARTIN: If the Minister of Public Works is content to belittle the proceedings of this House by quoting from

private documents and correspondence, I will leave him to take the consequences of the quandary in which he finds himself. I said a few moments ago that the Minister has been unable to even defend this steal—for it is nothing more or less than a steal. Imagine one hundred thousand dollars worth of property, situated within the limits of Prince Albert, being given to a Conservative whip in the Saskatchewan legislature for $10. I wonder what some of the hon. gentlemen in this House who represent constituencies in the province of Ontario would think if the corner of his town occupied by the post office were allowed to be homesteaded. I propose to prove, by a statutory declaration, that at the time this entry was granted to this man Donaldson, the property was assessed on the assessment roll of the city of Prince Albert at $80,000. I care not what it is worth to-day, but, as I say, in the year 1912 it was assessed at $80,000, and I can prove that at that time it was worth $130,000. What will the homesteaders of the provinces of Saskatchewan, Alberta and Manitoba think of such a condition of affairs? From my knowledge of the location of this homestead, I say there is not a man in this House who will, if he is acquainted with the facts in connection with this nefarious transaction, get up and defend for one moment the granting of $100,000 worth of property to any person for the sum of $10.

The Minister of Public Works went to the city of Regina not many months ago, and at a banquet held in the month of June, 1912, the greater part of his address was devoted to his apparent interest in the settlers—homesteads for the settlers; and yet two months before that he had allowed $100,000 worth of property, situated within the city limits of Prince Albert, to be homesteaded, and the Dominion Lands Act prostituted for the benefit of a speculator in the city of Prince Albert. I would suggest that the hon. member for St. Antoine (Mr. Ames), who took part in an election contest some years ago in the West, should take his little lantern and go to western Canada.

The Minister of Public Works has said that the agent followed the precedent of 1908. Many of the members on both sides of this House have speculated in lands in western Canada, and we all know that to compare land values in 1908 with the land values in 1912 is absolutely absurd. I can show you land near the city of Regina which in 1908 was sold at $50 an acre, and which could not now be bought for less than two or three thousand dollars an acre. The same conditions exist in Saskatoon, Moosejaw and Alberta, and all the important cities of western Canada. But the Minister of Public Works says that the agent, when this entry was put through, had before him the precedent of 1908. Imagine the absurdity of such an argument. I believe that instructions were sent to McKechnie, the land agent at that time, by some official in the employ of this Government, acting under the instructions of the Minister of Public Works, to grant an entry for this piece of land.

Mr. ROGERS: I absolutely deny that.

Mr. MARTIN: I recognize that the minister has already denied that, but the minister has also denied that he knew anything about this proposal at all.

Some hon. MEMBERS: Order.

Mr. SPEAKER: According to the rules of the House, when an hon. member makes a denial, the hon. gentleman should accept it.

Mr. MARTIN: I have accepted his denial.

Mr. SPEAKER: The hon. member did so rather ungraciously, and in such a manner as to intimate that, while accepting it, he did not believe it.

Mr. MARTIN: Do you wish me, Mr. Speaker, to make any further statement in regard to the matter?

Mr. SPEAKER: I am satisfied, so long as it is accepted.

Mr. MARTIN: We will see if the hon. minister accepts it.

Mr. SPEAKER: Perhaps the hon. member misunderstood me—not that the hon. member for Winnipeg (Mr. Rogers) accepts, but that the hon. member speaking accepts the denial of the hon. minister.

Mr. MARTIN: The rule of course, compels me to accept his denial, and I think I have made myself plain in regard to that. The Minister of Public Works has also made a statement concerning the regulations, and has made a good deal of fun of the argument in regard to regulations, made by the hon. member for Edmonton (Mr. Oliver) I shall have occasion to refer to that further, but in the meantime, I would draw attention to this: if there is any virtue in regulations, I have in my hand the regulations of the Department of the Interior when the late Liberal Government went out of office and when the department was in charge of the hon. member for Edmonton. These regulations make a pamphlet of thirty-nine pages referring to homestead entries in western Canada. And my experience with regard to administration of homestead entries for western Canada has been that we were always compelled to live up to that book of regulations. But what is the position of affairs to-day, when the Minister of Public Works has had charge of the Depart-

ment of the Interior? I find that he had no regulations—he put out of business the regulations that there were. There is a small pamphlet of four or five pages covering practically a dozen rules affecting homestead entries. And why this change? Because the Minister of Public Works and his followers want to be free to play fast and loose with the natural resources of western Canada which the present Prime Minister promised faithfully, before the last election, to restore to the people of the province of Saskatchewan and the province of Alberta immediately if he was returned to power.

Now, let me run over the facts in connection with this case. I find on examining the file in connection with the matter that for a period of the last six years there was apparently no correspondence and nothing done at all with respect to this quarter section of land—from July, 1906, to February 14, 1912. And what is the first letter that appears at the expiration of these six years? It is a letter addressed by Mr. S. J. Donaldson, the Conservative whip in the Saskatchewan legislature, to the Minister of Public Works. He says:

Dear Mr. Rogers:—

Referring to our conversation at Winnipeg in regard to the southeast quarter of section 7, township 49, range 26, west 2nd and 90 acres—

It should read seventy acres.

—contained in the southeast quarter of section 8 in the same township and range, as I have the script on hand, I would be glad if you would give me the necessary permission to apply it on the above parcels of land, I enclose map showing the land in question.

Yours faithfully,
(Sgd.) S. J. Donaldson.

Hon. Robert Rogers,
Minister of the Interior,
Ottawa.

Now, that letter shows that Mr. S. J. Donaldson did discuss this question with the Minister of Public Works in Winnipeg —likely in the Royal Alexandra—and also that this letter was addressed to the hon. minister and was intended for him personally. 'Dear Mr. Rogers,' seems to me a rather familiar way to address the Minister of Public Works. Now, I would like to ask a question. Does the Minister of Public Works intend to tell this House and the country that he did not have any conversation with Mr. Donaldson and that he has no recollection whatever of receiving that letter to which I have referred.

Mr. ROGERS: Not the slightest.

Mr. MARTIN: Does he remember meeting Mr. Donaldson in Winnipeg?

An hon. MEMBER: Go on.

Some hon. MEMBERS: Oh, oh.

Mr. MARTIN: Let me tell the hon. member for Ontario that I intend to make my own speech. Did I understand the minister to answer that question? Did he say he had no conversation with Mr. Donaldson——

Mr. ROGERS: I did not say so; I may have had.

Mr. MARTIN: We get that admission from the minister; a little while ago he denied having had any conversation with Mr. Donaldson in the city of Winnipeg; now he says he may have had. I believe that the majority in this House and the people in the province of Saskatchewan from which I come will believe that Mr. Donaldson did have a conversation with the Minister of Public Works with respect to this piece of land. It is a most peculiar thing that for six years this land lay at rest and this particular file in the department shows that in that time nothing was done, but that as soon as this letter was sent to the Minister of Public Works, then Minister of the Interior, by Mr. Donaldson, things began to move, and move pretty fast; because immediately this letter got into the department some instructions were sent from somewhere to the officials of the department to get busy and see if this land could be homesteaded, and if Mr. Donaldson could apply scrip on the land or not. Then there is a most peculiar situation in regard to the matter it appears to me. The letter was dated February 14, 1912. Early in March, 1912—the 4th of March—the matter had got as far as Mr. Coté who, I believe, is the chief of the patent branch. And I find a memorandum from Mr. Coté which reads as follows:

With reference to your memorandum of 27th ultimo hereunder respecting the application of S. J. Donaldson, to be allowed to apply scrip on the fractional S.E. ¼ of section 7, and the fractional S.W. ½ of section 8—

The land in question.

—in township 49, range 26, west of the second meridian, I beg to say that legal subdivisions 2 and 7 and 8 of the S.E. ½ of section 7 have been set aside as school lands while fractional legal subdivision 1 stands as a time sale patented to A. G. Stewart; the N. ½ of the fractional S.W. ¼ section 8, however, is vacant in the records of the department and there would appear to be no objection to the applicant applying scrip thereon, provided he is the first applicant and the land is vacant according to the records of the agent of the Dominion Lands at Prince Albert.

A small sketch is attached hereto showing the land applied for hatched green.

Chief of branch.

J. W. Greenway, Esq.,
Commissioner of Dominion Lands.

That shows that Mr. Côté, chief of the branch, when he said that the land might be scripped, said also that it should be posted or advertised in the usual way. Was

it posted or advertised? I myself asked some questions in the House about this matter on the 6th of February last, and I will read those questions with their answers:

1. Was the north half of the southwest quarter of section 8, in township 49, range 26, west of the 2nd meridian, a part of a forest reserve?

The answer was:

1. No. It was included in land set aside by the department with the intention of having it form part of a forest reserve, but subsequently this parcel with others along the southern boundary of the proposed reserve were found to be good agricultural lands and were withdrawn prior to the establishment of the reserve.

The second question and answer were as follows:

2. If so, was it ever made available for homestead entry, and on what date was it made so available?

2. Yes; March, 1909.

There is not a tittle of evidence on any of the files brought down by the Minister of Public Works or the Minister of the Interior to show that this land was ever thrown open to entry. The answer to my first question on February 6 says that it was withheld from entry. What are the rules that were in force on April 12 with respect to land of this class that was withheld from entry for any purpose? The rule was that it must be posted. The hon. Minister of Public Works does not care much for rules, as I have shown——

Mr. OLIVER: Closure rules.

Mr. MARTIN: Yes, he favours closure rules. I have a copy of the rules and regulations of the department, of 1910, which constitute the last revision of the rules until the present Minister of Public Works abolished the rules and regulations altogether, and at page 12 I find the following:

Lands which have been under reservation for any purpose or have been in a timber belt or under lease, which become available to the first eligible occupant at the counter must be first posted for at least ten clear days.

The third part of the question which I asked on February 6, had reference to the posting:

3. Was any notice that the land was available for homestead entry given to the public? If so, what notice was given, and what was the nature of such notice?

To that the minister replied: No.

I submit that in granting this entry, whoever was responsible for it, a direct violation of the rules and regulations of the department, having the force of law according to the Dominion Lands Act, was committed and the Minister of Public Works this evening simply admitted that the whole thing was absolutely wrong and that if he had known anything about it he would have stopped it. I would like to see the hon. member for Prince Albert (Mr. McKay) get up and defend his action in connection with the homesteading of a city property in the middle of the city of Prince Albert. Let me say to the Minister of Public Works that this whole question did not become a scandal in the province of Saskatchewan within the past two months. It did become a scandal during May and June of last year. It was whispered all throughout the province that S. J. Donaldson had been presented with a city block in the city of Prince Albert under the guise of a homestead for $10. It was a public scandal and if it did not come to the notice of the Minister of Public Works when he was Minister of the Interior it is most peculiar. Let me point out to the minister that the fact that the man was allowed to apply scrip to the payment of the land, if his entry for the land could be shown to be improper, would not prevent the department taking action to cancel that particular patent. I have seen many actions brought for the cancellation of patents for homesteads in western Canada and I venture to say that the Minister of Public Works, who was then Minister of the Interior has seen such cases. I have seen cases brought in the Exchequer Court for the cancellation of patents. All the Minister of the Interior has to do to-day is to say to Donaldson: You got that land contrary to the regulations, without my knowledge, some official is to blame for it; it is an illegal entry for that homestead and you have been allowed to apply scrip on it; we will give you back your scrip, give us back the land. If S. J. Donaldson refuses to give back to the minister or to the people of Canada that homestead within the city limits of the city of Prince Albert, the minister can file a caveat for the cancellation of the patent and commence an action in the Exchequer Court and I venture to say that the Crown will succeed in recovering the land for the Dominion of Canada.

I have heard in this House and I have read in 'Hansard' some years ago speeches made by hon. members opposite, then in opposition, demanding restitution from people who had apparently got some land or timber limits, according to their interpretation of the law, in an improper manner. I say to the Prime Minister and to the Government that if ever there was a case where restitution should be made to the people of Canada and of western Canada in particular this Donaldson homestead in Prince Albert is the case.

I would not use very strong language but it is nothing more or less than highway robbery of the natural resources of the people of Saskatchewan. For $10 this man is allowed to go to the Dominion Lands office in Prince Albert and homestead a piece of property which he subsequently sells for $100,000 but which was assessed at the time he made entry for $80,000.

Let me say further that this whole proposition constituted a prostitution of the Dominion Lands Act. The Minister of Public Works knows full well, having been Minister of the Interior, that the Dominion Lands Act only applies to agricultural lands. I am well aware that in 1907 or in 1908 there seems to have been placed on one of the files some report to the effect that these lands were fit for agricultural purposes. The information I have been able to get in connection with the matter does not bear out that contention at all. I have here a declaration, which I shall read, to the effect that this is not agricultural land, never was agricultural land, and is only valuable for subdivision purposes, and apparently is a high-class residential district in Prince Albert. Let me read what appears in the Prince Albert Times. Someone will say that this is a Liberal newspaper. So it is, but the Conservative paper in Prince Albert has never raised one little finger to defend the transaction in connection with that homestead in Prince Albert. This paper tells of the location and value of this property:

The property in question is the north half of the southwest quarter of section eight, township 49, range 26, west of the second meridian. It lies well within the city limits and is already bounded to the north by the Park Hill subdivision in which all lots near it are now fetching $400 a piece, to the east by the Hazeldell subdivision while on the south is Riverside Drive which are fetching a still larger figure. To the west of it the city limit stretch over a mile, to the north half a mile, while the three miles east of it are within Prince Albert's boundary. The property is within about fifteen minutes walk of the city hall.

A little further on in the same article the paper says:

Although Hon. Dr. Roche is reported to have stated in the House, in answer to a query of the member for Regina that the tract in question was found to be 'good agricultural land,' it is low lying, in bad need of draining and covered with a scrubby second growth of jackpine.

Mr. SPEAKER: The hon. member is quite out of order in quoting any paper or document from the outside world criticizing or contradicting any statement made in this House by a member in connection with the business of the House.

Mr. MARTIN: I have no particular desire to read it.

Mr. MARTIN (Regina).

Sir WILFRID LAURIER: What rule is that?

Mr. SPEAKER: Bourinot says at page 459:

It is also irregular to read extracts from newspapers or documents referring to debates in the House in the same session.

Sir WILFRID LAURIER: This is not referring to a debate of this session.

Mr. SPEAKER: It is not referring to answers given by the Hon. Dr. Roche in this House and endeavouring to contradict the correctness of a statement made in this House in the present session.

Mr. PUGSLEY: This newspaper does not refer to the answer of Dr. Roche.

Some hon. MEMBERS: Yes it does.

Mr. PUGSLEY: No, what the hon. member is quoting from now is a statement that these are not agricultural lands and that is all and my hon. friend the Minister of Public Works did not say that they were agricultural lands. He has not criticized the statement.

Mr. SPEAKER: It is certainly referring to a statement made in this House during the present session and criticizing it and the rule in every particular is contravened by the reading of the article.

Nor is it in order to read articles in newspapers, letters or other communications, whether printed or written, emanating from persons outside of the House, referring to or commenting on or denying anything said by a member or expressing any opinion reflecting on proceedings within the House.

Mr. MARTIN: I did not read this extract with a view of criticizing the answer made by the Hon. Dr. Roche; I am prepared to take his answer as correct. As a matter of fact I am taking his statement as correct. Then do I understand Mr. Speaker, that I cannot refer to this?

Mr. SPEAKER: The hon. member cannot quote from a newspaper referring to what took place in this House during the present session. I may say with reference to the quotations which he made that at first it seemed to me that they were quite irrelevant to the case, that they had regard to the land outside of the property in question, but when he touched the question that had been before the House I thought it time to interfere.

Mr. OLIVER: I understood the quotation from a newspaper to be merely the evidence which my hon. friend desired to place before the House as to the statement he made that the land was not agricultural land.

Mr. SPEAKER: It referred expressly to the answer made by the present Min-

ister of the Interior (Mr. Roche) and therefore to what took place in this House during the present session.

Mr. MARTIN: There was a statement read this afternoon either by my hon. friend the member for Edmonton, or by the Minister of Public Works referring to a report of Campbell, a forest inspector, back in 1907 or 1908, which stated that this land was practically fit for agricultural purposes. I submit that I can proceed to confute that statement.

Mr. SPEAKER: A statement made in 1907 or 1908 cannot refer to anything that took place in the House during the current session.

Mr. MARTIN: Putting aside this newspaper altogether, I want to say with respect to the matter that notwithstanding the fact that Campbell, a forest inspector, came to the conclusion that a portion of this land was practically fit for agricultural purposes. I know of my own personal knowledge that it is not fit for agricultural purposes, and I think the hon. member for Prince Albert will bear me out when I say that it is not agricultural land at all.

Mr. CROTHERS: I understood from the documents that have been read here that this land was withdrawn from the forest reserve because it was agricultural land. If not, I would like my hon. friend to tell me why, when the new forest reserve was being constituted, these lands were left out. If they were not agricultural lands, why was part of them given to this man Everett in 1908 for agricultural purposes?

Mr. MARTIN: I will answer the hon. Minister of Labour in this way. There is absolutely no evidence on the file in any shape or form to indicate that this land was ever withdrawn from the present forest reserve.

Mr. CROTHERS: From the original forest reserve.

Mr. MARTIN: Or, from the original forest reserve.

Mr. CROTHERS: Oh, yes, there is.

Mr. MARTIN: The Minister of the Interior stated in February, 1912, that it was withheld from settlement, and therefore it could never have been thrown open in 1909 or 1912; it could never be properly thrown open until it was advertised according to the regulations, which was never done. I presume the Minister of Public Works will admit that. It was never properly thrown open for homestead entry, the files show that, and the answer made by the Minister of the Interior on February 6, was that the land had not been posted in accordance with the regulations. I say that this man Donaldson got entry to this land improperly and illegally. If the Government, with the Prime Minister at its head, and the Minister of Public Works, who to-day has assumed the role of protector of the natural resources of western Canada, will look into this question and ask Mr. Donaldson to make restitution to the people of western Canada, they will show the people of Canada and the members of this House that they are anxious to preserve the natural resources for the benefit of the people and not for the benefit of party heelers who reside in Saskatchewan and different parts of western Canada. I have a declaration here which I want to put on record. I may say it does not refer to any ministers of the Crown or to any past proceedings in this House.

Canada, Province of Saskatchewan, to Wit:
In the matter of a certain homestead, within the limits of the city of Prince Albert, entered for by Arthur Donaldson, son of S. J. Donaldson, and subsequently transferred to the said S. J. Donaldson, being the north half of southwest quarter of section 8, township 49, range 26, west of the 2nd meridian, in the province of Saskatchewan.

I, Samuel McLeod of the city of Prince Albert in the province of Saskatchewan, real estate agent, do solemnly declare:

1. That the above described land is situated within the limits of the city of Prince Albert and was so situated at the time of the above mentioned homestead entry.

2. The assessed value of the said land as appears by the city assessor's books is $80,000.

3. The above described land is not fit for agricultural purposes and would be valueless as a farm, but is extremely valuable for subdivision purposes and is estimated to be worth at the present time $125,000.

4. No advertisement that the said land was open for homestead entry has appeared in any of the local papers or has the said land been advertised by public notice in the Dominion lands office, so far as I have been able to ascertain.

5. I am informed and believe that J. S. Fowlie and Silas A. Milligan applied for a homestead entry on this land and were informed by the Dominion lands agent that the same was not open for entry.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the city of Prince Albert, in the province of Saskatchewan, this 3rd day of March, A.D., 1913.

F. W. Halliday,
Commissioner for oaths in and for the province of Saskatchewan.

(Sgd.) S. McLeod.

Now apart from the fact that that declaration shows that it is not agricultural land and, therefore, that it does not come under the provisions of the Dominion Lands Act; apart also from the fact that it shows that the assessed value was $80,000 and that the

actual market value was $125,000; and apart further from the fact that I have a letter from a prominent citizen of Prince Albert stating that he knows that Donaldson sold this land some time ago for $100,000—I do not know anything about the telegram which the hon. member for Edmonton got, and it does not make very much difference—what the people are asking is what was the value of the land when this entry was made in 1912, I wish to point out that other men in the city of Prince Albert had inquired at the Dominion lands office about this particular piece of land, and had been told that it was not available for entry. I also find that a man named Fowlie wrote a letter in which he stated that while he had had no interview with the Minister of the Interior at Ottawa, he had had interviews with officials of the Department of the Interior, and had been told that there was no land available for homestead entry north of the Saskatchewan river. A number of those people in Prince Albert, if rumour has it correctly, applied to the Dominion lands office and to the Department of the Interior and were informed that there was no land available for entry. Does it not appear suspicious that a man occupying the position of Mr. S. J. Donaldson should be allowed to make that entry without any posting in accordance with the regulations?

I do not want to draw conclusions or inferences, if I did I could say some very unparliamentary things in connection with this particular transaction. I believe the whole transaction was nefarious from top to bottom. It was born in iniquity. It was born when Mr. S. J. Donaldson met the Minister of Public Works, then the Minister of the Interior, in the Royal Alexandra hotel in the city of Winnipeg. The next step was when Mr. S. J. Donaldson, wrote a letter to the Minister of the Interior, now the Minister of Public Works. The minister says he knew nothing about it, but his private secretary has written no less than three or four letters or memoranda with respect to this particular transaction. The minister may say that that was after the entry was made. It is true, according to the files, that that was after the entry was made, but the fact remains that while the application was being made for the scrip of this land, and the negotiations were going on over a period of three or four months all the memoranda on file came from the minister's office in the building situated in front of the parliament buildings in Ottawa and were signed by G. F. B., then private secretary for the Minister of the Interior, now the Minister of Public Works. I am not going to take up time by referring to these three or four or five letters. I have some of them here. But, there always seemed to be a great rush about this matter. They could not take time to consider it. This man had to have his land and he had to get it right away. I find on the files no less than three letters sent by the minister's private secretary instructing the officials of the Department of the Interior to hurry up this application for scrip so as to allow this man Donaldson to apply the scrip and get the patent for his land. A most peculiar thing is that there is nothing on the files to help us at all. I would not like to say that these files had been stripped but they appear at least to have been stripped before they were brought down to this House. It is a most peculiar circumstance that, although during six years prior to this transaction, a great deal of interest must have been taken in this particular piece of property, no correspondence appears on the file from anybody wishing to know whether this land was to be retained as part of the reserve or whether it was to be thrown open to entry.

What should the Government have done in connection with this piece of land? We know that the practice that has been followed where lands are particularly valuable has been to transfer them to the school lands branch. If the Government did not want to do that they could have sold this land at public auction to the highest bidder, if they must part with it. We used to hear some hon. members, whom I see before me now, waxing most eloquent in the contention that all public land and timber rights should be sold at public auction to the highest bidder. Here is a case where a strong party heeler in Saskatchewan practically robs the people of the country. I will not say that the minister has robbed the people, but I will say that Donaldson has robbed the people of $100,000 worth of property. That property would have brought $100,000 if it had been publicly offered for sale; it would at least have brought $80,000 if put on the market last year. If the Government did not want to sell the land to the highest bidder they might have transferred it to the school land branch and thereby increased the school grant by that amount or, if they did not want to transfer it to the school lands branch, they might have presented it to the city of Prince Albert to be used as a public park. There was a movement in the city of Prince Albert on the part of some of the business men there to get this land from the Government for park purposes two or three years ago. I may not be correct in that statement but it was so rumoured.

I can give an instance of what was done with valuable public land adjoining cities in western Canada during the time of the late Liberal Administration. There was a piece of land, 186 acres in extent, adjoining the city limits of Regina. Efforts were made on two or three occasions in 1903, 1904 and 1905 to get that land for homestead purposes. The land at that time would not have brought more than $40 or

$50 per acre if put on the market as farm land. The Department of the Interior, both under Mr. Sifton and my hon. friend from Edmonton (Mr. Oliver), absolutely refused to allow that land to be used for homestead purposes because they said it was too valuable to be homesteaded. About 1906, or 1907, the city of Regina was presented with the land by the late Dominion Government and the assets and borrowing powers of the city have been increased to the extent of the value of that property. That is what the Government might have done in connection with this piece of property at Prince Albert. They might have presented it to Prince Albert to be used for park purposes or for any other purpose to which Prince Albert desired to put it.

To put this matter in the mildest possible form, the transaction was brought about by an abuse of the homestead regulations. The entry for the homestead and the scripping of it constituted an illegal and improper transaction the result of which is that one man in Saskatchewan obtained a fortune at the expense of the whole Dominion. Let the Government investigate this matter and see if it is not a proper case for restitution to the people of Canada.

Mr. J .D. TAYLOR (New Westminster): Mr. Speaker, I think that those of us who have followed the course of this debate will agree with me in the conclusion that this mouse so painfully brought forward by the Liberal mountain in labour has a very long tail, and a very piercing squeal for a very attenuated body. The substance of the complaint of these hon. gentlemen seems to be that a ripe plum, neglected on the public tree, has fallen off after the general election instead of before. After the illuminating addresses we have had this evening it seems to me that these hon. gentlemen ought to be thankful for that rule in this House to which, if I may be permitted a word of reference, they so strongly objected during the past week —that is the previous question—because, as we know, a motion in amendment to the motion to go into the Committee of Supply is only another form of the previous question in that it also prevents any possibility of an amendment to the amendment itself. Otherwise I would be glad to take the responsibility of moving, for reasons much stronger than any that have been given here to-day, to substitute for the name and description of my hon. friend the Minister of Public Works (Mr. Rogers) the name and description of his predecessor in the office of Minister of the Interior, and so substituted, I feel quite sure that both in the House and in the country there would be a chorus of approval of the suggestion of censure.

Now, to deal for a few moments with our animated friend the hon. member for Regina (Mr. Martin), I would like to say to him that he appears to know very little indeed about the history, the reputation and the practice of the gentlemen with whom he has been associated. That hon. member worked himself almost into a frenzy because letters which he was pleased to describe as stolen, which he modified in his further description to merely private, had been read to this House and he said that the minister who read them would be held up to public scorn because he had made this use of private letters. Does not the hon. gentleman know that the use of private letters—the theft of private letters —constitutes the very beginning of his party, the very soul and substance of his party, and that if there are no recent records to which to refer of this use of private documents, it is only because, unfortunately for the country, the Liberal party were in power so long that the incidents have in large measure been forgotten, since necessarily private letters are from the files of their opponents. But if the hon. gentleman wished to revise his opinion of his colleagues and to take back the harsh criticisms that he offered upon hon. gentlemen upon this side of the House, for using the material which the gods had provided for them on the files at Brandon, I would refer him to the sessional papers of 1897, which he will find fairly bristling with communications marked 'private' abstracted from the files of the Post Office Department by the Postmaster General of that day at the birth of the late Liberal Administration. They were not in regard to matters of serious moment like this attempted theft of 160,000,000 feet of the finest timber in British Columbia, but abstracted from the files of the Post Office Department and spread before this House, simply to cause a little local confusion amongst the neighbours of members of the House who had interested themselves in mail contracts. These private letters printed because there were little personal references in them which might be embarrassing to the writers of the letters, but which could have no concern whatever, and certainly no injurious concern to the public, were spread before the country in the sessional papers by the very gentlemen with whom the hon. member (Mr. Martin) has been associating all these years.

I would like to offer to that hon. gentleman another short chapter from the history of his party; from the history of one of his leaders, perpetuated by another of his leaders who succeeded him in the office of Minister of the Interior, and justified in this House by the Liberal majority on many occasions. I refer to the practice

of the department in dealing with possible townsites. This matter came up in connection, not with a piece of land obtained by accident as this piece of land at Prince Albert appears to have been obtained, but the discussion arose over an incident of a most deliberate nature.

Mr. PUGSLEY: Happy accident.

Mr. TAYLOR: Hear, hear, says the ex-minister (Mr. Pugsley) with great unction.

Mr. PUGSLEY: What I said was that it was a very happy accident.

Mr. TAYLOR: A very happy accident indeed for the beneficiaries of the townsite of Blairmore, to which I am referring. The Liberal Government of that day wilfully and wantonly disturbed a large number of settlers on that townsite and robbed them of their whole possession, for the purpose of illegally bestowing that townsite upon a party favourite; a townsite worth then from $100,000 to $200,000 as appears by the sworn evidence in the trial of the case which followed on this transaction. In the Blairmore townsite case the late Government ousted the settlers and gave the land to their party favourite, and upon their being challenged and taken into court, the Minister of the Interior of that day wrote to the Solicitor General for his guidance in the conduct of the case. This letter appears in 'Hansard' of April 12, 1907, page 6595. Mr. Sifton was Minister of the Interior and the letter of instruction to the Hon. Charles Fitzpatrick, says:

> The Crown does not attempt to sell lands which have an artificial value, by reason of being valuable for town sites or for any similar reason at the highest price obtainable, and the whole experience of the department, both under the late administration and under the present administration proves conclusively that an attempt to hold land from sale and settlement, under ordinary terms and prices, with the object of selling particular parcels at higher prices, would result in trouble and expense which would more than counterbalance increased receipts and would cause a great deal of trouble and irritation.

Again on the suggestion that the Government having ascertained the extraordinary value of the land should make a cancellation, the same Minister of the Interior writes:

> Under the circumstances it appears to me that the proper course to pursue is to bring the matter before the judge and ask to have the case disposed of. The statement should be made that the Crown has no desire to ask for the cancellation of the patent on the ground of the inadequacy of price, because everything relating to the price was thoroughly well known when the sale was made.

Now, Mr. Speaker, it is not necessary for me to agree with the opinion of the former Minister of the Interior (Mr. Sifton) as to the procedure to be adopted in the case of lands adjoining towns, I simply quote the letter to show what was the recognized practice of the Interior Department, and further to show that the late Minister of the Interior (Mr. Oliver), who made this charge in the House this afternoon, was fully conversant with that practice because it had been strongly brought home to him in the discussion of this Blairmore outrage. And further, that during the whole six years of his tenure of office as Minister of the Interior, he made no attempt whatever to lay down any other policy with respect to dealing with land adjoining town sites, or to protect the public in any way from loss such as that he complains of as having occurred with respect to land which might have been sold for townsite purposes, being disposed of under ordinary conditions.

Mr. OLIVER: Do I understand my hon. friend to be alluding to me?

Mr. TAYLOR: Yes Sir.

Mr. OLIVER: He says that I did not enter upon any policy for the disposal of land that had become valuable on account of its proximity to townsites?

Mr. TAYLOR: That is my understanding.

Mr. OLIVER: I can only say that my hon. friend is decidedly wrong. I tried to explain to the House to-day what the policy was, and proved it by the action of the Government in regard to the very adjoining quarter section to this Donaldson homestead.

Mr. TAYLOR: Then the position is worse than ever for the hon. gentleman, for he did realize the danger; he did know what ought to be done with this townsite and he did allow it to remain in the perilous position in which it was found; not reserved by any law at all, but reserved by the personal instructions of the minister; the mere personal order of the minister which has no force and effect at all except between that minister and his subordinates, and of which no future minister could possibly have any record or knowledge, or be bound by in any way. I think that is absolutely clear, and therefore if there is anyone censurable at all for what happened to this eighty acres near the town of Prince Albert, it is the late Minister of the Interior (Mr. Oliver), who proceeded to allow that to remain reserved only under his personal order, as I heard read from the evidence produced in this House to-day.

Mr. OLIVER: I do not like to interrupt my hon. friend, but I explained to the House that the reservation was not made by me nor by my immediate predecessor, but by the last Minister of the Interior of the Conservative Government in 1896.

Mr. TAYLOR: Mr. Speaker, I am obliged to the hon. gentleman for the information he has given, but I would call his attention to the fact that it does not differ in the slightest degree from anything I have said. I remember perfectly his statement made to the House this afternoon and also remember the statement made later by an official of the department that this reservation was on the personal word of the minister only and required no process whatever to disappear.

Mr. OLIVER: Except the order of the minister?

Mr. TAYLOR: Except the order of the minister who fifteen years before had gone out of office and possibly was dead.

Mr. OLIVER: The hon. member surely will not be so absurd as that. The reservation is made by order of the minister and the letter of the officer of the department which was sane, informed whoever was inquiring that the reservation remained until removed by the order of the minister.

Mr. TAYLOR: Precisely; here was an exceptionally rich plot, reserved for some person not by an Order in Council, which would have to be brought before the colleagues of the hon. gentleman to be cancelled, but kept under the personal control of the minister, so that at any moment that reserve could be lifted without any record at all of its having been recalled or having existed. That was the position in which this hon. gentleman chose to leave this valuable land at Prince Albert when he so unexpectedly went out of office.

Mr. OLIVER: That apparently is the position in which my hon. friend found it.

Mr. TAYLOR: I am obliged for this further contribution to the debate, but I do not think it adds anything to the substance of it. The hon. member for Regina ventured upon an inference. He drew the inference that something must have happened to put this land in motion. Let me suggest an inference, which I think is much more reasonable, and which will appeal to those who know the sentiments that have prevailed and the creed that has been accepted by the Department of the Interior in late years. It seems to me—and I am fortified in this impression by the fact that one of the favourite occupations at Prince Albert seems to have been applying for entry upon this piece of land, as we have had affidavits and statements that this citizen and that citizen applied at different times for entry—that it is quite plain that there was no knowledge of any binding reservation; so the boys kept constantly coming up and asking for permission to go on this land.

Mr. OLIVER: If there was no reservation, how was it that the boys did not get the land?

Mr. TAYLOR: If I must answer the question—I suppose the right boys did not go to the minister. If we are to deal with inferences, such as those with which my hon. friend from Regina has been concerned, it is a fair inference that, if these boys applied for the land as often as we have been told to-night, it would be borne in upon the agent at Prince Albert, that here was a ripe plum ready to drop into some lap, and that at the proper time, when he found that a change of government had occurred, it would be quite reasonable if he were casually to mention to some good citizen the fact that here is a piece of land against which there is no reservation except the personal order of the minister, and it will be open to the first man who gets in his application for it. It seems to me that is the reasonable origin of the dual application for this land at Prince Albert. What would the hon. ex-minister or the hon. member for Regina do in such a case? The complaint which they have made to us of most serious irregularity is that this was not advertised for ten days. To what effect? That it might be made eligible to the first man who appeared at the counter and made his entry. The whole gist of this accusation is that, after all, the wrong boy did get this piece of land, while the country suffered nothing, because under the ex-minister's procedure, the country would have obtained nothing more than the $10. Both the ex-minister and the hon. member for Regina made the complaint that this should have been advertised to give every person a chance to come up there and take it, although in any case the payment to the country would not be more than $10.

We heard something from the member for Regina about taking a lantern and going west to see what was done under the late Government with the land there. If the hon. member had not left the Chamber, I would tell him that I could give him some information, which seemingly would be of great value to him, that again he has utterly failed to appreciate the habits of his associates; that you do not need a lantern, in the particular part of the west from which I come, to see what has been done with the Government's land there; that you would not find them advertised even for ten days, and to be awarded to the first man at the counter; that you would

not find any desire at all to protect the public interest; that none of the noble sentiments given utterance to by the ex-Minister of the Interior this afternoon have been carried out in British Columbia. Take a case which I have in mind in the city of New Westminster. The late Government expelled from the ground on which the end of the splendid provincial bridge rests, a settler who had been on the land for fifty years—a worthy fisherman — so anxious were they to obtain possession of it. They did not put him off—they dispossessed him of fifty acres out of fifty-five, which had been part of his heritage from his father on the ground that as it had been a military reserve when his father went on it, the land was not properly open to entry at that time. They did not put him off, however, in order to secure a large revenue from the public in respect of that very valuable land. One would think, to hear these gentlemen speak this afternoon, that they had nothing else in their minds except to get from the public every dollar they could for the land of which they disposed. But the boys came along and cast covetous eyes on the property, and made a deal with the Government at Ottawa to take from this poor fisherman, who had been born on the property, and had lived on it for fifty years, fifty acres of that most valuable land—land now worth two or possibly five thousand dollars an acre—and give it to Mr. T. W. Paterson, a millionaire contractor of the city of Victoria. But they did not have the courage to make a straight gift. They held a fake auction, as the means of transfer, in the land agent's room on Saturday afternoon, when the office was supposed to be closed, exhibiting there a map upon which there appeared in large letters across this piece of land: 'proposed to be sold to T. W. Paterson.' This happy boy, who got in that time and got his little plum, had some local connection at Ottawa, where he was fortunate enough to be a son-in-law of a member of the other House. We had another land transaction out there—6,800 acres this time, on the Canadian Pacific railway, and on the Pitt river. This is as fine a piece of land as there is in British Columbia—land for agricultural purposes alone worth anywhere from $500 to $800 an acre, as well as being very valuable for industrial and settlement purposes. That land was disposed of not by public auction, or even after ten days' notice, but it was handed over by the late Minister of the Interior—the very gentleman who so eloquently addressed the House this afternoon on the iniquity of this transaction—at $1.50 an acre.

This was supplemented by two pages of pretentious matter in the Canada Gazette stating the precise manner in which these lucky gentlemen were to dyke their land, the whole iving it the pretense of a great reclamation scheme—and this in a district where all lands are dyked and where the dyking follows as naturally as the making of roads. That transaction meant to these favorites easily $1,500,000, and through inquiry into it, I find that that land was distributed over the official heelers in three ridings in British Columbia. It was divided into eighteen parts, so that eighteen of the boys might have a hand in it—eighteen of the boys headed by our old friend Bob Kelly, with whose name this House echoed at one time. I think I need not give further samples to show the member for Regina that it is not necessary to take a lantern to go out to the West to find how the members of the late Government disposed of lands.

The cold-storage treatment seems to have had quite an effect on the ex-Minister of the Interior. In some respects it has improved him, if I may say so without offence, by toning him down, for I have heard him more vigorous than he was this afternoon. In other respects, it seems to have spoiled him by giving him a contrary disposition he did not always possess. For instance, a few years ago, he was indignant that any person should come here and put forward charges, founded or unfounded, against a minister of the Crown. He thought it was a horrible thing to do. One could hardly believe that the hon. gentleman who so carelessly launched this trivial charge today upon which he asks the censure and the disappearance of a minister of the Crown was the same gentleman who so feelingly and almost tearfully made these remarks to the House in 1907. I quote from 'Hansard,' page 6570:

> We have no protection against their shout of scandal from their benches here and from their press throughout the country, a campaign, I say, directly and essentially intended to hurt this country, to retard the prosperity of this country more than it can possibly hurt any individual or political party in the country. If the Government can be discredited by that campaign the country is discredited by the same campaign, and the wheels of progress are retarded by the gentlemen who are here in their places in this House for the purpose, if for any purpose, of pushing the country forward and helping the Government and not of hindering it in securing or forwarding the welfare and prosperity of the people.

Quite eloquent; quite worthy of a minister of the Crown. But what a contrast to the suggestions, the accusations of the hon. gentleman this afternoon. The ex-minister dealt in inferences, like his follower from Regina. He 'presumed' that some one had made judicious inquiry as to whether there was something good that might be picked up. He suggested that

someone had a pull with the minister; and by contrast he declared that he himself had a well-defined policy for dealing with such cases. What was the hon. gentleman's policy when dealing with such cases? Can the ex-minister say that he ever indicated any policy which would give land or other property of the Government to the public without favouritism to members of his political party?

Mr. OLIVER: The hon. member has asked me the question, and I will say, most undoubtedly, and at no time during my administration of the Department of the Interior did any other policy prevail or was any other principle followed so far as my authority extended.

Mr. TAYLOR: The hon. gentleman says, in all seriousness, that favouritism at no time prevailed in his department, that everybody had a square deal there.

Mr. OLIVER: So far as my knowledge went and so far as my authority extended, the policy was declared and the principle acted upon.

Mr. TAYLOR: And the ex-Minister of the Interior and his supporters know of no instances where money was paid because of friendly acts of the department?

Mr. OLIVER: What does the hon. gentleman say?

Mr. TAYLOR: I ask if the ex-minister knows of any instances in which money was paid for recognition of the offices of the department in connection with the public domain?

Mr. OLIVER: I have no knowledge of such instances. Has my hon. friend such knowledge of any case? If he has, now would be a good opportunity to state it.

Mr. TAYLOR: I do not know whether or not I have knowledge of any; I have only the ex-minister's word. I have his word given in 1911, I have his conflicting word to-night. I am bound to accept the ex-minister's word—but which word? Standing in this House on the 3rd of May, 1911, the then Minister of the Interior, the hon. gentleman who made these charges in this House this afternoon, laid down a splendid ideal for the conduct of a department disposing of the public domain, for the permanent officials of the department, an ideal for the public men who might succeed him in office and for the members of Parliament their supporters. Speaking in this House on a memorable occasion, and endeavouring to make it plain that a sum of money not yet explained in detail was explainable without any sinister suggestions, that it might have come in in the natural course of events, just as waiters in a restaurant gather in tips and do not forcibly squeeze the public—addressing the House on that lofty plane, he said, as reported in 'Hansard' of 1911, page 8327:

I want to say to the House, what is within the knowledge of the members on both sides, that the transactions of the Interior Department during the six years that I have been at its head have been necessarily of such a character as to make possible the securing of contributions from day to day of large or small amounts. Everybody knows that.

Here there were several interruptions by hon. gentlemen which are not relevant to the question. Then the minister proceeded:

In that time there have been from day to day,——

Mark you, Mr. Speaker.

—from day to day, administrative acts involving values of large and small amounts which might be laid under contribution for political purposes or for any other purposes, either private or political.

Mr. OLIVER: If I might make a remark in connection with what my hon. friend has said I would draw your attention and that of the House to the fact that he has suggested that in those words I admitted that sums of money were paid. I made no such admission; on the occasion upon which I spoke I made an absolute denial and my hon. friend knows it.

Mr. PUGSLEY: He has not read that.

Mr. OLIVER: And if there is any question about the denial made then I want to be understood as absolutely making it now. But I want to say that my hon. friend has no warrant nor has any hon. member any warrant to draw the inference my hon. friend has dared to draw to-night.

Mr. TAYLOR: I have dared more than that in my time. I would like to ask the hon. gentleman if he will permit me a question. What did he deny then?

Mr. OLIVER: If I remember the incident there was a question before the House involving a suggestion that certain moneys had come to me because of transactions of the Department of the Interior. I was making allusion to that suggestion and if my memory is correct I conveyed with my statement a denial absolutely of any such suggestion and moved for a committee of inquiry by the House.

Mr. TAYLOR: This is a matter of record.

Some hon. MEMBERS: Hear, hear.

Mr. TAYLOR: I would commend to hon. gentlemen who say 'hear, hear,' the perusal of 'Hansard,' particularly of a small part I took in that debate and the question I put to the present Minister of the Interior, whether he would permit investigation of the source of $19,000 of that money and I suggested the source of it. The hon. gentleman in his answer did not deal with the

money at all, but said that he challenged investigation into the merits of the transaction, that is whether Smith or Jones had the best right to have the property in question. I invite the perusal of the 'Hansard' to which I refer and I think I am safe in saying that there is no more explanation of that money than I have read to the House, no explanation there of what this means, if it means anything, except that it is certainly proper for a man having the custody of public property in the administration of a department to accept from his visitors on the occasion of their visits to his department such largesse as they care to give him.

Mr. OLIVER: I think my hon. friend is going pretty far. He says that this is a matter of 'Hansard.' He is quite aware that he is putting on 'Hansard' to-night certain statements which are certainly intended to be construed as of a very damaging character to myself. May I be permitted to give my friend's statement and the passage between my hon. friend and myself. I was speaking in regard to the question which I mentioned a little while ago. My hon. friend raised a question, I do not think he mentioned any sum of money or any incident. My reply, if I remember correctly, was that I did not know to what incident my hon. friend alluded, but that I was perfectly satisfied to have whatever incident it might be included within the scope of the proposed committee of inquiry.

Mr. TAYLOR: I will get the 'Hansard' so that we may see precisely what is there but, in the meantime, in the light of the explanation which we have had now, and which will help us to interpret these significant sentences, I would like to read them again:

I want to say to the House what is within the knowledge of the members of both sides that the transactions of the Interior Department, during the sixth years I have been at its head, have been necessarily of such a character as to make possible the securing of contributions from day to day of large or small amounts.

Now, mark the language of the Hon. Frank Oliver, the then Minister of the Interior:

To make possible the securing of contributions from day to day of large or small amounts.

That was not amounts of land or timber, it would only be amounts of money. If there was no money, as we must infer from the way in which the hon. gentleman challenges the meaning, what in the world did this mean?

Mr. PUGSLEY: It seems like obstruction, that is all.

Mr. TAYLOR.

Mr. OLIVER: I would suggest that if my hon. friend is going to continue to read my remarks he should give to the House what they did mean and I am satisfied they did not mean, and the 'Hansard' will not show that they meant, what my hon. friend is attempting to convey to the House.

Mr. TAYLOR: Unfortunately 'Hansard,' while it is its own interpreter, does not put its interpretations in any plainer language than the original text. I do not want to read all of this but I think I shall read as much—

Mr. OLIVER: I would like the hon. gentleman to read sufficient of my remarks to convey the idea that I desired to convey. That would be fair.

Mr. TAYLOR: I shall endeavour to do that, I shall be just as fair as I can. The ex-Minister of the Interior, referring to this money, says at page 8326 of 'Hansard,' 1911:

As to what private transactions any person may have it is quite true that when an improper connection is established between these private transactions and public responsibility then the public have an interest and a serious interest, but as long as private transactions are private transactions, as long as they are not connected with public responsibilities, I submit, Mr. Speaker, that however public curiosity may be aroused, however public interest may be inflamed from other causes or in other ways, these matters are not in any degree in the same class or entitled to the same consideration as the discharge of public responsibilities.

Then he refers to the articles in the World and the Telegram respectively, and proceeds:

There was an insinuation, and a serious insinuation, which related to an important administrative act for which I was primarily responsible, and I think it is only right that the country should know and have the earliest opportunity of knowing, what foundation there was for that insinuation.

That has not happened yet, Mr. Speaker. He proceeds:

In regard to that my hon. friend the leader of the Opposition has suggested—he has been unkind enough to suggest—that the money which was deposited to my credit might have come from a thousand different source. He was perfectly correct in that. I want to say to the House, what is within the knowledge of the members on both sides, that the transactions of the Interior Department during the six years that I have been at its head have been necessarily of such a character as to make possible the securing of contributions from day to day of large or small amounts. Everybody knows that.

That, Mr. Speaker, was the first part of the passage from which I quoted, and I do not think that the text has made it any

better for the ex-Minister of the Interior. Then the present Prime Minister interjected:

I would like to interrupt the minister for a moment. In the first place, I did not say a thousand. In the second place, I used the word 'hundred' without the slightest idea of making any insinuation or suggestion, but merely by way of argument. I do not want the minister to be under any misapprehension as to that. I was merely saying that if you select one particular source, you do not clear the whole matter up. I did not wish to make any insinuation or suggestion whatever as to matters of fact. I was using that argument only in the way of an illustration.

Mr. Oliver: I do not wish to press the point. I was only using it as an argument, too.

Mr. Borden (Halifax): I was making no insinuation.

Mr. Oliver: I do not wish to make any suggestion of that kind, but such a view might be drawn from the hon. gentleman's remarks.

So, you see he was practically drawing an inference himself at that time.

Mr. Borden (Halifax): I did not intend it.

Mr. Oliver: I very much appreciate the consideration of the hon. the leader of the Opposition in making that statement. But what I want to say is this.

Now, this is what he wants to say. He wants this to go down to history as his last official statement in connection with the appearance of that $50,000 which he has declined to explain, because that was the subject before the House. He wants this to go down to history because it is his statement in 'Hansard,' the proof of which had been read by himself. He proceeds:

But what I want to say is this. I have been at the head of the Interior Department for the last six years, and in that time there have been from day to day administrative acts involving values of large and small amounts which might be laid under contribution for political purposes or for any other purpose either private or political. Now, I want to say, so far as I am concerned, that, although the motion before the House has reference to a specific case, the only case with which my name has been specifically connected, I court inquiry, and the fullest inquiry, by parliamentary committee or otherwise, into any administrative act of mine of all the thousands that have taken place, and of all the millions of dollars of value that they have involved. I say I court the fullest inquiry into any or all those thousands of acts, in the House or in the committee or anywhere else; and I want the House distinctly to understand that as far as I am concerned, there is no restriction to the particular charge mentioned, because it was the only specific case in which my name was mentioned.

Although the administrative acts of his department might be laid under contribution for political purposes, or for any other purpose, private or political—that suggestion, made seriously by the minister as something that he wants to say—I read all the rest without observing any statement that in spite of all the opportunities no use was ever made of them. If no use was ever made of them, I ask the ex-minister why he confused us by mentioning it, because nobody else mentioned it. Therefore I think I am justified in the belief that he intended this House to believe that a very likely source of that $50,000 was free contributions from persons who happened in his department on business. That at least was what I understood him to mean, and after reading this carefully I see nothing else which can be taken from his statement. I think it ill becomes the ex-Minister of the Interior with the record of administration to which I have so briefly referred, and upon which this House has voted so often, to come before Parliament with nothing better than an insinuation that a piece of valuable property, which he left exposed to the first person who should ask for it, has fallen into private hands without the public getting the value of that piece of property. I say, in all seriousness, that the reflection is upon him for leaving the department in that case, rather than upon his successor in office. Further, we have to-night the answer of the right hon. the leader of the Opposition that he had personally signed and recommended the grant of 160,000,000 feet of timber to a party of political thugs. We have his answer that he signed it as a matter of routine, and that he had no knowledge that he was signing anything of the kind. Mr. Speaker, it is unnecessary for me to say that I do not question for a moment the statement made to the House by the right hon. the leader of the Opposition, but I would commend to the charity of hon. gentlemen opposite the statement of their own leader, and ask them if they do not suppose that the Minister of the Interior also signs documents as a matter of routine, and is not personally familiar with the descriptions of the various grants to which he gives his authority, and whether we are not justified in resisting this amendment because of our belief that in this, as well as in all other transactions of the department, that minister has acted honestly and in perfect good faith.

Mr. D. B. NEELY (Humboldt): Mr. Speaker, the fact that the speaker on the Government side following the Minister of Public Works in his defence is a member from the province of British Columbia who takes up the time of the House in discussing ancient history, and who fails to

make any attempt at defence, so far as the case put up by this side of the House is concerned, is another evidence of the fine Italian hand of the hon. Minister of Public Works in the direction which he is seeking to give this discussion. You must have noticed, Sir, that in the speech of the hon. member for New Westminster, whom we are glad to hear once again after quite a considerable silence, and in the speech of the hon. Minister of Public Works (Mr. Rogers), as my hon. friend from Regina (Mr. Martin) said, there has been but the very slightest reference to the question before the House. I submit to you, Sir, in these days when the questions of rules and the application of rules is so much to the fore, that if you take the speech of the hon. Minister of Public Works and that of the hon. member for New Westminster you will find that not five or ten per cent at the outside of their remarks was relevant to the resolution before the House.

Mr. SPEAKER: The hon. member may not have in mind the particular occasion. There are two reasons why the discussion at this time may wander almost over any subject. When the motion is made for the Speaker to leave the Chair for the House to go into Committee of Supply the rule plainly states that there is no limit to the debate. Then, the other reason is that the motion of the Opposition is a motion of want of confidence in a minister of the Crown in connection with the administration of the public lands. Therefore, I would regard anything in connection with the administration of public lands as within the reasonable limits of a debate on this subject.

Mr. NEELY: Whether or not the discussion of these two hon. gentlemen has been within the parliamentary rule is a matter that does not concern me in the slightest. I hold the view that whether their remarks were within the rule or not, they certainly were not germane to the resolution before the House. However, I am very glad to hear from the hon. gentleman from New Westminster after the very considerable silence that he has maintained since the change of Government has taken place. One would judge by the hon. member's remarks that we on this side of the House were being censured because we had brought to the attention of the House and the country this contribution to a political friend of a small matter of $100,000. I suppose we must assume from what the hon. gentleman has said that the only subject worthy of serious consideration, of sufficient moment to bring before this House, would be the subject that my hon. friend brought before it, not once but on several occasions during the course of the last Parliament, and that was the notable escape of the notable Bill Miner. It seems to me rather strange that the hon. member for New Westminster should be the first man from the Government benches to rise to the defence of the Department of the Interior and of the hon. gentleman who was at the head of that department before he became the Minister of Public Works. I would have thought that it would have been much more to the point if the hon. member for New Westminster had been present some days ago when the question of the Japanese treaty was under consideration which one would naturally conceive would be a question very near to the heart of that hon. gentleman.

Mr. TAYLOR: May I make an explanation in regard to that matter?

Mr. NEELY: Yes, we are always glad to have explanations.

Mr. TAYLOR: I am very glad indeed to have the opportunity of making an explanation particularly as the subject was referred to in the House during my absence. The reason that I was not present was that I still have to make a living outside of politics. Unlike some other hon. gentlemen I have not become well enough off from my connection with politics to be able to afford to neglect my means of livelihood.

Mr. NEELY: The hon. gentleman has my sympathy because I am exactly in the same position as himself. However, if I had to take occasion to absent myself from the House, it would not be when a most important consideration affecting the people of my own province was being brought to the attention of the House. It seems somewhat strange that my hon. friend should be the first to rise to the defence of the department in view of the fact that we have sitting as a Government supporter a member from the very section in which this particular parcel of land under discussion is located. Possibly we may hear from him later on but I had thought that he would be the first man, as the one most directly concerned, and as the one in whose constituency this parcel of land is located, to spring to the defence of the department if the department were justified in their action in giving this homestead to the son of Mr. S. J. Donaldson.

Looking over the papers in connection with this case, there are a few side lights that strike me very forcibly. While I am always prepared to take the word of the hon. the Minister of Public Works when he makes a statement as to what he has said or done, there are some side lights on this question that we obtain from the meagre documents that we find on file in connection with the matter that strike one very forcibly. About a year ago the question of the obtaining of this homestead by

Mr. Donaldson or by Mr. Donaldson's son through his father, was a matter of public notoriety in the northern part of Saskatchewan, in the city of Prince Albert and in the surrounding district. The hon. the Minister of Public Works has told us that he does not remember having discussed this question with Mr. Donaldson in the city of Winnipeg, notwithstanding the fact that on this file, as my hon. friend from Regina has pointed out, there is a personal letter, or at least a letter addressed to the minister personally, in which Donaldson refers to that particular conversation and to that particular interview. It was a matter of public notoriety in the city of Prince Albert and vicinity, when Mr. Donaldson took the trip to Winnipeg, as his neighbours understood, for the express purpose of discussing this question of obtaining this parcel of land with the then Minister of the Interior, now the Minister of Public Works. It was well known in the neighbourhood that he made the trip for that express purpose. Mr. Donaldson will not deny that he made the trip and he will not deny that he had an interview with the Minister of Public Works for the very good reason that Mr. Donaldson wrote a letter to the Minister of Public Works in which he expressly referred to the interview which he had held with that hon. gentleman in Winnipeg. It may be that an interview concerning a parcel of land worth $100,000, or thereabouts, was not of sufficient importance to impress itself upon the minister's memory. However, Mr. Donaldson claims that he did have the interview, and the interview was followed by a letter. Surely that letter was presented to the Minister of Public Works. It is addressed 'Dear Mr. Rogers,' addressed to him personally. Surely his private secretary would take the trouble to pass this letter over to the minister for his consideration. Yet, Sir, notwithstanding the fact that Mr. Donaldson declares that he did have an interview with the minister in Winnipeg, notwithstanding the fact that his letter so declares, notwithstanding the fact that the interview was followed by a letter addressed to the minister here at Ottawa, the minister asks us to believe that he has no recollection of any such interview. As I say, we accept the minister's statement, but we must be pardoned if we express to him our sincere sympathy on the condition of memory with which he certainly must be afflicted, if Mr. Donaldson's statement is true that he actually did have the interview he declared he had with the minister.

Another peculiar thing about this transaction is this: if Mr. Donaldson had an interview about this matter, and stated the facts of the situation to the minister —the minister says he does not remember it but he does not deny it—if Mr. Donaldson interviewed the minister—and we all heard what the minister said if he had personal knowledge of the case and if it had been brought to his attention he would not have permitted it to go through —is it not a peculiar thing that Mr. Donaldson, if he had that interview—I suppose the minister was in the same frame of mind as he is now that he would not permit the transfer—if the minister took the ground with Mr. Donaldson that he would not permit this transaction to occur, is it not a very strange thing that Mr. Donaldson persisted in the pursuit of that homestead? It is a remarkable feature of the case that notwithstanding that the minister tells us to-day that if the matter had been brought to his attention it could not have occurred because the thing is wrong, that nevertheless Mr. Donaldson, after his interview with the minister at Winnipeg, goes right on in his purpose to secure this land for his son, who of course was undoubtedly acting in the interests of the father. We are inclined to give acceptance to the word of the minister, but those are some features of this case that are very hard to appreciate and understand, notwithstanding that the minister tells us he had no personal knowledge of the transaction. Following up this thought and going a little further into the meagre correspondence we have on the file, we find that after Mr. Arthur Donaldson, the son of Mr. S. J. Donaldson, whip of the Conservative party in the Saskatchewan legislature, had obtained a homestead entry, the method of which I will not discuss at the moment, he communicates with the department to the effect that he does not wish to perform his homestead duties but rather he wishes to abandon his homestead entry for the purpose of the application of scrip. I would like to know from the minister—I am sorry he is not here at the moment, to give me the information——

Mr. BORDEN: He has been called out of the House: he will be back in a moment.

Mr. NEELY: I was going to ask the minister, how it happened, or if it is the usual practice in his office, that when cases that call for special consideration the heads of the department are brought in to the minister's office, the private secretary of the minister takes the responsibility of ordering that certain of such transactions be put through and that certain of them be not put through. Because, after Mr. Donaldson had obtained his homestead entry and had expressed to the department his intention to abandon his entry for the purpose of the application of scrip, I find from the correspondence in that connection in the department that the authority comes from the minister's office and is initialed by

his own private secretary, Mr. Buskard. Surely, at least at this stage of the proceedings, the minister was aware that the transaction had occurred. Does any one in this House ask me or anyone else to believe; does the minister ask us to believe that his private secretary had no knowledge of the exact location of this particular parcel of land and did not know approximately something of its very great monetary value. Would the secretary of the minister take upon himself the responsibility of dealing with this parcel of land without a reference to the minister himself? Those are questions that we would like some information about. The minister has absolutely failed to make any defence whatever, so far as the conduct of the officers of his department is concerned, and particularly that of his own private secretary. We cannot bring this matter home personally to the minister, because he has given us his word, and this authority for the application of scrip to this parcel of land is signed by his private secretary.

Mr. MACDONALD: What status has he to sign it?

Mr. NEELY: We are entitled to know whether it was or is the practice in the Department of the Interior, that parcels of land involving a matter of from $75,000 to $125,000 in value are dealt with on the authority of the private secretary of the minister. If the private secretary of a minister has not that authority, it is about time for us to know by what right or authority this private secretary exercised the power which he apparently did exercise in this case. If he did not act on his own authority, but on the authority of the minister, then we must come to the conclusion that, at least, after this homestead entry was granted, the hon. gentleman (Mr. Rogers) became aware that the transaction had been completed so far as the obtaining of the homestead entry was concerned. I say that we can come to no other conclusion that at least at this stage of the program the minister (Mr. Rogers) was aware that this transaction had been completed, and that Mr. Donaldson had become the possessor of this valuable parcel of land. In connection with this whole proposition I would like to emphasize the statement made by the member for Regina (Mr. Martin) when he called attention to the fact that for six years we have on the file absolutely no record of any correspondence or of any transaction in connection with this particular parcel of land. If this parcel of land had been thrown open for homestead entry in the records of the department and in the books of the land office in the city of Prince Albert, and had been open from 1906, does any hon. gentleman ask me or anyone else of common sense and sound judgment to believe that no one would have been acquainted with that fact previous to last year? Mr. Donaldson has lived for a great many years in the city of Prince Albert. That particular parcel of land has been located as a homestead on the banks of the North Saskatchewan river as long as and a good deal longer that Mr. Donaldson has lived in the city of Prince Albert. Apparently there is no adequate record in respect of this land, and I suppose that condition of affairs would not exist with reference to one out of a thousand unimportant homesteads, let alone a parcel of land adjoining and for some time within the city limits. If that parcel of land had been open since 1906, will anybody tell me why Mr. Donaldson did not become cognizant of that fact before the autumn of 1911? Why did someone else not become cognizant of the fact? If it was open, as the minister would lead us to believe, from 1906, surely the agent of Dominion Lands at Prince Albert would be aware of the fact. I happen to be personally acquainted with the late agent of Dominion Lands at Prince Albert, who was formerly the agent of Dominion Lands at Humboldt, Mr. Geo. L. Dempster. Not only was Mr. Dempster aware of the fact that this parcel of land was reserved, but he makes the statement that in the books of the land office when he was agent at the city of Prince Albert—and he has left the office only within the last year and a half or so—the word 'reserve' was written across this particular parcel of land. We cannot believe anything else, Sir, because it is absolutely inconceivable that that valuable parcel of land could have been open for homestead entry for four or five years, and there be on the files not one single application from any quarter for that parcel of land as a homestead under the ordinary homestead regulations. It would seem that our good faith, to a great extent, is imposed upon when we are asked to believe that this land had been open for homestead entry for some considerable time before entry was actually taken out, and that the late Minister of the Interior was responsible for that condition of affairs. I say that condition did not exist; that that homestead was not open for entry on the books of the department or on the books of the land office at Prince Albert, otherwise the agent at Prince Albert would have known that this parcel of land was open for homestead entry, and long before the beginning of last year some enterprising citizen of Prince Albert or the surrounding district would have claimed that prize for his own. That is the only conclusion I can reasonably draw from the facts before me with regard to the question as to

whether or not this homestead was eligible previous to the application of Mr. Donaldson for this entry. If the Minister of Public Works could present to this House satisfactory documentary evidence to the contrary, I would be delighted to accept the conclusion that by some oversight this land had been left open in the books of the department. But we have no such evidence; we have no such proof; we have nothing to lead us to believe that either in the department at Ottawa, or in the land office at Prince Albert, previous to Mr. Donaldson's application for this homestead entry, there was the slightest knowledge or belief on the part of the officials, either of the department or of the land office at Prince Albert, that this land was open for homestead entry in the ordinary and proper meaning of the term. Leaving out of the question the recollection of the Minister of Public Works with reference to his interview with Mr. Donaldson in Winnipeg; leaving out of the question his memory as to receiving Mr. Donaldson's letter on this question; taking it for granted that he now has no personal remembrance or knowledge of these facts, and taking into consideration also the letters written by his own private secretary giving authority to Mr. Donaldson to abandon his entry on this parcel of land and to apply scrip instead, I say that the Minister of Public Works, then the Minister of the Interior could, at that stage of the proceedings have stopped this wholesale steal if he had entertained a desire to do so. No harm could have come to Mr. Donaldson, the entrant for the land; he spent no money on it aside from his ten dollars entry fee, which could have been refunded. I am sure he did not undertake any agricultural duties because any one who has a knowledge of the local conditions in Prince Albert knows that this particular piece of land on the north side of the river is quite marshy, although for townsite purposes it could be very easily drained into the river, but it is very valuable for the purposes of a townsite. I have myself walked over a portion of it; I have seen it and know the nature of the soil, and that it is covered with a scrubby growth of jackpine and other timber. I say that at the time Mr. Donaldson asked for permission to abandon his entry and to apply scrip in lieu thereof, the mischief could have beeen prevented by the Minister of Public Works, then Minister of the Interior. His private secretary had this matter in review not once, but three or four times, according to the correspondence on the file, and, whether with the cognizance and by the authority of the minister or on his own authority and behalf, his private secretary authorized the other officials of the department which had to do with the case to grant Mr. Donaldson's request to abandon his homestead entry for the purposes of the application of half-breed scrip. If the minister meant what he said this afternoon, that this transaction should not have been put through the department, why did he not stop the transaction when the matter was brought right into his own office and dealt with by his own private secretary? We cannot get away from the conclusion that, whether or not the minister had personal knowledge, at least the documents giving authority for the abandonment of this homestead entry and application of scrip came right from his own office, because the letters are on file signed by his own private secretary. So, the contention of the hon. member for Regina is sound—that if the minister himself meant what he said, there is only one course open to him, and that is to return to Mr. Donaldson his half-breed scrip and his original ten dollars of homestead entry fee and to ask Mr. Donaldson to restore that parcel of land to the Crown, to whom it rightfully belongs. There is a rather interesting history in connection with the consummation of this whole transaction. It would appear that Mr. Donaldson was not actually the first person to become aware of the value of this particular parcel of land. There were two gentlemen in the city of Prince Albert of the same political faith as Mr. Donaldson, one of whom was a Mr. Fowlie. It appears that these two gentlemen—I believe they are contractors or something of that kind—affirm that they had a claim against the Government for about $2,000. They went to Mr. Donaldson, the member for the local legislature for the constituency, one who, of course, would have influence with the new Government at Ottawa, and told him that they were having difficulty in collecting this amount and that for purposes of their own, this particular parcel of land would be of great value to them; and they asked Mr. Donaldson to make a trip to Winnipeg for the purpose of seeing the then Minister of the Interior to see whether or not some means could not be devised whereby they could obtain this land, and they would allow their claim against the Government to go against the payment for the land. Mr. Donaldson went to Winnipeg, he went to see the Minister of Public Works then Minister of the Interior; and he returned. But the only reward these two gentlemen received who had entrusted their confidence and had placed their case in Mr. Donaldson's hands that he might be their counsel was when the information was conveyed to them that this parcel of land, by instructions from Ottawa, had been handed over to Mr. Donaldson's son for the entry fee of a ten-dollar bill. There is the whole story from a local standpoint. And I say it was a likely story; these gentlemen will make affidavit that they

asked Mr. Donaldson to do this thing for them, as he was the local member, whip of the Conservative party in the Saskatchewan Legislature, and presumably would have a great deal of influence with the Government at Ottawa. Their deputizing was all right, but the result was one that they did not expect. They looked for a chance to obtain the land by purchase for, as I understand, they were willing to pay a good sum for obtaining it.

Now, in discussing this matter I have no desire or intention to cast any reflection on the personal integrity of any of the persons concerned. But I will say this to the Minister of Public Works, that he nor anyone else can prevent the public generally from wondering, from questioning, whether or not it is the practice to donate parcels of land in western Canada within city limits and worth $100,000 to political friends without some drawback in the transaction. I say the public cannot be kept from thinking thoughts in connection with a transaction of this description. The minister ought to take this question seriously, he ought to have attempted to make a serious defence. His memory ought to have served him better than it did. He should have more knowledge of an important transaction of this kind than he claims to have, if such things can be done under his very eyes and under his notice without any knowledge on his part. And I say it will be very hard to convince the public that Mr. Donaldson obtained this prize simply because the matter was not brought to the minister's personal attention. Now, with regard to the regulations covering this land, let it not be understood that the hon. member for Regina or the hon. member for Edmonton have intended to say, as I understand it, that if this land had been properly advertised there could be no fault found with Mr. Donaldson obtaining this entry. As I understand it, the fault is here,—that the land should not have been available for homestead entry. There has not been given one tittle of evidence to prove the statement that has been made that this land was available for homestead entry. The very fact that for six years there is no correspondence on the files dealing with this question, the very fact that the Minister of the Interior was not besieged by applicants for the entry, demonstrates that under the late Administration it was conceded that this land was not available, that it was reserved for some purpose, whatever that might be. On the 23rd of September, 1911, a change of government took place. It was not very long until Mr. Donaldson, local Conservative member for the county of Prince Albert, became aware that this parcel of land might possibly be secured in the ordinary way of making a homestead entry for it. That is a sort of awakening that one can hardly understand. Why for years previously did Mr. Donaldson remain in ignorance of the fact, if fact it were, that this land was open for homestead entry and why almost immediately after the change of government did Mr. Donaldson become seized of the possibility of securing this valuable parcel in this particular way? I say these are some side lights on this transaction that I think the minister might seriously have undertaken to explain, but he did not do so, as the hon. member for Regina properly admitted; attempting to draw a red herring across the trial by discussing matters which are absolutely foreign to the question before us. He discussed these foreign questions in a way that, to my mind at least, absolutely proved nothing either for or against the integrity of the administration of western lands by the late Administration. The minister undertook to say that a parcel of land, part of a homestead lying alongside this particular parcel, but further out, had been given some years ago to a certain applicant, Everett I think was the name, who had ultimately obtained the entry to the other parcel of land which lay further out. Let me say that when Everett obtained entry for this other parcel, land values in the West were not what they are at the present time. That particular parcel of land at that time was outside the city limits of Prince Albert. It was agricultural land, it was land that could be fairly given to a homesteader in the usual way. That land, of course, like all other lands in the West, has increased in value since that time, but there is absolutely no comparison. Here is a parcel of land situated within the city limits of Prince Albert, land that was assessed, immediately homestead entry was given, by the city assessor, for $80,000, and we know that an assessment of this kind does not by any means give us the value which is actually placed upon the property assessed. One can hardly appreciate what a transaction of this sort means to people who are most directly concerned. Take as a comparison the city of Ottawa. The Minister of Public Works, who was Minister of the Interior and so had control of western lands, now, in his new position, has control of Crown lands in this part of the Dominion of Canada. What would any one think, if the Government of the day decided, for instance, that they were going to move Rideau Hall to some other location outside of Ottawa, if, having decided upon that particular course of action they were to advertise to the public that on a certain day the ground of Rideau Hall would be thrown open for homestead entry by the simple method of paying an entry fee of

ten dollars. Yet that is actually what happened in Prince Albert. The transaction, of course, could not occur in Ottawa because it would be under the public eye. It is too near the centre, it is right at the heart of things and yet, because Prince Albert is a few thousand miles from here it seems that Mr. Donaldson, for anything the minister said to the contrary, can get a homestead entry of almost equal value in the city of Prince Albert and the minister proposes to leave Mr. Donaldson in possession of that homestead.

Mr. BUREAU: Is Mr. Donaldson a Grit?

Mr. NEELY: No, for years the sign over his livery barns was: I run a livery and my politics are Tory. Something to that effect. So I say, in the name and on behalf of the people of the West who are more especially concerned in this transaction, namely the people of the city of Prince Albert, that even if Donaldson has sold this parcel of land and received money for it, even to-day the minister should take the responsibility of saying that this thing had happened without his knowledge and consent, as he tells us, nevertheless restitution must be made to the people of the province of Saskatchewan and the city of Prince Albert, even if the Government has to cancel the homestead entry and compel Donaldson to refund the money which some other person may have paid him for the possession of that land. There is nothing else that will put the Government right in the eyes of the people of Prince Albert and the surrounding country and the province of Saskatchewan, in fact of all western Canada. The disposition of these lands is a matter that is dealt with not only by regulation of the department but by the Dominion Lands Act. In the Revised Dominion Lands Act, section 80, we find that the minister has the power to set aside for various purposes lands not suited for agricultural purposes but especially located as being of service for townsite purposes and for various other purposes such as the construction of harbours, docks, &c. That is the power vested in the minister by the Dominion Lands Act.

An hon. MEMBER: Which section is that?

Mr. NEELY: Section 80. It is evident from the facts that I have brought to the attention of the House that this parcel of land had been set aside by the preceding Administration. If it was so set aside, when was it released, and by whose orders? Where is the authority? That it was so set aside, is evidenced by the fact that six years the files have no record of any application to obtain this land. The suspicious part of the conclusion of the transaction is this: had the department decided that, notwithstanding its great value, this land should be thrown open for homestead entry, the rules and regulations governing the procedure in such a case state very distinctly and clearly the course that must be followed. The minister decides, or the heads of the department at Ottawa decide that a certain parcel of land is to be thrown open for homestead entry. The agent for Dominion Lands at the particular point where the land is located is advised of the fact. What is his duty? Every Dominion Lands agent in western Canada has a copy of these printed rules and regulations; he knows perfectly well that when land is thrown open to homestead entry his first duty is to give public notice, to advertise for ten days that the land can be legally applied for as a homestead. In this case, no such posting and no such advertising was done. Instructions were sent to the agency at Prince Albert that this parcel of land was to be given to Mr. Arthur Donaldson by way of a homestead entry. No posting, no advertising was done. No outsider had a chance in the world to put in an application for this parcel of land. Where did the authority come from? Surely the agent of lands at Prince Albert would not take upon himself the onus and responsibility of defying the printed regulations which he had obtained from the head of the department at Ottawa? That is not conceivable. It would appear that the agent of Dominion Lands at Prince Albert had obtained instructions, if not from the minister, from someone who thought he was acting by the authority of the minister, to take the entry of Mr. Donaldson and of no one else, and the usual regulation of posting or advertising for ten days previous to the acceptance of the application was not done in this particular instance. Hon. gentlemen opposite may look on this as a trivial question. They may say that we are attempting to make a mountain out of a molehill, but if it is to be the practice under this Administration that a friend of the Government can take a trip down to Winnipeg, interview a minister of the Crown, write him a letter, and then receive permission from the department at Ottawa to make application for a piece of land worth $100,000 by the simple expedient of paying $10 for it, it is about time that the country knew that it was to be the practice in the disposition of the natural resources of this country. That is what happened in this instance. What reason have we to believe that it is not going to continue? It is very heroic for the Minister of Public Works to tell us about that transfer of a timber limit by which a certain individual had his limit

transferred from the Rocky Mountain Park Reserve to another location, and to tell us about saving the country 160,000,000 feet of timber. In view of what has happened in the limits of the city of Prince Albert, the question will naturally be asked, for whom is the minister saving 160,000,000 feet of timber? Is he saving it for the people of Canada, or is it another plum that some other political friend is to pick off the political tree? If there is one thing, Mr. Speaker, that I admire about the Minister of Public Works it is the way in which he can stand up—I notice he cannot sit so long as he might after he has made his statement in the House—and assume the air of a martyr. In giving exhibitions of heroics, he is certainly an artist. He tells us about how he prevented the coming into effect of this Order in Council, a perfectly legitimate transaction as I understand it, and one which can be defended, and will be defended, if the minister will give us an opportunity on some future occasion. It is surprising I say to note the way in which he can throw these heroics when he tells us about saving the country millions of feet of timber. I am not going to say anything about reputations, political or otherwise, but I come from the same part of Canada as the hon. the Minister of Public Works, and if ancient history is pertinent to this discussion, I might give a considerable amount of it as to the transactions in swamp lands that once were under the administration of that hon. gentleman when he was Minister of Public Works in the Government of the province of Manitoba. But as I say I do not know if this is the time or the occasion for such a discussion. It is a matter which may very properly be taken up at some future date if the minister wants us to follow his lead and wander all over the face of the earth in the pursuit of transactions in days gone by in western lands which he considers were not in the best interests of the people. Now, I think I have touched on all the points that I wish to deal with at the present time. I am sorry that the hon. Minister of Public Works has not been able to retain his seat until the conclusion of this discussion, but these are some of the queries that come to one's mind in the consideration of this matter. When the minister undertakes to give his defence more fully at some other time, or further on in the course of the debate, I would like him to take the opportunity of answering some of these questions which I have been trying to propound since I have been engaging the attention of the House. I would like him to tell us how it was that, if this homestead was open for entry previous to last year, there is nothing on the file to show that anybody made application for it. I would like him to tell us how it comes about, that, if he has no remembrance of the interview with Donaldson in the city of Winnipeg, and if he cannot recall Donaldson's letter to himself, his private secretary gave authority to the officers of his department, who had to do with these things, to allow Mr. Donaldson to abandon his homestead entry and apply half-breed scrip to that particular parcel of land. I would like to have that information. I want to be fair with the minister. If he is lying under a suspicion that he should not lie under, if he knows more about this case than he admits he knows, we want to give him an opportunity to clear up these points which have not as yet been explained. Of course, in this House we take the minister's word, but the public outside form their own conclusions almost irrespective of what members and ministers say in this House. In justice to the minister, in view of the fact that there is outside a body of people who believe that the minister did know about this transaction, who believe that the minister authorized this transaction, who believe, some of them possibly, that Donaldson was not the sole beneficiary in this case—

Some hon. MEMBERS: Oh, oh.

Mr. NEELY: Levity comes very properly from hon. gentlemen in the consideration of a matter which may or may not involve the personal integrity of one of the chief advisers of the Crown in this country. The public want all the information and for that reason I think it is the duty of the responsible minister to give every possible bit of information on this question, to answer every query which he possibly can answer in order that the public may have their minds disabused of the suspicion that Donaldson of Prince Albert was not the sole beneficiary of this very munificent gift of $100,000 in exchange for ten dollars of His Majesty's currency.

These, Mr. Speaker, are all the suggestions that I have to make at the present time. There are other matters that have been discussed that I do not consider relevant to the debate, and therefore to these matters I shall not give any more attention at the present time than I think they deserve, because in my judgment they are not at all relevant. I say again that I am sorry that the minister has not been able to remain in his place until the close of the discussion in order that he might answer these questions and give the House and the public the information that they are justly entitled to in connection with this nefarious transaction.

Mr. JAMES McKAY (Prince Albert): Mr. Speaker, at this late hour, or rather early hour, it is not my intention to detain

the House at any great length. But, representing as I do the constituency in which this transaction took place, I feel it my duty, not only to the minister and to the House, but to my constituency, as well as to the country at large, to make a few remarks in regard to it. In my opening remarks, I think it is right that I should state that in anything I say I do not wish to allege any personal, improper conduct to the previous Administration or its officials. I have had occasion to look through this and other files in connection with it and the prima facie evidence as disclosed by these files would go to show that the late Administration was more grievously at fault in the administration of the affairs of the country than my hon. friend the Minister of Public Works (Mr. Rogers) in connection with this matter. This is one of those transactions which will slip through in spite of the most vigilant administrator overseeing a large department. I venture to say, and I hardly think there is a person here who will successfully contradict me, that if we were able to search through the records of the late Administration, we would find a great many more grievous cases than the one which we are now discussing.

Some hon. MEMBERS: Oh, oh.

Mr. McKAY: Hon. gentlemen seem to object to that. What about the Blairmore townsite, and what about the timber limits in British Columbia.

Mr. CARVELL: Get down to the Donaldson townsite.

Mr. McKAY: I will discuss that. I will confine myself to the subject, but in order to look at this question fairly and squarely and to do justice, both to the ex-Minister of the Interior (Mr. Oliver), under the previous Administration, and the ex-Minister of the Interior (Mr. Rogers), under the present Administration, we must consider the practice and custom irrespective of the printed regulations under which these lands are being administered. The hon. member for Edmonton, who moved this resolution, read the printed regulations, but apparently the late Administration departed from those regulations. The hon. gentleman stated in his remarks that, to his mind, the most important reason for urging the immediate necessity of the discussion on this matter was the apparent intention of the present Administration to deal in accordance with the same policy with section 7, adjoining this particular land now under discussion. I wish to take that matter up first because it will shed some light upon the question now under consideration. I do not wish anybody to interpret what I may say as imputing improper or any personally corrupt act as far as the ex-Minister of the Interior in the late Administration is concerned. The hon. member for Edmonton read the regulations and he stated what the practice of the late Administration was with regard to lands which had become Government property; they were, he said, put into the school lands. The hon. gentleman said that my hon. friend the Minister of Public Works should have followed his policy and put this Donaldson land into the school lands. He was followed by the hon. member for Regina (Mr. Martin) who reiterated the same thing, and by the hon. member for Humboldt (Mr. Neely), who also made the same remark. They declared that this land should have been put in the school land endowment fund. Is it not pertinent to ask: Why did you not put it into the school lands endowment fund? The minister (Mr. Rogers), as I understand, went into office on the 20th October, 1911, and this piece of land was homesteaded on the 16th of April, 1912. Mark you, the hon. gentleman (Mr. Rogers) had not been in office a year, whereas the Liberal Administration had been in office for something like fifteen years and as I will show you this land had already become more valuable than ordinary homestead land. Why then did not the late Administration put this land in the school endowment fund? They had sold portions of it—somebody says it had been reserved, but, Mr. Speaker, I intend to show the House and the country that this land was never in the forest reserve. So we have it that these gentlemen opposite are accusing the hon. gentleman (Mr. Rogers) for not doing during the few months he was in office what they themselves had not done during the many years they were in power. I submit, Sir, that is hardly fair. Another point we must consider is that it is impossible for the head of a large department to bear in mind or to be able to keep in touch with every detail of the different matters which are transacted in that department. I submit it is very reasonable to come to the conclusion, (even if the minister had not told us so), that he did not have any personal knowledge of this matter.

On the question of school lands, I would impress upon the House that with regard to section 7 which adjoins this section 8, the hon. member (Mr. Oliver) stated that after a certain Mr. Hutchinson defaulted on that quarter of section 7, they put it in the school land endowment fund, and that since the present Administration came into office a certain letter was written to the Government with regard to this land, which letter the hon. gentleman informed the House came from me. A certain person in Prince Albert wrote to me with regard to this quarter section of 7——

Mr. OLIVER: I wish to say that I did not intend to convey any reflection on the

hon. member (Mr. McKay) in making that allusion; I was merely stating a fact.

Mr. McKAY: I quite understand.

Mr. OLIVER: It had no bearing on the case.

Mr. McKAY: It has a bearing in this way: that the hon. gentleman (Mr. Oliver) told us that the reason why it was so important he should bring this motion in now was that he was afraid of what was going to follow, owing to what had taken place with regard to section 8 and that is what I intend to deal with. Of course, I do not think my hon. friend (Mr. Oliver) imputed any improper motive to me, because everything was perfectly open. When I received this letter from the gentleman referred to, inquiring whether the land could be homesteaded, I wrote to the department from Ottawa while the House was in session year before last.

Ottawa, December 11, 1911.

Deputy Minister of Interior, Ottawa.

Sir,

Re South-east quarter 7-48-26 West of 2.
J. F. McKenzie.

Mr. J. F. McKenzie desires to make a homestead entry for the above quarter. I understand it was at one time entered by Mr. W. H. Hutchison. Will you let me know if it is open for entry.

Yours truly,
James McKay.

I did not know that this land had been put into the school land endowment fund and hence when the inquiry was made of me, I in turn made inquiry of the department. The reply came from the department that it had been set aside as school land, and I reported accordingly and nothing further was done. Then the hon. member (Mr. Oliver) went on to state that an investigation had been asked for with respect to the same quarter in regard to the Hutchinson homestead. I do not wish that all the responsibility in connection with this matter should be on the late Minister of the Interior (Mr. Rogers); if I am guilty I am prepared to share my responsibility. The reason the homestead inspection was asked for was this: true it is that Mr. Hutchinson had claimed it as a homestead and true it is that Mr. Hutchinson claimed he was entitled to it, and true it is that it had been cancelled, and put in the school land endowment fund. But before I wrote to the department as to having an investigation, I was approached by a citizen of Prince Albert on behalf of Mr. Hutchinson and he told me that Mr. Hutchinson had been found entitled to this homestead on investigation by the late administration, provided he put some additional improvements to his house. He produced a telegram and he left it with me. He went on explaining how it was that there had been a thorough examination by the Liberal administration and apparently they found he was entitled to it; that he had put in sufficient residence and that all he had to do was to improve the house to some extent. He stated, under Mr. Hutchinson's instructions, that these improvements were done, and I happened to know the house and I know it is a house worth more than $300 in my opinion. He said the improvements required by the department were to bring the value of the house up to $300, and the value of the house is much over $300. This is the telegram he left with me to substantiate and corroborate what he stated to me. It is on the Department of the Interior paper apparently.

Telegram.

Department of Interior.
Ottawa, August 10, 1910.

Copy for W. H. Hutchinson, Esq.,
Royal Oak, B.C.

J. B. Kernaghan, Prince Albert, Sask.

Yours 29th July, Hutchinson application for Patent Department will accept residence and cultivation already performed but will require house on homestead worth $300 same as all homesteads entered since February, 1909.

J. W. Greenway.

May I inform the House that Mr. Hutchinson was a well-known Grit worker; that he worked in all the elections up there, Provincial as well as Dominion, and that he handled what is known as the road-work and had road gangs working throughout the district. Mr. Kernaghan was also a well-known Liberal, and apparently the late administration had enquired into this question of Mr. Hutchinson's homestead after he had gone away to British Columbia, and had instructed him as stated in this telegram. This telegram was despatched to Mr. Kernahan at Prince Albert, and a copy was also sent from the Department of the Interior here to Mr. Hutchinson at Royal Oak, B.C., on August 10, 1910. I desire to again direct the attention of the House to the fact that the only condition demanded by the late Administration was that the house should be improved to such an extent as to make it worth $300. Knowing as a fact that the House was worth more than $300, I wrote to the department asking them to find out why Mr. Hutchinson's homestead entry had been cancelled, in view of the fact that he had fulfilled the condition which had been imposed. According to my recollection, I did not suggest or intimate that the homestead should be given to him, I contended that an investigation should be held for the purpose of ascertaining why his entry had been cancelled. This I did notwithstanding the fact that I knew him to be a Liberal; I felt it my duty to give justice to either

party whether Liberal or Conservative. That explains why the investigation was asked for; and, so far as I know, the investigation was ordered, at any rate I have heard no more about it.

Mr. HUGHES (Minister of Militia): Was the hon. gentleman a member of this House at the time these events transpired?

Mr. McKAY: No, this took place in 1910, but I was a member at the time I wrote about this homestead. As I say, I asked about the homestead because it appeared very strange to me why an entry should be cancelled when the condition under which it had been granted had been fulfilled. I am not contending that it was improperly cancelled, but if the only reason for its cancellation was that the homesteader did not comply with the condition that was imposed, namely, the improvement of the house to such an extent as to bring its value up to $300, then it was improperly cancelled. They may have found other reasons; that I do not know.

Mr. McCRANEY: Might I ask who held the investigation to which my hon. friend refers?

Mr. McKAY: I do not know; I presume the land office officials. As a matter of fact, I do not know whether the investigation has yet been held; according to the hon. member for Edmonton, it has, at any rate, been ordered.

Mr. OLIVER: It has been ordered, but there is no report of its having been completed.

Mr. McKAY: All I did was to write about the homestead, and I have given the matter no further attention. I make this explanation because of the fact that the hon. member for Edmonton said he was afraid that this homestead would go in the same way as did the Donaldson land.

I now wish to refer for a moment to the question of school lands. If hon. gentlemen are sincere in their statement that this land should have been put in the school lands department by the Minister of Public Works, why did they not put it under that department when they had ample opportunity of doing so?

Mr. OLIVER: If my hon. friend will refer to the file relating to the forest reserve, he will find that negotiations were held between the department and the city of Prince Albert with regard to its being acquired by the city.

Mr. McKAY: I hardly think the hon. member is correct in that. I do not say he wilfully mis-states the facts, but I do not think he has fully digested the contents of the file. I would draw the attention of the House to the fact that the very position the hon. gentleman takes justifies my contention that the hon. Minister of Public Works did not know the exact condition of the matter when this transaction was put through. The hon. member (Mr. Oliver) and some of his officials were apparently under the impression that this Donaldson homestead was in the forest reserve and he is evidently still under that impression. Referring to the question of the school lands, I have here a file which was brought down a few days ago. I shall not weary the House by reading the whole file, but I will state briefly the nature of the transaction to which I desire to refer. I make these statements simply to show that the officials apparently did not follow the printed regulations to which the attention of the House has been directed in connection with this debate. It would appear that a homestead entry was made by one John F. Morton for a piece of land near the town of Weyburn, and that for many years he was in default in his homestead duties. There were no less than three applications to cancel his homestead entry, and it was cancelled in 1907. He apparently desired to have another investigation held, and an inquiry into the matter was made by the inspector of homestead agencies under an Order in Council passed by the late Administration. A thorough investigation was made as to whether this man, John F. Morton, was entitled to the homestead—the southwest quarter of 4, township 9, range 14, west of 2. I am informed that this land is situated very close to the town of Weyburn, and is worth over $100 an acre; I understand that it is easily worth $200 an acre. A report in respect of this matter was made on December 28, 1910, and of that report I will read one paragraph, as follows:

Sir,—Re southwest quarter, 4-9-14 west 2nd meridian. Referring to your favour of the 26th of October last, file No. 538787, re the above land. In this connection I beg to say that on the 22nd and 23rd instant I held a court investigation into this matter, making a careful examination covering the whole history of the case of John F. Morton and the land in question. Altogether 37 witnesses were examined. I enclose herewith a report of the evidence taken.

Then he goes on to deal with the report, and the evidence is attached.

The last paragraph of his report reads:

To sum up, I would say that at the time Mr. Morton's entry was cancelled, September 9, 1907, his entry was flagrantly in default.

Mark the word:

The residence duties were never performed in any single year. That in 1909 when a request was made for his reinstatement there was no reasonable ground upon which such a

contention could be based, but there were the strongest reasons for refusing such a request. That in going into residence on the land in 1909 Morton did so in the face of repeated warnings against trespassing upon the land I can, therefore, see no grounds for reinstating him in his entry for this land, and would renew my recommendation of July 1st, 1909, to the effect that Morton be not reinstated in his entry, that the land be not made available again for homesteading, but that it should be transferred to school lands, or retained as school lands.

It would appear that there had been several investigations with regard to this homestead, and all went against the homesteader. In this investigation he appears to have had counsel to appear in his behalf before the agent investigating and thirty-seven witnesses were called and examined. So, it was a most exhaustive examination; and the homestead inspector reports that there should be no re-entry. He had been cancelled, apparently, on one occasion before. So the agent recommended that the application should not be granted but that the land should be transferred to school lands. There was a Dominion election on the 21st September, 1911, and I find a letter which I will read. I may explain to the House that apparently somebody got very active just about election time and either communicated with Ottawa or came down here, and I find that on the 19th of September, two days before the election, a telegram was despatched, whether by the deputy minister or by some official in the Interior Department, I do not know, authorizing this man to re-enter this land. Mark you, apparently this was done without any further investigation or any further evidence than they had had up to that time which condemned this homesteader in the strong terms I have just read to the House. Yet we find that on the 19th of September a telegram is despatched from here authorizing this man to re-enter this land which land had been recommended to be transferred to the schools, and apparently had been so transferred. Now, where is the authority for that? According to the rule cited by the hon. member for Edmonton, that land should have been advertised because it had been cancelled and put into school lands. Now I will read the letter:

Ottawa, October 24, 1911.

S. W. ¼ 4-9-14 West 2nd—File 21499.

Sir:—

I beg to acknowledge the receipt of your letter of the 30th ultimo, enclosing the application for patent of Mr. John F. Morton, and stating that Mr. Morton was granted re-entry for the above-mentioned land on the 23rd ultimo.

That is, that the entry was made by the land agent for the district in which the land is situated on the 23rd of September, whereas, apparently, the authority was sent out here by the telegram on the 19th of September to take his application.

I am to direct your attention to the fact that the telegram sent you from this office on the 19th ultimo.——

That is the 19th of September.

—merely authorized you to receive Mr. Morton's application for re-entry. Entry cannot be granted to him until land is removed from the school lands endowment. You will be further advised as soon as possible and in the meantime you will kindly notify Mr. Morton in accordance with the foregoing.

L. Pereira,
Assistant Secretary.

This was on the 24th of October, 1911, after the present Administration came into office. I do not know whether it was the vigilance of the present Administration which put a stop to its going through, or it might have been the officials themselves; and I am not prepared to say whether the former Minister of the Interior authorized that re-entry. According to the present member for Edmonton's statement, he was very vigilant with regard to these matters, yet the officials whom he had trained, were apparently doing improper things under his very eyes. Here was a piece of land which, according to this letter they authorized to be re-entered which had been put into the school lands without having taken it out first.

Mr. OLIVER: Of course, the acceptance would have no effect if the land had been gazetted as school land.

Mr. McKAY: Exactly, but apparently the intention was to take it out of school lands. That is the point I make. Notwithstanding the instructions which went out from here under the late Administration on the 19th September, 1911, the Government were defeated two days afterwards and—to use a popular phrase—could not deliver the goods, that is, the official could not deliver the goods. I simply say that in connection with the school lands, I have here evidence to show how, even with the vigilance of the former Minister of the Interior, these matters were being put through by his officials, and I understand that the heads among these officials are the same under the present Administration as they were under the last Administration.

Now, let us come down to this case that is before the House, the Donaldson homestead. I take the position that, apparently there has been an important mistake on the part of the officials in connection with this particular piece of land. They were under a misapprehension, until Mr. Corry made further investigation in April, when he wrote that letter to Mr. Donaldson. I believe, and I think my judgment is right, that this piece of land, the Donaldson homestead, and all that portion of the section down to the river, was never in the

forest reserve at any time. The present Minister of the Interior when he answered these questions stated that this land had been in the forest reserve, and I am satisfied that he was misinformed by his official. When the minister made this statement this afternoon that the land had been in the forest reserve and was taken out by the late Minister of the Interior, the hon. member for Edmonton, he also, I am satisfied, had been misled by officials. The hon. member for Edmonton (Mr. Oliver) the late Minister of the Interior, was misinformed when he stated, even after reading these documents, that this was in the forest reserve as early as 1895. I admit that, owing to this misapprehension on the part of the officials, it was generally understood that it was in the forest reserve. I am satisfied that people in Prince Albert were always under the impression that it was part of the reserve as constituted in 1894. I shall read certain documents with regard to this matter and I am in the judgment of the House when I make the statement that a great deal of the misapprehension with regard to this matter hinges on the point as to whether or not the land was ever in the forest reserve because if it were never in the forest reserve there would be no necessity of giving any notice for anybody to enter, so far as the officials were concerned. Consequently I say that the officials inadvertently made a mistake in respect to this matter and inadvertently allowed it to be entered without any notice being required. I may also state that the arguments adduced for condemning the Minister of Public Works with regard to this matter were really two, first that you should have put it in the School Lands Department. I have shown that the late Government had an opportunity to do so and did not do it and very likely the Minister of Public Works did not know of the existence of this piece of land and therefore could not put it in the School Lands Department. These matters, as we all know, do not come by intuition; the minister deals with a great many matters and it is only by being in the department for a great many years that he can become familiar with all the details of the different branches of the department.

Another point was that he should have given notice to the public. I say again he did not know anything about this piece of land.

Mr. MACDONALD: Why did he not find out?

Mr. McKAY: Apparently he did not know anything about it.

Mr. McCRANEY: Has my hon. friend a copy of the memorandum which is on the file, of date July 4, 1906, signed by Mr. Coté in which it is stated that this land is in the Prince Albert forest reserve?

Mr. McKAY: Exactly and I say that Mr. Coté was mistaken. He cannot produce any evidence to show that it was ever in the forest reserve but it became a general impression that it was in the forest reserve.

Mr. OLIVER: I think that at the very first of the return it is stated that it is in the forest reserve, there is a statement that the land is reserved and is to remain reserved until further notice.

Mr. McKAY: I do not see that statement here.

Mr. OLIVER: I think it is right there on the beginning of the file.

Mr. McCRANEY: Would not a copy of the memorandum to which I have referred be on the file of the agent of Dominion Lands at Prince Albert and would that not give him notice?

Mr. McKAY: No, I do not think so. That was a memorandum passing from one branch of the Department of the Interior in the city of Ottawa to another branch in the city of Ottawa, a memorandum from Mr. Coté to Mr. Greenway, as I understand in 1906 and consequently the agent at Prince Albert would know nothing about it.

I wish to state again that in all fairness to both parties the facts should be placed before the House as I conceive them to be, the actual facts; then it will be for the House to draw its own conclusion with regard to those facts. I wish the House to bear in mind that the conclusion I have come to after perusing the file and with my knowledge of the matter is that this piece of land was never in any forest reserve and I shall be very pleased if anybody can show me any evidence that it was in the forest reserve. That is where the difficulty comes in with regard to notice, etc. Before taking up the file of correspondence I wish to say something as to what we may term the geography of the country with regard to this matter. This piece of land lies some distance across the river from the town of Prince Albert. What is known as the Everett homestead is part and parcel of the same section as the Donaldson homestead, they are adjoining. The Everett homestead is the north-west quarter of section 8 and the Donaldson homestead is the north half of the south-west quarter of section 8; consequently they lie alongside of each other. Part of section 8 runs into the river. The southern portion of it, along the banks of the Saskatchewan river, is quite high and dry land. As you go a little further back in the south-west quarter of the section you come into the Donaldson land. That is largely what

is known as muskeg and so appears in the file that has been placed before the House. At the end of the Donaldson land, there is a hill rising perhaps twenty yards or perhaps forty yards. The Everett Homestead has a nice high piece of land running back, consequently, the Everett homestead of 160 acres, both as a homestead and a townsite property is in my opinion by far superior to the Donaldson piece of land. Although I say that the Donaldson piece of land is muskeg, as is shown by this plan and as is the actual fact, it can be drained, because the river is quite near, but to do so would cost a considerable amount of money, just how much I am not prepared to say. I wish the House to bear in mind that this muskeg is between the dry land that is right alongside the river and the Everett homestead. I do not say it is all muskeg, but a great portion of it is. However, as I say it can be drained, at some cost. I am under the impression that the reason why this piece of land was never got after, to use a popular expression, by other people, was because it was in the muskeg. When Donaldson enquired about it, he apparently thought he could make good use of it.

Now, I will read a few letters, but before doing so I may state that on the north side of the river the land is pretty well timbered with what is commonly known as jackpine, and as the correspondence shows, it was thought it would make a good forest reserve. On the 25th June, 1894, Mr. R. S. Cook the then homestead inspector at Prince Albert wrote as follows to John McTaggart, Crown timber agent Prince Albert. I will not weary the House by reading the whole of the letter; I shall content myself with giving a part of it. The letter is dated Prince Albert, 25th June, 1894. First he says that there is a great deal of destruction by fire going on in connection with the timber north of Prince Albert, and he advises that there should be some system of fire protection and so forth. Then he goes on to say:

Attached to this is a rough sketch of a portion of what was once timber land immediately north of here. All the timber of any value or size has now been removed, but there is now a dense growth of young jackpine which if protected from fires would in time make a nice forest park, and I would recommend that a reservation for that purpose, as shown by said plan, be made, that fire guards be made to protect same and be kept in order.

And so on. I wish to draw your attention, Mr. Speaker, and the attention of the House to the portion I have just read. On the 25th June, 1894, Mr. Cook the homestead inspector and forest ranger, whose duty it was to look after these lands, writes to his principal, the crown timber agent at Prince Albert, advising that the land shown in the rough sketch attached should be put into a forest reserve. I call your attention to the fact that in this letter he does not mention that sections or any portion of the sections he just refers to the rough sketch. Then he goes on to say:

I think probably that the Northwest Government could be induced to make fire guards along the trail as shown upon sketch.

I wish to emphasize the statement that fire guards should be placed along the trail as shown upon the sketch, as none of the letters in the correspondence describes the various sections or portions of sections. We are referred only to the sketch, and I want to indentify that sketch mentioned in the correspondence with the one which I produce here as a copy. Then we find that on 2nd August, 1894, G. U. Ryley submitted a memorandum to Mr. Hall who was then in the Department of the Interior in which he states, referring to Mr. Cook's report, a portion of which I have just read:

Mr. Cook recommends that the tract outlined in pink on the annexed plan be reserved as a forest reservation, and that fire guards be placed as shown on the sketch, which he thinks the Northwest Council might be induced to make and keep in order.

There again the tract of land to be put into a forest reserve is referred to by a sketch marked in pink. Then he says:

I think that the recommendation that the tract shown on the plan be reserved as a forest park should be approved, and I suppose the reservation can be made by Order in Council.

Then we find on 9th January, 1895, a memorandum made by G. U. Ryley, to Mr. Burgess, who was apparently Deputy Minister of the Interior, in the following terms:

Department of the Interior,
Ottawa, Jan. 9, 1895.

Memorandum Mr. Burgess.

On August 2, 1894, I reported to Mr. Hall that Forest Ranger Cook, of Prince Albert, in his letter re destruction of timber by forest fires north of Prince Albert, had recommended that the tract outlined in pink on the annexed plan be reserved as a forest reservation, and that fire guards be placed as shown on the sketch ,which he thought the Northwest Council might be induced to make and keep in order. Mr. Hall thought the recommendation should stand for the minister's approval and you agreed with him.

Then we find a letter from the Hon. T. Mayne Daly, Minister of the Interior to the Lieutenant Governor of the Northwest Territories, dated Ottawa, 7th February, 1895:

My Dear Sir,—I inclose herewith for the inforpmation of your Government a plan showing a tract of land which Mr. Cook, a forest ranger of this department at Prince Albert, has recommended should be preserved as a forest reservation, and also a copy of a

report and statement made by him of the estimated cost of a fire break for the protection of the proposed reservation from fire.

You will see from that correspondence that Mr. Cook refers to the sketch, that the different officials refer to the sketch marked in pink, and that the Minister of the Interior is prepared to approve of the recommendation and he refers to the sketch marked in pink. I produce the sketch on this file which is apparently referred to by the different parties. According to the copy of the plan or sketch referred to in all the correspondence which I have read, and which plan I now produce, I notice that the only portion of section 8 that is put in the forest reserve, or was intended to be put in the forest reserve in 1894 and 1895, is the northwest quarter of section 8, township 49, range 26, west of the 2nd meridian, and the west half of the northeast quarter of the same section. Thus, according to Mr. Cook's report and correspondence, and the subsequent correspondence, it was never his intention, or the intention of the Government, to put the south half of section 8, in the forest reserve. Why?—because, apparently, prior to that time the east half of the east half of section 8 was given to the rifle association as a rifle range and consequently the Government could not put it in the forest reserve. But the west half of the southeast quarter was still Government land and apparently that was put in the forest reserve together with the northwest quarter of section 8. But the south half of section 8 was never put in the forest reserve and for a good reason; there were some squatters on the portion along the river bank and apparently the department did not care to put the muskeg part in the forest reserve.

Mr. HUGHES (Minister of Militia): There was no danger of its being burned, I presume?

Mr. McKAY: No, it was covered by water. I now find on the file a letter written by the secretary of the Department of the Interior to the Crown timber agent at Prince Albert, dated, Ottawa, 8th November, 1895 dealing with the report which he had received from the Crown timber agent referring to Mr. Cook's recommendation for the setting apart of this piece of land for a forest reserve, and in that letter he says:

> I am to say, however, that there is no objection to the tract shown on the plan being reserved as a forest reservation, and you may make a note in your records that no disposition is to be made of any land within the tract without consulting the department.

That is that the northwest quarter of section 8 and the west half of the northeast quarter of section 8 were not to be disposed of without consulting the department. If I understood the hon. member for Edmonton correctly, he contended that this Donaldson piece was in the forest reserve and had been in the forest reserve up to March, 1909 because he referred to Mr. Campbell's letter. Mr. Campbell's letter simply refers to a sketch and the sketch he refers to does not show the land by sections and quarter sections as does the sketch referred to in Mr. Cook's correspondence and the correspondence of different officials in regard to this matter. Hence, I come to the irresistible conclusion, that Mr. R. H. Campbell, on whom the hon. member for Edmonton depends for his statement that this piece of land was in the forest reserve, was wrong because this is what he produced (referring to plan). In fact, it is worse than I thought it was. The sketch does not show the Everett land and consequently this plan excludes the Everett land as well. That is what my hon. friend was referring to was it not?

Mr. OLIVER: I was not referring to the plan, I was referring to the letter that my hon. friend read just now where it spoke of the reservation on the assumption that the reservation covered the land in question and the rest of the file shows that, wherever these lands are spoken of, they are spoken of as being in the reserve. Therefore, in practice they were under reservation as against the public.

Mr. McKAY: Mr. Campbell's letter is dated 5th March, 1909. Here is another plan that Mr. Campbell's letter refers to. His letter reads as follows:

> Ottawa, March 5, 1909.
>
> Memorandum addressed to the Minister of the Interior.
>
> You asked me a few days ago to give a report in regard to the forest reserve lying across from the town of Prince Albert on the north side of the Saskatchewan river. This reserve as shown in pink on the plan hereunder was set apart in 1895, and has been continued as a reserve with the exception of small portions which are granted to the town of Prince Albert. The tract in question was not, however, included in the reserves as set apart by the Forest Reserves Act.

Here is the plan showing in pink right down to the water's edge. Mr. Campbell must be manifestly incorrect because it never went down to the river. Portions of the land along the water edge were sold on different occasions by the Liberal Administration and it was never in the forest reserve. It is manifest that Mr. Campbell's letter is wrong because the facts are as the hon. member for Edmonton has stated, that some time in 1896 Mr. Sanderson purchased a piece along the river; another piece was given to the Roman Cath-

olic Church Corporation for church purposes; then some time prior to 1906 over fifty acres were sold by the Liberal Government to Mr. McLeod, and consequently Mr. Campbell could not be correct when he says this was always a forest reserve. Even if it were in the forest reserve we find that the late Government sold some to Mr. S. McLeod for three dollars an acre, shortly before 1906, without calling for notice, and a part of the northeast quarter adjoining the Everett homestead which was in the forest reserve, they sold to Judge Maguire and somebody else on time sale. I am not claiming that there was anything improper in that, but I cite it simply to show that even if this piece of land we are discussing had been in the forest reserve and had been taken out, they did not give notice to anybody when they made the sale. But I am satisfied the late Government came to the conclusion that apparently there was no necessity for giving notice. When we come to the Everett piece of land which was in the forest reserve as shown by the plans and was apparently taken out in 1908 according to Mr. Campbell's letter, we see it was given to Mr. Everett without any notice as homestead and consequently the late Government themselves did not consider it was necessary to give notice on that occasion.

Mr. OLIVER: How is the hon. gentleman aware there was no notice given?

Mr. McKAY: The files do not show it, and it was common report that there was no notice given.

Mr. OLIVER: It is understood that the regulations called for notice and the instructions were that entry should be given in accordance with the regulations, and therefore it is to be presumed there was notice.

Mr. McKAY: According to the file there was no notice given and the correspondence would show if there was notice given, but it does not. Does the hon. member (Mr. Oliver) contend that with regard to the dealings with other portions of the land which were in the forest reserve: the time sale to the Northern Produce Company; the time sale to Maguire and others; the absolute sale to McLeod of over fifty acres of the valuable portion along the river, does the hon. gentleman (Mr. Oliver) contend that notice was given. As a matter of fact, there was absolutely none. This all goes to show that even if this Donaldson piece had been in the forest reserve, the late Government dealt with double that quantity of land without notice and in the case of the other pieces of land that were sold to their different friends.

It is contended that there is a difference between the Everett homestead and the Donaldson homestead. I do not think that the mere fact of the city limits having been extended makes any difference, because at the time the Everett homestead was granted to Everett as a homestead in 1908, on the same section there had been sold to Mr. Samuel McLeod (who makes the declaration in this case), without advertisement, a quantity of land at three dollars per acre. This same section, mark you, was sold without notice; he registered sub-divisions of land in 1910 off the same section across the river as Everett got his homestead in 1908 without any notice. Consequently, it had ceased to be homestead land in 1906 prior to the time Mr. Everett got his homestead. Therefore the cry that there is a vast difference now because it is within the city limits does not have any effect. I do not think the fact that it is within the city limits makes any difference at all, because if it was wrong in one case it is wrong in the other. The Everett piece at the time it was given as a homestead had ceased to be regarded as homestead land. I again repeat that possibly the late Administration through their officials, were apparently misled by the Weyburn case, and no doubt the present Administration was misled in the same way as the late Administration with regard to this matter.

Now, Mr. Speaker, I submit that when one goes over the whole matter, we must come to the conclusion that the officials who had been dealing with this particular land dealt with it in the same way they had been in the habit of dealing with it under the previous Administration, and it is quite possible and it is very probable that the attention of the Minister of the Interior was never drawn to it, or if his attention had been called to it he would very likely say: follow the usual practice in dealing with this land. It seems to me reasonable that the new Minister of the Interior—mark you he was only in office a few months—would be very likely to tell his officials to deal with it in the same way as it had been dealt with by the late Administration. Then, let us take the whole section and see how it was dealt with by the late Administration. I have shown, to my mind conclusively, that the Donaldson piece never had been in the forest reserve, that the Everett piece had been in the forest reserve and was taken out, and that the homestead regulations demanded notice and that apparently no notice was given in the Everett case. It was no doubt the intention of the then Minister of the Interior (Mr. Oliver), that notice should be given, but the correspondence shows that notice had not been given and that the minister (Mr. Oliver), had been misled with regard to it. Then when you come to some of the time sales —remember that some of this land

had been in the forest reserve and according to the regulations read by the hon. gentleman (Mr. Oliver) should have been advertised, yet when they came to make time sales to Maguire and Company, there was no advertisement; when they came to make time sales of the quarter of 7, there was no advertisement, and when it came to the absolute sale to McLeod of that valuable high and dry piece of fifty acres right across the river, there was no advertisement, and it was sold to him at three dollars an acre. When the bridge was being built, or, at any rate, talked of.

Mr. OLIVER: What was the date of the sale to McLeod?

Mr. McKAY: I am under the impression that it was between 1900 and 1906. I do not seek to impute any improper motives to the hon. member for Edmonton, the former Minister of the Interior; I am simply pointing out how this matter was dealt with by his officials, and I leave it to any member of this House who is familiar with what is involved in the administration of the different departments, and who must realize the multitude of work coming before a new minister who takes office on October 20, as well as the legislation arising in the meeting of Parliament in November, to say whether or not the minister, if such a question arose, would naturally be inclined to trust the officials who had been carrying on the administration of affairs under the late Government. It is out of the question for any reasonable man to contend that the new Minister of the Interior, however intelligent and clever he might be, could be fully seized of all the numerous details in connection with the department in the short space of time which would necessarily have elapsed between the time of his assuming the duties of minister and the making of this homestead entry. Would it not be natural that he should say to his officials, if inquiry were made with regard to such a matter; deal with it as you have been dealing with such matters in the past?

I am sorry indeed that I have had to address the House at such length, but I have felt it incumbent upon me to make a few remarks in regard to this matter to show clearly why I come to the conclusion that the Minister of Public Works should not be censured in connection with this motion. I would again direct the attention of the House to the query which I made a few moments ago: why did not the late Administration, who should have been familiar with the matter, place this land under the school lands instead of selling some fifty acres at $3 an acre, and disposing of other portion on time sales? With regard to the time sales. I am satisfied that, so far as the city of Prince Albert is concerned, it will benefit by them, and possibly the late Minister of the Interior had that under consideration. But he should not take the position that these lands should have been put under school lands when he had an opportunity of doing that when administering the department, and did not do so. Knowing the hon. member for Edmonton as I do, I am satisfied that he had not thoroughly digested this correspondence or the manner in which this matter had been dealt with under his own administration, otherwise I do not think he would get up in this House and, in respect of a minister who had been in office only from October 20 to April 16, say that he should have protected these eighty acres by putting them under school lands. As a matter of fact the hon. gentleman sold or parted with the unsold part of that section, with the exception of the eighty acres and another forty acres which apparently the general public do not know anything about, but which I think he has tied up in such a way that nobody can touch it. If the hon. member is fair, he will admit that he would not have taken that position if he had known the exact situation with regard to this quarter.

So far as this motion is concerned it is simply a vote of censure of the Minister of Public Works, who, at the time in question was administering the Department of the Interior; therefore I have confined my remarks strictly to that phase of the matter. Before I conclude I desire to draw to the attention of the House one other point. I find that on October 5, 1909, Mr. R. H. Campbell wrote to the then Minister of the Interior inclosing a tracing showing that the original forest reserve extended right down to the water's edge, with the exception of the piece given to the city of Prince Albert. I have shown that prior to March, 1909, the late Administration had given a homestead to Everett; consequently that was not in the forest reserve in that year. They also sold to Macleod some fifty acres, which could not originally have been in the forest reserve. On January 27, 1910, Mr. R. H. Campbell wrote to Mayor Holmes of Prince Albert, inclosing a copy of a plan, and telling him what lands were in the forest reserve. I shall read this letter, for I think it is very important that the House should be fully seized of its significance, and the importance of this question as to whether or not this land was in the forest reserve. The letter is as follows:

Department of the Interior, Forestry Branch.
Ottawa, January 27, 1910

Dear Sir,—In accordance with the instructions of the Minister of the Interior when you were in Ottawa recently, I beg to enclose you a plan showing the location

of the lands at present reserved for forest purposes north of the river from Prince Albert. The lands shown in pink were all reserved, but those cross-hatched in black have been withdrawn from the reserve.

By this letter Mr. Campbell says that the original reserve ran down to the river, and that portion that is cross-hatched in black has been withdrawn from the reserve, consequently the late Administration must have taken the Donaldson homestead out of the reserve—if it ever was in—because Mayor Holmes is officially informed that certain portions, including the Donaldson homestead, are now without the reserve. But as a matter of fact it never was within the forest reserve; that I submit I have clearly shown. So far as the officials of the department here were concerned, this land was dealt with as thought it were within the forest reserve. The member for Humboldt (Mr. Neely) says that the late Dominion lands agent, Mr. Dempster, informed him that across the record of this land at Prince Albert was written the word 'reserved.' I have naturally made some inquiries about this thing. It was not brought to my knowledge until long after it was entered as a homestead. As far as I can see, it was an unfortunate mistake on the part of the departmental officials in some way. I made inquiries about this, and as I understood, it was in this way: the Canadian Northern railway crosses the river on this section, and the railway going north of Prince Albert runs through a portion of this homestead lot. I am informed that there was written across something 'reserved for C. N. R.'—that is reserved for the Canadian Northern railway right of way, and possibly that has given rise to the idea that it was reserved, but apparently what was really reserved was the right of way; if anybody got the land it would have to be subject to the right of way of that company. I am not giving this as authoritative or as a thing I know, but this is what I learn on making inquiry, and it was only a pencil entry, by whom made nobody knows. There is absolutely nothing on record to show that it was ever reserved either for a forest reserve or for anything else, but apparently the right of way was reserved through that piece of land. Now, the position was this, as I take it from reading the correspondence—that Mr. Donaldson knew, as everybody knew as it was the common report, that Mr. Everett got his homestead without notice, and that it was valuable, that Mr. McLeod had sub-divided his claim, that he got it without notice. Mr. Donaldson made inquiries about several pieces of land. A great deal has been said as to the conversation alleged to have taken place between Mr. Donaldson and the Minister of Public Works. Suppose that there had been such a conversation, apparently Mr. Donaldson did not get any satisfaction from the Minister of Public Works. When Mr. Donaldson approached him, it is likely the minister would not know anything about it. We find that there was nothing done with regard to this piece of land, and the first correspondence we find is a letter from Mr. Donaldson to the deputy minister. Now, if Mr. Donaldson was going to do anything improperly, he would not write to an old official of the late Administration. But he knew that Mr. Everett got his homestead, he knew that Mr. McLeod got his piece of land, and that these other pieces were sold to the parties enumerated, and he writes to the official mentioning several pieces of land and asking if any of these are open to homestead entry. The deputy on that occasion apparently looks into the matter and finds that while the others were sold, this particular piece of land was open to homestead entry. He apparently had searched the files and found that, though everybody thought it was in the forest reserve, they were mistaken, and it was free.

Mr. OLIVER: May I correct my hon. friend? Mr. Donaldson's letter was to the minister, and not to the deputy.

Mr. McKAY: The first letter of February 7, he appears not to have received any answer.

Mr. OLIVER: The deputy replied, the letter having been referred to him. The deputy replied on the 3rd of April.

Mr. McKAY: Do I understand that Mr. Donaldson wrote to the deputy?

Mr. OLIVER: No, to the minister.

Mr. McKAY: Well, take it that way. So far as the Minister of Public Works is concerned, apparently all he does is to say that if there was a conversation about land, it had escaped his memory. If he was going to be crooked about it, to use a common phrase, he would have dealt with it instead of handing it over to the deputy to deal with in the ordinary way. It was dealt with in the ordinary way, and the deputy tells Mr. Donaldson that all these parcels of land were taken except this piece which apparently was open, but he would write to the agent and see about it. Mr. Donaldson's son goes to the Dominion Lands agent and shows the letter, and when they search they find that there is no reservation in any way, and so the entry is allowed to go through. For these reasons, I do not think the Minister of Public Works should be censured, and so far as I am concerned, these are the reasons why I intend to vote against the amendment to the motion.

Mr. GEORGE E. McCRANEY (Saskatchewan): At this hour of the night, I do not

wish to detain the House for long, but there are a few observations I would like to make. This discussion has brought out two points of view. The minister stands by his declaration that this land was in the forest reserve, and he says that the land agent had followed the old precedent and had disregarded the printed rule. The hon. member for Prince Albert has another theory, a curious theory. He says the minister did not know anything about it, but the officials dealt with this matter as other lands have been dealt with in that locality. Now, if that were the case, the file shows that Mr. Coté regarded the land as being within the forest reserve and suggested that it should be posted up or advertised in the usual way. And he suggests that the Dominion Lands agent should be asked to report on it. I think that while the hon. member for Prince Albert wishes us to understand that the officials at Prince Albert had dealt with this as other lands had been dealt with, the fact is that the Dominion Lands agent who had dealt with other lands was not there. Mr. McKechnie was a new official and I think that every one of the staff who had been on when other lands had been dealt with in that vicinity had been fired. Now as to the minister's theory, I know Mr. McKechnie quite well. I met him the first day I went west over eleven years tgo, he is a capable man, and I should say, he would do the work of the Dominion Lands office at Prince Albert as well as any man who has not had previous training in that line. For a number of years he was a collector for McCormick Harvester Company. When the International Harvester Company took over the McCormick business, Mr. McKechnie continued as collector for the International Harvester Company. He had got a new master; but I do not think for a moment that when he entered the employ of the International Harvester Company, he followed the precedent that had been set by the McCormick Company and disregarded the written instructions of his new employers. Knowing Mr. McKechnie as I do, I am quite satisfied that he would be very careful, from his previous training, to follow instructions, that he would spend very little time hunting up old files and what he would think would be bad precedents and that he would remember, being a good Conservative, that there had been a change of Government, and that there ought to be a change of policy, that if instructions had not been followed in the past they should be in the future. Unless he was told to do otherwise I would expect Mr. McKechnie to follow written instructions. The Minister of Public Works speaks of this matter as a mistake. So does the hon. member for Prince Albert. Nobody justifies it. The Minister of Public Works claims credit for having cancelled the Crawford transaction; when he discovered that this was a mistake he should have done the same thing. From his explanation he has an official who has overlooked the rules and who has disposed of a piece of land worth over $100,000 contrary to the regulations of his department. I say that there was no legal or moral right in Donaldson to hold that land when it was disposed of in that way, and that the minister would have been perfectly justified if he had cared to do so, in cancelling the patent. I am not assuming that he cared to do so. The fact is that although he makes Mr. McKechnie the scapegoat to-night and throws on him the responsibility for a transaction taking place in April, 1912, since the beginning of this year he has appointed Mr. McKechnie to conduct an investigation with regard to the Hutchison homestead, thus showing his confidence in him and his judgment, and his belief that he is a good officer of the department. There is something that is not explainable in this whole affair. We have had before us two explanations, I think we ought to hear Mr. McKechine. Mr. McKechine knows the facts. The instructions which were sent Mr. McKechine were dated April 13, 1912. The entry of Arthur Donaldson is received on April 16th, 1912. No person who knows the way the mails go from Ottawa to Prince Albert would say that the entry of the 16th of April was received because of the letter of the 13th of April mailed in Ottawa. The letter of the 13th of April had not reached Prince Albert at the time the entry was received; something else must have reached Prince Albert. The secretary of the department, Mr. Pereira, had asked a report from Mr. McKechnie on this land and he did that on the suggestion of Mr. Coté. Mr. Coté in his memorandum says that the land should be posted or advertised and he suggests that the Dominion Lands agent should be asked for a report. Mr. Coté knew that this land was in the city of Prince Albert. He had in mind the practice of the department, because he had served under the previous minister, and he proposed that there should be a report from Mr. McKechnie on this homestead, which might prevent Donaldson getting it as soon as he would like. There must have been some communication between Ottawa and Prince Albert after the letter of April 13 was sent out and before the application of April 16 was received by McKechnie. I would like to know what happened but I expect that there was a good deal of hot telegraphing going on.

Changes of policy consequent upon changes of government ought to be changes to the advantage of the public. There are

throughout the West quite a number of homesteads which will be available for entry but which have not yet been put upon the list. I shall give to the acting minister the numbers of two that have come to my attention because for the last two or three years I have been making inquiries as to when they would be thrown open. They are S.E. 9-41-6, west 3 and north ½, 21-44-4, west 3. The answer I always received from the late Minister of the Interior and from the officials of the department was that these sections, being odd sections were overlooked because they were railway lands but that a list was in preparation in the Department of the Interior and that at some time convenient to the department these lands would be advertised, plenty of notice would be given and they would be thrown open to entry. In view of the precedent in the Donaldson case I am anxious to know whether these lands are going to be properly advertised, with plenty of notice given, or are going to be dealt out to friends of the party now in power as plums to be found for the good boys.

I notice in the Ottawa Citizen of this morning a despatch which shows how the land hunger has taken hold of the people of the West. This is in connection with some land that has been opened for entry at Moosejaw. The despatch reads:

Excitement at Moosejaw.

Moose Jaw, Sask., April 16.—An exciting time was witnessed at the Dominion Land office here when some hundred and fifty men gathered in the hope of gaining cancellation on a homestead and pre-emption near Assiniboia, a new C.P.R. town south of Moosejaw. The police were called, but no blows were exchanged, and in the end the land was made over to R. C. Perkins, formerly of Owen Sound, Ont.

In conclusion I would say that if there is anything in ministerial responsibility, that responsibility rests with the present Minister of Public Works on his own showing. If he is not responsible, according to the explanation which has been put forward by the hon. member for Prince Albert, we ought to find where the responsibility lies. The public will not be satisfied without knowing the facts in this case, and I think that the Minister of Public Works should receive the condemnation of this House and that the full facts of the case should be disclosed by an investigation of the circumstances surrounding it.

Mr. OLIVER: Before the vote is taken I would like to have the papers that were referred to laid on the table.

Mr. SPEAKER: I gave a decision in regard to that that these letters which were read should be laid on the table in the care of some official so that they might be returned to the department

Mr. McCRANEY.

Mr. OLIVER: There are certain files which the Minister of Public Works gave the House to understand pertained to the same subject as the letters. I would consider them a part of the record, and would ask that they be placed on the table with the letters that were actually written.

Mr. SPEAKER: My ruling did not go so far as that for this reason, that the case which I cited, the British case, set out that a minister was not obliged to lay on the table documents which would not be produced in responce to an order of the House for their production. From a return would be omitted all private papers or documents which, for state or other reasons, should be withheld, and it is not to be expected of course that such documents would be laid on the table in a case of this kind.

House divided on motion (Mr. Oliver).

YEAS:

Messieurs

Boivin,	Lemieux,
Bourassa,	Maclean (Halifax),
Boyer,	McCraney,
Brouillard,	McCoig,
Bureau,	McCrae,
Cardin,	McKenzie,
Carvell,	McMillan,
Champagne,	Marcile (Bagot),
Chisholm (Antigonish),	Martin (Montreal,
Chisholm (Inverness),	Ste. Mary's),
Cruise,	Michaud,
Delisle,	Nesbitt,
Demers,	Neely,
Douglas,	Oliver,
Emmerson,	Pacaud,
Ethier,	Papineau,
Fortier,	Pardee,
Gauthier	Power,
(St. Hyacinthe),	Proulx,
Gauvreau,	Reid (Restigouche),
German,	Richards,
Graham,	Seguin,
Kyte,	Sinclair,
Lachance,	Tobin,
Lafortune,	Turgeon,
Lanctot,	Verville,
Lapointe	Warnock,
(Kamouraska),	White (Victoria,
Lapointe (Montreal,	Alta.),
St. James),	Wilson (Laval)—56.
Laurier (Sir Wilfrid),	

NAYS:

Messieurs

Achim,	Jameson,
Alguire,	Kemp,
Ames,	Lalor,
Armstrong	Lesperance,
(Lambton),	Lewis,
Armstrong (York O.),	Macdonell,
Arthurs,	McCurdy,
Ball,	McKay.
Barker,	McLean
Barrette,	(Queen's, P.E.I.),
Beattie,	Marshall,
Bellemare,	Merner,
Bennett (Simcoe),	Middlebro,

Best,	Mondou,
Blain,	Morphy,
Blondin,	Munson,
Borden,	Nantel
Boulay,	Nickle,
Bowman,	Osler (Sir Edmund)
Boyce,	Paquet,
Boys,	Paul,
Brabazon,	Pelletier,
Bradbury,	Rainville,
Broder,	Reid (Grenville),
Burnham,	Robidoux,
Burrell,	Schaffner,
Clark (Bruce),	Sevigny,
Clarke (Wellington),	Sexsmith,
	Shepherd,
Cochrane,	Smith,
Coderre,	Smyth,
Crocket,	Stanfield,
Cromwell,	Steele,
Crothers,	Stevens,
Davidson,	Stewart (Hamilton),
Donnelly,	Stewart (Lunenburg),
Edwards,	
Elliot,	Sutherland,
Fisher,	Taylor,
Forget (Sir Rodolphe),	Thornton,
	Tremain,
Foster (King's, N.S.),	Walker,
Fowler,	Wallace,
Fripp,	Webster,
Garland,	White (Leeds),
Gauthier (Gaspé),	White (Renfrew),
Girard,	Wilcox,
Green,	Wilson (Wentworth),
Guilbault,	
Hepburn,	Wright—95.
Hughes (Victoria, O.),	

PAIRS:

Ministerial.	Opposition.
Lancaster,	Carroll,
Currie,	Brown,
Sharpe (Lisgar),	Knowles,
Morrison,	MacNutt,
Henderson,	Clark (Red Deer),
Weichel,	Guthrie,
Meighen,	Molloy,
Northrup,	Lovell,
Porter,	Devlin,
Sharpe (Ontario),	Ross,
Thompson (Yukon),	Law,
Foster (Toronto),	Gordon,
Roche,	Clarke (Essex),
Clare,	Cash,
Bennett (Calgary),	Buchanan,
Doherty,	Marcil (Bonaventure),
Lavalee,	Loggie,
Rhodes,	Macdonald,
Baker,	Kay,
Aikins,	Turriff,
Barnard,	Martin (Regina),
Bristol,	Bickerdike,
Chabot,	Béland,
Currie,	Brown,
Cochshutt,	Charlton,
Hartt,	Thomson (Qu'Appelle),
Hazen,	Pugsley,
Nicholson,	Hughes,
Elson,	MacLean (Sunbury),
Perley,	Murphy,
Robb,	Thoburn,

SUPPLY.

Amendment negatived, and House went into Committee of Supply.

Mr. BORDEN: I move that the committee, rise, report progress and ask leave to sit again.

Mr. PUGSLEY: Does my right hon. friend (Mr. Borden) think that we ought not to make some progress in Supply? It has been stated day after day in the Conservative press that the Opposition is obstructing public business. I want it to be understood that I for one am prepared to stay here just as long as it is necessary in order to vote Supply to carry on the public business of the country. I think that the matter of granting Supply is of great importance and that attention ought to be given to it at as early a date as possible. I rise for the purpose of making that assertion on my own behalf and I really believe that I can speak for the gentlemen on this side of the House. On all matters of public importance, with the exception of one Bill which we conscientiously are opposed to, we are prepared to facilitate in every possible way the expeditious carrying on of the business of the country. Therefore, I object, Mr. Chairman, to the committee rising without doing any business.

Mr. BORDEN: I am glad that the hon. gentleman is in so amiable a mood. One reason why I did not propose to go on with Supply was that I understood it was arranged last night that we were not to take Supply to-day.

Some hon. MEMBERS: No, no.

Mr. BORDEN: But seing that the hon. gentleman is so anxious, we will go on for a while.

Department of Customs—salaries, $287,725.

Mr. BUREAU: There is an increase of $9,400 and I would ask the minister to explain how it comes about.

Hon. J. D. REID (Minister of Customs): I explained it the other day but I will be glad to explain it again. We have increased the number in the first division, sub-division 'A' by two; that is we have taken two from sub-division ' B' and added them to sub-division 'A.'

Sir WILFRID LAURIER: No, there is only an increase of one.

Mr. REID: If the right hon. gentleman will look at page 18 he will see that the commissioner of customs remains the same but that in the first division there were two last year while there are four this year; that is an increase of two. They have been

promoted from the first division of sub-division 'B.'

Sir WILFRID LAURIER: No there is only one promoted from the first division.

Mr. REID: We promoted two from 1B to 1A and then we promoted one from 2A to 1B leaving the number in 1B at 9. Therefore, there is only a decrease of one in 1B. Then we promoted eleven from 2B to 1B.

Mr. BUREAU: From where?

Mr. REID: The new men that are coming into the department are all coming in under 2B. To the 1A class we add two, thus decreasing the number in 1B.

Mr. BUREAU: That does not tally. In the second division of sub-division A there are twenty-five this year and there were fourteen last year. In 1B there is one less, although you claim that you are promoting two to 1A.

Mr. REID: We promoted two from 1B to 1A and when we did that we promoted one from 2A to 1B, making one less than we had last year. Then we promoted eleven from 2B to 2A. The new employees all come in under 2B according to the Civil Service Act.

Mr. GERMAN: Would the minister explain if there have been any increases?

Mr. REID: Two officers have been promoted and that makes an increase.

Mr. PUGSLEY: Is not the increase a pretty big jump for one year?

Mr. REID: We are promoting those at the head of the class into the next class so that they will get increases under the Civil Service Act. On account of the increased revenue we have had to add many more officials to the department and they had to come under sub-section (b) of the second division.

Mr. MACDONALD: That means nothing. How many additional people does the minister employ?

Mr. REID: There are ten additional officers.

Mr. GERMAN: Would the minister start out by telling us who belong to these divisions? Would the minister be good enough to inform me what does first division, sub-division A mean, and let him tell us what first division, sub-division B means? I am free to admit that I do not know what it means and I want an explanation from the minister.

Mr. REID: I wish to give the hon. gentleman all the information I can. Of course the hon. gentleman knows that the first division, sub-division A, is the highest class in the Civil Service and that a salary of $2,800 is the minimum of that class. I do not know that I can give any further information than that this class commences at $2,800 and goes to $4,000.

Mr. MACDONALD: What is their particular business?

Mr. REID: These officers are in charge of the different branches of the department.

Mr. MACDONALD: That is no information.

Mr. PUGSLEY: What were they getting last year?

Mr. REID: The two promoted were getting $2,800 and were at the top of the next class below. Having been there for many years they had reached the maximum of their class and they could not get any further increase unless by promotion.

Mr. GERMAN: What do they get now?

Mr. REID: They get $2,800 and they will get an increase of $100 per annum afterwards.

Mr. WILSON (Laval): Who are the officers promoted?

Mr. REID: Mr. Watson who has been in the service for many years and the other officer, I cannot give his name just at this moment, but he has been in the service also for a number of years.

Mr. WILSON: I know Mr. Farrow and Mr. McLaughlin of Montreal; are they referred to?

Mr. REID: This refers to the inside service at Ottawa.

Mr. WILSON: I am perfectly serious in the question I am asking; I know Mr. McLaughlin of Montreal, he is one of the ablest officers of the department and he was in Montreal until a few years ago. Has he been brought to Ottawa?

Mr. REID: Mr. McLaughlin is surveyor of customs at Montreal.

Mr. WILSON: I understand that Mr. McLaughlin has been transferred to the Ottawa office, and is working under Mr. MacDougald and Mr. Farrow, and that he is classed under sub-division A?

Mr. REID: Mr. Farrow is the assistant commissioner, and his salary remains the same. It is the only one at $4,000.

Mr. WILSON: What about McLaughlin?

Mr. REID: The only Mr. McLaughlin I have in mind is the surveyor of customs at Montreal.

Mr. WILSON: Has he been transferred to Ottawa?

Mr. REID: No. He is still surveyor in Montreal, and, by the way, a first-class officer.

Mr. CARVELL: I understand there is a gentleman in the department who came from the Canadian Manufacturers Association; in what class was he placed?

Mr. REID: I presume the hon. member refers to Mr. Breadner. He was employed in the Department of Customs for I think twenty-four or twenty-five years, when he resigned to become the tariff expert of the Canadian Manufacturers Association. We have felt the need in the department of a man who has had such an experience as Mr. Breadner has had, and I got him to come back to the department again, and when Mr. Bristol, chief Dominion appraiser, resigned in December last, Mr. Breadner was given his position as chief Dominion appraiser and member of the Board of Customs.

Mr. CARVELL: In what class has Mr. Breadner been placed?

Mr. REID: He is on the outside service.

Mr. MACDONALD: We have heard a great deal about the desirability of Civil Service reform in this country, and, with reference to the report made by an expert brought over from the Old Country, I would like to know from my hon. friend, before these estimates are passed, whether the Government intend to bring down during the present session any measure of reform in connection with the Civil Service?

Mr. REID: That report is now under consideration.

Mr. MACDONALD: If my hon. friend has under consideration any measure of Civil Service reform, he is hardly in a position to ask the committee to vote these estimates at this stage, because his proposed measure of reform might seriously affect the voting of this money. It might be desirable for my hon. friend to pass some item other than that of salaries, as the status and salaries of civil servants might be entirely changed as a result of any measure which might be submitted in this regard.

Mr. REID: I am willing to pass to one of the other items of my department if the hon. member wishes it, but I do not see why this item should not pass.

Mr. BUREAU: The hon. minister said that Mr. Bristol, chief Dominion appraiser, resigned in December, 1912. Was he superannuated.

Mr. REID: He resigned without superannuation.

Mr. BUREAU: How long was he in the department?

Mr. REID: I think more than twenty years. He was entitled to superannuation had he remained in the service, but, of course, he lost it by reason of his resignation.

Mr. BUREAU: Was he asked to resign?

Mr. REID: He resigned of his own free will, and we were sorry indeed to lose him; he was one of the best officers in the department.

Mr. PUGSLEY: Upon a previous occasion I called the attention of my hon. friend the Minister of Customs, to the fact that Mr. Baldwin, collector of customs at Coaticook had been dismissed from office because he wrote a letter appealing to both Liberals and Conservatives to lay aside their party politics and condemn those who were appealing to a certain class of people upon the ground that they owed nothing to England, and that certain people had been obliged to shoot bullet holes in the British flag in order to breathe the air of liberty. I made an appeal to my hon. friend as Minister of Customs to consider whether or not that gentleman ought to be reinstated, and I would ask him if he has taken up the case with a view to acting upon the letter which he afterwards wrote, stating frankly what he said and the reason why. His letter is a thoroughly patriotic one, having no reference to either of the great political parties, and simply condemning what he thought to be the disloyal utterances which were being made in a certain portion of this Dominion.

Mr. REID: I think the last paragraph of that letter contained very strong expressions against Mr. Page, the candidate for that constituency, and advising the constituents to vote against him.

Mr. MACDONALD: For what reason—because he was espousing the Nationalist cause?

Mr. REID: He concluded his letter by advising the people in his constituency to vote against Mr. Page; at any rate there was something to that effect in the letter. He was certainly doing something of that kind, and I think the hon. member will agree that as a Government official he should not take any part in politics. He made it a point to write and publish his letter and to have his picture in the paper, and he used very strong words against the Conservative party in that letter.

Mr. PUGSLEY: I beg the hon. gentleman's pardon; there was not a word against the Conservative party in the letter. It condemned the utterances of Mr. Bourassa in Parliament when that gentleman spoke against the Government for having sent soldiers to take part in the South African war. Mr. Baldwin condemned those who were making these disloyal statements. It would be

difficult for any loyal servant of the Crown, under such circumstances to refrain from calling upon all good citizens to stand together against these disloyal appeals. I do not think that is interfering in politics. When such disloyal appeals are made, for which neither of the great parties is responsible and when an officer speaks against them making no attack upon either Liberals or Conservatives, I think it is going a long way to dismiss him for his patriotism. And he was dismissed upon the request of men, who, made the disloyal statements that Canada owed nothing to England but that Canadians had to shoot bullet holes in the English flag in order to obtain liberty. Does the minister tell us that when a public officer writes a letter publicly condemning utterances of this kind he is taking such a part in politics that, though a faithful and efficient officer, he should be dismissed?

Mr. REID: If I remember the letter correctly, it contained strong words against the Conservative candidate. And I certainly think a customs officer should attend to his own business and not interfere in any way in politics. That is the rule this House has laid down.

Mr. PUGSLEY: Perhaps the hon. minister will allow the item to stand until I can produce the letter—I have a copy of it.

Mr. REID: As the hon. gentleman knows, there are other items on which this can be discussed, and pernaps hon. gentlemen will go on with these items with the understanding that one or two of them shall be left over.

Mr. ROSS: Is it on account of that letter alone that he was dismissed? Was there any investigation?

Mr. REID: No.

Mr. ROSS: That seems a very high-handed proceeding.

Mr. MACDONALD: The question raised places the Minister of Customs in a very unfortunate position. I do not know who may be looked to to uphold the loyalty and patriotism of the people if not the man who has taken the oath of allegiance and occupies an important position in the service of the Crown. In the olden days in Canada a man in the customs service occupied one of the most superior positions in the country, and in England the customs service is one of the most important of all. When there arose, last election, a party who happened to be the allies of the Minister of Customs who were deliberately and notoriously disloyal to Canada and to the Empire, and who made the most inflammatory appeals to the prejudices of one class of the people, would not this customs officer have been recreant to his duty had he failed to raise his voice in protest? The Minister of Customs owes his position to the fact that there sit behind him men from Quebec who were elected as a result of these disloyal and dishonest appeals. He was paying a political debt to the men who put him in office when he dismissed a good and patriotic servant of the Crown whose sole offence was that he declared that loyalty to the Crown and devotion to Canada should be respected. While there are certain supporters of the Minister of Customs who owe their election to these disloyal cries, there are others who were elected as the result of flag-flapping and all kinds of miserable appeals. And as a result of the combination of the Conservatives and the Nationalists the Minister of Customs obtained his position in this House and in this Government. This House has been engaged in the past six months in the consideration of a question on which the hon. minister and those behind him have declared that they were the sole repositories in this land of everything that meant loyalty and devotion to the Crown.

An hon. MEMBER: Hear, hear.

Mr. MACDONALD: And the hon. gentleman who has the audacity to say 'hear, hear,' sits cheek by jowl with the very man who asked for the support of the electors on the ground that he wanted to shoot holes in the British flag.

An hon. MEMBER: Rot.

Mr. MACDONALD: And the hon. member for North Essex could discover one minister, were he in his place to-night, who went even further than I have said, the Minister of Inland Revenue (Mr. Nantel), who had the audacity to declare in this House that if Sir John Macdonald had been alive and Prime Minister instead of the present leader of the Opposition (Sir Wilfrid Laurier) no soldiers would have gone from Canada to South Africa to assist the British arms, and that no duty was imposed upon any portion of the people of Canada to support British prestige upon the sea. He could have seen sitting close beside him, men who made these dishonest, inflammable appeals to the habitants of Quebec and who declared that if the policy of assisting the Mother Country on the sea proposed by the Liberal party were carried into effect, the sons of fathers in the province of Quebec would be compelled by a policy of conscription to take part in the battles of the Empire. The Minister of Customs owes his seat to the fact that there came from the province of Quebec at least twenty men who promised their constituentts that in Par-

liament they would take a position in accordance with their appeals on the stump and who when they came here, by this dishonest alliance which has been made between the Conservatives and Nationalists in this country, combined to hold office and patronage and refused explanations when sought here in Parliament as to the resignation of the leader of the Nationalists from his seat in the Government. The Minister of Customs is willing to assume the responsibility for the fact that coming from the province of Ontario where appeals were made that the Empire and our relation to the Empire were threatened, he dismissed a man, whose sole offence was that where disloyalty showed its head he ventured to raise his voice in protest against this menace to British connection and British interest here in Canada. That is the position in which the Minister of Customs stands.

Mr. EDWARDS: It comes with ill grace from hon. gentlemen to debate as they have done for the last five or ten minutes. We have been somewhat accustomed in the past to hear such utterances as have fallen from the lips of the hon. member for Pictou. I do not think we should be surprised at anything that that hon. gentleman says at any time. When he attempts to read a lesson to members on this side of the House for having disciplined a customs officer for having interfered in politics and advances the reason which he has advanced here to-night, saying that the man was dismissed because he had shown his loyalty and because he had denounced disloyal utterances, then I say it comes with an extremely bad grace from the hon. member for Pictou or any other hon. gentleman on the other side of the House.

Mr. MACDONALD: I want to say to my hon. friend——

Some hon. MEMBERS: Sit down.

Mr. MACDONALD: When my hon. friend says we have no right to say that I say that the hon. member from Frontenac has no right to impute to any hon. gentleman on this side of the House——

Some hon. MEMBERS: Take your medicine.

Mr. MACDONALD: Medicine? Neither the hon. member for Vancouver or the hon. member for Frontenac can hand out medicine. No hon. gentleman in this House has any right to impute to any other hon. gentleman any lack of loyalty and I say that I take from no man any such imputation.

Mr. EDWARDS: The hon. member from Pictou is accustomed to use language which is not parliamentary and often goes beyond that point, but he is very sensitive himself when his own toes are trodden upon or he expects that they will be. I can only conclude that he knows perfectly well that his position to-night is most inconsistent when he talks about loyalty. Has he forgotten that his own leader has said:

> Is there a Canadian anywhere who would not hail with joy the day when Canada would be deprived of the services of British diplomacy.

Has he forgotten that his own leader stated in a foreign country:

> Canada would never consent to Imperial confederation even on commercial lines because the consequence would be the participation of Canada in Britain's wars and Canada would never consent to that.

This is the hon. gentleman who reads us a lesson on loyalty. Has he forgotten that another hon. member from that side of the House said:

> As a Canadian I wish to say——

Mr. PUGSLEY: I rise to a point of order.

Some hon. MEMBERS: Sit down.

Mr. EDWARDS: We are not indebted to Great Britain for anything.

Mr. PUGSLEY: The point I make is whether Mr. Baldwin was properly dismissed from office in no way depends on the utterances of any hon. member in this House thirty or forty years ago.

The CHAIRMAN: I admit that the debate has gone far from the point under discussion but it is very hard for me to stop an hon. member answering when an other hon. member has gone a little too far.

Mr. EDWARDS: The Mr. Baldwin who has been referred to here to-night is not concerned in the item of Supply under discussion and if hon. gentlemen on the opposite side of the House are in order in bringing his name in question or what he said I am certainly in order in bringing in some other name. The trouble is that I am quoting the exact words of their leader and quoting things said by hon. members on that side of the House that were disloyal in the extreme and were applauded by their leader and by themselves. That is what pinches. I am perfectly willing to admit that it is not relevant to the subject under discussion but neither was the reference of the hon. gentleman. I could quote further remarks made by Mr. Turcotte, a former member on that side of the House. He said:

> It is not patriotic or loyal, I say, to contend that we must remain ever under the protection of the British flag.

I understand perfectly well, as every person in this House does, that it was pure bluff on the part of the hon. member for St.

John when he asked us to go into Supply to-night. We all understood that perfectly well.

Mr. PUGSLEY: I ask you, Mr. Speaker, to compel the hon. member to withdraw that phrase.

Mr. EDWARDS: Might I say—

Some hon. MEMBERS: Withdraw.

The CHAIRMAN: I suppose the hon. gentleman is going to withdraw.

Mr. EDWARDS: May I use the words that he did not wish to facilitate the business, instead of 'bluff'?

Mr. PUGSLEY: I ask the withdrawal of that expression. It does not tend to pleasant discussion. I ask him to withdraw.

The CHAIRMAN: I understand the intention of the hon. member is to withdraw.

Some hon. MEMBERS: Let him do it then.

Mr. EDWARDS: Mr. Chairman, I thought I had used another word which would not grate so much on the extreme sensibilities of my hon. friend. We are all aware—

Some hon. MEMBERS: Wihdraw first. Take it back.

Mr. PUGSLEY: I rise to a point of order. I ask him to withdraw that expression.

Mr. EDWARDS: In deference to him I have used the words 'did not wish to facilitate business' instead of 'bluff.'

Mr. PUGSLEY: I ask the hon. gentleman to withdraw the statement that he knew it was a bluff on my part. I demand its withdrawal, Mr. Chairman.

Mr. EDWARDS: I suppose I cannot use words of the same meaning in the same sentence, and as I used the words 'did not wish to facilitate business' instead of 'bluff' I suppose the word 'bluff' would have to go out. My hon. friend is sufficiently well versed in the use of the English language—

Mr. PUGSLEY: I think you should ask him to withdraw that expression, Mr. Chairman.

The CHAIRMAN: I suppose it would be more simple to withdraw the word.

Mr. EDWARDS: I thought I had withdrawn it.

Some hon. MEMBERS: Do it.

The CHAIRMAN: I understood him to withdraw it.

Some hon. MEMBERS: It is not withdrawn.

Mr. EDWARDS: I do not wish—

Mr. CARVELL: Withdraw.

Mr. EDWARDS: I think it is the gentle voice of my hon. friend from Carleton.

Mr. CARVELL: Yes, and I am going to stay here and see it out.

Mr. PUGSLEY: If the hon. gentleman will not withdraw the word and obey your ruling, I think you should not allow him to continue his speech. We must have order in this House.

The CHAIRMAN: I asked the hon. member to withdraw the word and I understood him to withdraw it.

Some hon. MEMBERS: He has not.

Mr. EDWARDS: Your understanding Mr. Chairman is better than that of hon. gentlemen opposite.

Mr. GERMAN: The speaker must abide by the order of the Chair, he must withdraw that statement.

Mr. MACDONALD: Make him withdraw.

The CHAIRMAN: That is not a way to address the Chair.

Mr. MACDONALD: You would make us withdraw.

The CHAIRMAN: Do I understand the hon. member to withdraw the statement.

Mr. EDWARDS: Yes, Mr. Chairman, I am glad at last that it has penetrated the undersanding of hon. members opposite. Far be it from me to reflect upon or to attempt in any way to hurt the feelings of an hon. gentleman who has so much regard for the dignity of this House as the hon. member for St. John. Allow me also to say that it would be far from me to say anything that would hurt the very sensitive feelings of the hon. member for Pictou or of the hon. member for Carleton, N.B., who is known throughout the length and breadth of this land, and particularly in this House, for his extreme courtesy to members on both sides.

Some Hon. MEMBERS: Order.

Mr. EDWARDS: Surely my hon. friend does not call me to order for paying him compliments like that. I have used a great many expressions about the hon. member for St. John, but lately he has blossomed out in a new role, as a defender of the suffragettes. He has earned for himself throughout the country, I venture to say, the distinguished title of William Pankhurst Pugsley. I say, Mr. Chairman, that I have no wish not to facilitate the work of this House. The hon. member for St. John is extremely anxious that we should pass some items of Supply. I do not want to take up time, and I do not want to prevent him from facilitating the

business of the House. It is well known that during the past few weeks he has been extremely anxious to facilitate the business of the House. I congratulate him upon his extreme anxiety to go on, and see some progress made. I think that comes with very good grace from him. I look upon it as an attempt on his part to atone for the past, and I hope he will now allow the items to go through, and not drift to other subjects that have nothing to do with the matter under discussion. I have tried to keep close to the subject, and I hope he will do likewise.

Mr. CARVELL: I am not surprised that the reference to the dismissal of an official in the province of Quebec who is a loyal citizen has brought forth such a remarkable exhibition of temper as we have had from the hon. member for Frontenac. We have heard the same speech every time he is on his feet. I do not know what he would do if he had not on the top of his desk that reference to the statement that is said to have been made by the right hon. the leader of the Opposition in the United States some five and twenty years ago. It is not the shorter catechism; it is the longer catechism for that hon. gentleman. He could not speak if it were not for that. I think I have heard him refer to Turcotte a dozen times since I was in the House, and this comes from the man who accepts a gold watch wrung from the postmasters and mail carriers in his constituency. This is the man who talks about the dignity of members. This is the man who turns traitor—I will withdraw the word if he thinks it too strong—on the Minister of Justice.

Mr. EDWARDS: Mr. Chairman, I wish that word withdrawn.

Mr. CARVELL: I will withdraw it, I knew he would object to it. A man like my hon. friend always whines when you tell him the truth. I expected he would raise a row about it.

The CHAIRMAN: The hon. member has no right to use such a word.

Mr. EDWARDS: I ask that the hon. member withdraw the word when he is told.

Mr. CARVELL: Yes, I will withdraw it. I will say he always cries baby; it is the same thing. He is the man who was put up to ask the question as to who was to be warden of Kingston Penitentiary, the man who tried to work up a creed prejudice against the Minister of Justice, the man who tries to have a certain man appointed to a position in Kingston Penitentiary because he happens to be an Orangeman and not a Roman Catholic.

The CHAIRMAN: I do not think the hon. member is in order.

Mr. CARVELL: I can prove it by the records of the House.

Some hon. MEMBERS: Order.

Mr. CARVELL: I am not surprised that my hon. friend gets ugly over this. One would expect him to get ugly.

Some hon MEMBERS: Order.

Mr. EDWARDS: I wish to give an emphatic denial to the statement made by my hon. friend.

Mr. CARVELL: That is not a point of order. I rise to a point of order. I demand my rights.

The CHAIRMAN: Order.

Mr. CARVELL: I do not propose to allow a member to take away the floor from me.

Mr. EDWARDS: The hon. member for Carleton has made a false statement.

Mr. CARVELL: That is not a point of order.

Mr. EDWARDS: The hon. member has made a false statement.

Mr. CARVELL: I won't take it from anybody that there is any point of order upon that.

Mr. EDWARDS: The hon. member for Carleton, N.B. has lied.

The CHAIRMAN: Such language will lead hon. gentlemen too far.

Mr. GRAHAM: Surely you will not allow the words of the hon. member for Frontenac to go unchallenged.

The CHAIRMAN: No, certainly the hon. member has no right to say that another member lied.

Mr. GRAHAM: You should ask him to withdraw.

Mr. EDWARDS: In obedience to your ruling, Mr. Chairman, and only in obedience to your ruling, I withdraw. I said what I meant, but I will follow the custom of the hon. member for Carleton, and immediately withdraw it.

Mr. CARVELL: We have the hon. member for Frontenac in his true colours tonight. We have never got the hon. gentleman where he belonged before. A man who so far forgets himself, who loses his head, who displays his natural self to such an extent that he will tell another member of this House that he lies—you can expect a man like that to make the poor mail carriers contribute a gold watch and chain to himself.

Mr. EDWARDS: That is another false statement which is better represented by the word 'lie.' I will have to withdraw that expression here, but I am prepared to say it outside, where I will not have to withdraw it.

The CHAIRMAN: I will remind the hon. gentleman that he is out of order now, and I would draw his attention to the fact that he is going too far.

Mr. BORDEN: I think the debate is wandering very far indeed from the item under discussion, and we had better come back to it.

Mr. CARVELL: I rather agree with my right hon. friend that we are wandering somewhat. I am only trying to treat the hon. member for Frontenac to a little of his own medicine and he does not like that. This hon. gentleman has been trying to run this House for the last two or three years and it is necessary to give him a little dose of his own medicine in order to make him appreciate it. I think he is appreciating it now and I hope in future that he will be a little more moderate and try to conduct himself a little more along the lines of orderly debate. I admit frankly that that is my object in telling my hon. friend some of the things I have told him. I hope that we will have heard the last of these old stock speeches that they say that somebody made on this side of the House. Now, to come down to the question at issue, I hope that the Minister of Customs will give some better reason than has already been given why he dismissed from office a man who thought it his duty to defend the good name and fame of a large section of this country. The Minister of Customs ought to try and find some better reason for driving this man out of office. I think, now that the heat has been allowed to cool off a little and that his Nationalist friends have become good Conservatives, he ought to ask these gentlemen to withdraw their objection to this man and reinstate him.

Mr. HUGHES (Minister of Militia): Lest the language which has been made use of here this evening towards a gentleman who has been retired may be misconstrued as including the gentleman who was defeated in the election and who was opposed by the gentleman who was dismissed from office, I want to point out that Mr. Page is an officer in command of a battery of artillery ready to turn out and defend the country upon any occasion.

Mr. MACDONALD: What about Armand Lavergne?

Mr. HUGHES: I have always found Armand Lavergne ready to defend his country.

Mr. MACDONALD: What about his Nationalist attack? Are you standing for Armand Lavergne and for the country?

Mr. HUGHES: I have an extract in my archives which states that a gentleman by the name of E. M. Macdonald made a speech on a certain occasion. Does he want me to resurrect it?

Mr. MACDONALD: I want to say to the hon. Minister of Militia that he will find no speech of mine that ever approached any of the speeches made by Mr. Armand Lavergne in Quebec denouncing the duty of Canada to support the Empire in naval matters, speeches in which he incited the people of Quebec to take the attitude that they should give no assistance to England.

Mr. PUGSLEY: I am exceedingly sorry that the fact that I am asking the Minister of Customs for this information has led to such a stormy scene and I am sure that upon reflection the hon. member for Frontenac will be sorry that he used language which was calculated to produce such disagreeable scenes as those we have witnessed. I do not mean his reference to myself when he said that, in urging that we go on with Supply, I had not been actuated with a sincere desire to get on with Supply. I am and I think that the hon. member for Frontenac very unnecessarily obstructed the procedure this evening. The way to get on with Supply is to get on. As far as I am concerned I have had sufficient information with regard to the item under discussion. I do not desire to raise any further objection or ask for any more information, but I think, in order to remove any wrong impression from the mind, even of my hon. friend from Frontenac, although he is only one member and perhaps not the most important member of the House, I will take the opportunity of reading the letter of Mr. Baldwin and it was in consequence of this letter that this gentleman was dismissed from office. After he had received word that he had been suspended Mr. Baldwin wrote a letter to the Minister of Customs, stating frankly that he had written the letter, stating why he had written it, stating that he felt it his duty to do so as a loyal subject of His Majesty, that he had written it after hours and that he did not intend it to interfere with the performance of his official duties. This is the letter:

An hon. MEMBER: What are you quoting from.

Mr. PUGSLEY: I quote from the Coaticook Observer of September 15, 1911:

The Nationalists.

What are they? Who are they? Where do they come from? Where are they going?

There comes a time in the history of nations as in the lives of individuals, when somebody should cry 'Turn, hell hound, turn.' We have reached one of these pivotal points. The world is watching Canada to-day, and from across the border line there come the words of President Taft: 'Canada is at the parting of the ways.' But of far greater importance than the international aspect, to which reference is here made, is the political status of affairs within the Dominion; a state of affairs, which in order to clearly understand, makes it necessary to consider the conditions leading up to it.

The patriots of 1837 cherished the ideal of a French Canadian nation on the banks of the St. Lawrence; and in 1849 the idea was revived by Papineau and the ultramontanists and was taken up by the Institute Canadian as a propaganda. The Ultramontanists exerted much influence on the political situation before Confederation; and several statesmen have begun their careers as its adherents, and later left the faction. But the society itself seems to have existed down to the present time in the guise of the Nationalist party, led to-day by Henri Bourassa, a relative of Papineau.

The Nationalists have discarded some of the principles of the ultramontanists but they are one with both the patriots and the ultramontanists is presenting an irreconcilable front to the English Government and in dreaming of a Canadian nation on the banks of the St. Lawrence, composed of French-speaking people. This brief retrospect shows what the National party stands for and is sufficient to enable us to better understand the underlying motive which actuates its members. And that we may more clearly comprehend the present political conditions, let us turn once more to the past.

The pioneer of every country, those leaders of civilization who cut down the forests, build log houses, clear and till the soil are subjected to many hardships and privations. These sturdy sons and daughters who penetrated the woods of the eastern townships were no exception to the rule. The trials they experienced, the difficulties they encountered and the sufferings they endured will not be forgotten by their descendants. As one of these, I love my country, I love it well, and I am proud of being a British subject. I shall not so far forget myself as to be ashamed of my country—ashamed of England. No, Hell itself is not hot enough for that man who is disloyal to the land that gave him birth.

I entreat every citizen of the Dominion to forget that you are Liberal or Conservative, to forget that you are Protestant or Catholic, to forget that you are French or English and remembering the sacred ties of the past, the responsibilities of the present and the obligations of the future, think of these words copied from the Debates of the House of Commons, Tuesday, November 22, 1910, where anyone can find proof of their authenticity. Most of these quotations are from Le Devoir, a newspaper edited by the noted Henri Bourassa, who has tried to displace the British flag by another ensign and is a grandson of Papineau who occasioned the rebellion of 1837 and was driven out of Canada for causing bloodshed and rebellion at St. Charles, St. Denis and other places in the province, where hundreds of lives were lost and many buildings burned.

Think of these words used by Bourassa at St. Eustache, July 28, 1910. 'I denounce Mr. Laurier because he harnessed himself up to the chariot of Rhodes and Chamberlain and changed fronts for the sake of a decoration.' In other words the Nationalists denounce the Prime Minister of the Dominion for being loyal to the Empire in time of war.

Again on the 17th of July last Bourassa said: 'Then again, when big ships will have replaced small ships, and when we will have gone in that disastrous policy of which Laurier and Borden are the prophets, when the policy will have fully developed, one day conscription will be enforced, and this little lad here that you send to school to study the law of God as well as that of man, so that he may take your place to continue to fecundate the old farm where you were born, where you have learned in the furrows made by your forefathers, to be Catholics, to be Canadians, to respect law and to nobly accomplish your duty, then this little child if you should continue to listen to Mr. Laurier, this little child taken away and put under arms, embarked on the fleet of which you will have approved, this little child, I say, who will shed his blood on a foreign field, disembowelled by a Chinese or a Japanese cannon ball, will have a right to curse you, if you were to sacrifice to the partisanship which binds to one man your duty as a citizen and a free man.'

Those hot words from the tongue of their chief very clearly show the disloyalty of the Nationalists in opposing the navy, in opposing Canada's contribution to the defence of the Empire; but to make sure that we understand him in another place he uses these words 'imperialistic virus.'

Yes, think of a member of parliament in a British colony saying: 'You are intimidating the people in waving the English flag, adding that we must contribute always and everywhere to the defence of that tormentor of our constitutional liberties; but we will not be made to forget that in 1837 it was necessary to bore holes in it in order to breathe the atmosphere of liberty.

These are the words——

I hope, Mr. Chairman, you will excuse me if I omit a few words here.

Some hon. MEMBERS: Go on.

Mr. PUGSLEY (Continuing to read):

These are the words of a man called Blondin, member of parliament for Chamlain, speaking at St. Louis de Blandford on the 25th of October last. This Nationalist according to Le Devoir also said: 'The English have never done anything for the French Canadians, we do not owe them anything. these very ones who disembowelled our forefathers, on the Plains of Abraham, ask of you to-day to be slaughtered for their sake. We have had enough of England and the English'.

Furthermore after the Prime Minister had said that a victory won by such means was disastrous and that they,—the Nationalists,—were ashamed of what they had done, this same member for Champlain cried out across the floor of the House of Commons:

'I am not ashamed, I will repeat them to you to-morrow'.

I appeal to every citizen of the Empire to resent this insult to our flag to our honour and to our children. Have we no country? Or is this a nation without a soul? If we have a country and if there is left within it one single spark of spirit let us respect our institutions, our traditions and our national ideals, let us make a distinction between a loyal French Canadian and a Nationalist.

When George W. Page says to the electors of the county that he is against the navy, displaying the fact by using letters seven feet high, he endorses the principal plank in the platform of the Nationalists and identifies himself with those who pride themselves on their disloyalty.

No, Mr. Page, you may know the price of hogs; but the loyal electors of old Stanstead county will never endorse a man in alliance with men disloyal to their King.

Eugene O. Baldwin.

Mr. EDWARDS: Did not the hon. member for Champlain (Mr. Blondin) deny the words attributed to him there?

Mr. PUGSLEY: I would ask you, Mr. Chairman, in all seriousness——

Mr. EDWARDS: Be manly enough to answer my question.

Mr. PUGSLEY: It is too late in the morning to pay much attention to the hon. member for Frontenac. I ask you in all seriousness, Mr. Chairman, whether when you bear in mind the excitement which these speeches from the public platform were causing in that portion of the province of Quebec, you can wonder that a man filled with the intense loyalty which seems to have actuated Mr. Baldwin, should make an appeal to all loyal citizens, Liberals and Conservatives alike, to join in resisting the disloyal appeals which were being made by the Nationalists of Quebec. And yet for that letter, and for that letter alone, this man, who, as far as the records show, was worthily and properly discharging his duty as a public officer, was first suspended, and, after he had communicated with the Minister of Customs, telling him that he had written the letter in good faith and because of what he believed to be these disloyal appeals which were being spread throughout his province, informing the minister that he had not neglected his duty and that he had written the letter after office hours, the Minister of Customs changed his suspension into a dismissal—for the crime of being a loyal citizen, having, as my hon. friend from Pictou says, the King's commission it being his duty to frown down disloyal utterances and actions wherever they appeared throughout in any part of this Dominion. For that act of loyalty, and for that alone, and without any investigation whatever, this gentleman was dismissed from office. Let me say to my hon. friend the Minister of Customs that this is not a case of ordinary dismissal. I have evidence that the loyal people of this Dominion from one end of Canada to the other are interested in the dismissal of Mr. Baldwin. They believe that, as a loyal citizen, and a man whose only fault has been his extreme loyalty, he has been unfairly treated by this Government through the Minister of Customs, and it is because of the importance of the principle which is involved that I have deemed it advisable to place this letter upon 'Hansard.' Instead of dismissing Mr. Baldwin my hon. friend the Minister of Customs should have said to him: I too am opposed to these disloyal utterances; I too am opposed to these attempts to incite our people against the British flag and to induce them to believe they owe nothing to England or to the Empire. Instead of dismissing Mr. Baldwin he ought to have said to him: I commend your conduct heartily as a loyal citizen of this country, and I trust that every British office holder in Canada, will, whenever disloyalty is seen stalking abroad, do everything in his power to put it down and make of our people loyal and good citizens of Canada and of the Empire.

Mr. BORDEN: My hon. friend has alluded to this gentleman, Mr. Baldwin, as being a loyal man; with his assertion in that regard I am not at all disposed to quarrel. The question is not whether Mr. Baldwin was a loyal citizen; the question is whether or not he interfered in a political contest. My hon. friend says he held the King's commission; so did the candidate in the election; but Mr. Baldwin in the letter which the hon. member for St. John has just read, distinctly and deliberately charged the candidate in that election with being a disloyal man. I am not concerned with the quality of his assertion in point of truth or falsity, although I do not think anyone who knows Mr. Page would for one moment pretend that he is not as loyal a man as there is in Canada; but the letter was a deliberate entry into the political arena, and a deliberate and distinct appeal to the electors of that riding to vote against Mr. Page on the ground that he was disloyal.

Mr. PUGSLEY: On the ground that he was in alliance with the disloyal Nationalists.

Mr. BORDEN: He put him in the same category as other gentlemen whom he characterized as disloyal, therefore characterizing Mr. Page as being disloyal and appealing to the electors of the county to vote against him. I do not know how you could have a more distinct interference in a political contest than this. A good deal has been said by hon. gentlemen on the other side of the House as to the iniquity of the statement that Canada owes Great Britain nothing. I think my hon. friend from St. John characterized that statement as most outrageous, but I sat in

my seat just opposite when a member of the late Government, in my presence, stated in this House of Commons, that Canada owed nothing to Great Britain except Christian forgiveness. He had uttered the words before, and I reminded him of them; I could not then quote them exactly, but he repeated them on that occasion, and not one of his colleagues—they were all sitting around him—found the slightest fault with his utterances in that regard, at least in so far as it was evidenced by any outward expression of opinion. So, when he enters into considerations of this kind, my hon. friend may find that they more closely affect him than he was inclined to think when he first introduced this subject. Under the circumstances, I think it would be well to pass this item, as the hon. member for St. John has respeatedly assured us during the course of the evening—or rather the morning—that he is very anxious to facilitate Supply.

Mr. GRAHAM: I wish to direct the attention of the Minister of Customs to the necessity of having a list of every man and woman in the service who has been promoted with particulars as to salaries, &c. I think this would be very desirable in view of the many inquiries which are frequently made for information in that connection.

Civil Government—Office of the Auditor General—salaries, $24,300.

Mr. GRAHAM: I see that in salaries there is an increase of $8,350. What do these increases mean?

Mr. WHITE (Minister of Finance): The hon. gentleman will observe that there are three more officials for the current year than for the previous year—ninety, as compared with eighty-seven. This increase is made necessary by the greater volume of work of the department. There are seven promotions from sub-division A of the second division to sub-division B of the first division, and there are statutory increases as well.

Mr. PUGSLEY: Who are the officers promoted?

Mr. WHITE: I have not the names, but will get them if the hon. gentleman desires.

Mr. LEMIEUX: When officers of the Auditor General's Department are promoted, on whose recommendation are promotions made,—on that of the Auditor General?

Mr. WHITE: Entirely so. The Auditor General is responsible to Parliament, and he reports to Parliament through the Finance Minister. These are entirely his recommendations.

Mr. PUGSLEY: Better let this item stand.

Mr. WHITE: I shall be glad to do so. As to the promotions, I discussed the matter in a general way with the Auditor General, and he assured me that these were all men who had been in the office for years and deserved promotion.

Mr. FOWLER: I ask that this item be allowed to stand, because I have something to say about the Auditor General's office and promotions.

Progress reported.

Mr. BORDEN moved the adjournment of the House.

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

Mr. BORDEN: I am not quite sure; I will let the hon. gentleman know as soon as possible.

Motion agreed to, and House adjourned at 3.50 a.m., Friday.

HOUSE OF COMMONS.

FRIDAY, April 18, 1913.

The SPEAKER took the Chair at three o'clock.

REPORT PRESENTED.

Report of the Royal Commission appointed to inquire into and report upon the law respecting pilotage and its administration in the pilotage districts of Montreal and Quebec, and what changes, if any, are desirable therein.—Mr. Hazen.

DOMINION POLICE ACT AMENDMENT.

Hon. C. J. DOHERTY (Minister of Justice) moved for leave to introduce Bill No. 172, to amend the Dominion Police Act. He said: This Bill makes some very minor amendments to the present Dominion Police Act. The principal provision is in section 5, which adds to the existing Act a provision requiring the district commissioners of police, who are appointed under the Act as it stands, to report at the beginning of each month to the chief commissioner in writing

All informations, complaints, proceedings and convictions or orders instituted or made before him during the preceding month, with a statement of all moneys collected or received by him for fines, penalties, forfeitures or costs, showing the dates of such collections of receipts, and how and when the collections or receipts were appropriated; and every such commissioner shall moreover furnish the chief commissioner with such additional information touching the discharge of his duties as commissioner as may be by the chief commissioner reasonably required.

At present that is practically done under an Order in Council, but I think it has been a question whether there was an absolute obligation to comply with that order, and we thought it wiser to introduce it into the statute. The other provisions are not material.

Mr. MACDONALD: How many commissioners of police are there in Canada?

Mr. DOHERTY: I am not in a position to give the exact number, but I can procure the information. They are appointed as they are required, principally in connection with the construction of railways.

Motion agreed to, and Bill read the first time.

QUESTION OF PRIVILEGE.

On the Orders of the Day being called:

Mr. J. W. EDWARDS (Frontenac): I desire to rise to a question of privilege. Yesterday, as reported at page 8218 and 8219 of 'Hansard,' certain statements were made by the hon. member for Carleton, N.B., (Mr. Carvell) reflecting upon my honour, to which I wish to make a very brief allusion. On page 8218, the hon. member for Carleton made this statement, referring to myself:

> He is the man who was put up to ask the question as to who was to be the warden of Kingston penitentiary, the man who tried to work up a creed prejudice against the Minister of Justice, the man who tries to have a certain man appointed to a position in Kingston penitentiary because he happens to be an Orangeman and not a Roman Catholic.

I wish to state emphatically that I did not ask any question as to who was to be warden of Kingston penitentiary. In the second place, I never tried at any time to raise any creed prejudice against the Minister of Justice, nor have I at any time in my life said anything which I believed would cause a feeling of resentment on the part of my Roman Catholic fellow-citizens and I never intended to do so. I wish to state further that the man whom I recommended for the situation of warden of Kingston penitentiary was also recommended by thirty other members of this House, by ten or twelve members of the Ontario Legislature, and by five or six executives of Conservative associations. He was also spoken of in the highest terms by the late Sir John Thompson, when Minister of Justice, by Sir Charles Fitzpatrick, when he was Minister of Justice, and by the late Sir Oliver Mowat. I refer to Major W. S. Hughes, whose ability has since been recognized by the Minister of Justice by appointing him to the important position of inspector of penitentiaries. Major Hughes never was and is not an Orangeman. There could not be any question about the appointment of an Orangeman or a Roman Catholic, because the Minister of Justice told me he had no thought of appointing a Roman Catholic to that position. I say that in fairness to the Minister of Justice and to myself, as we have both been misrepresented in regard to this matter.

The second question of privilege arises out of the words at page 8219 of 'Hansard' where the member for Carleton charges me with having made the poor mail clerks of Frontenac contribute to the purchasing of a gold watch and chain for myself. This is the second time that such an allegation has been made by the same member. It is true that the electors of Frontenac did make me a presentation at our annual meeting, but I knew nothing about it in advance. I do not know who contributed to it; I made no enquiries as to who contributed; I am not concerned in that in any way. I am not the only man to whom such a token has been given. It has been given to my right hon. friend the leader of the Opposition and to others, and I, like, them, appreciate not only the gift but the spirit which prompted it. That is the most valuable part of it to me, although I value the gift and appreciate it very highly. I quite understand the lack of appreciation of this on the part of the hon. member for Carleton, N.B.

Some hon. MEMBERS: Order.

Mr. EDWARDS: I have nothing further to say except to give an emphatic denial to having suggested anything of that kind, and I will give my hon. friend for Carleton the honour and myself the pleasure of discussing our mutual regard for one another at any time that will suit his convenience and where we shall not be hampered by the rules of the House.

IMPORTATION OF PHOTO-ENGRAVERS.

Mr. W. F. CARROLL (South Cape Breton): I wish to direct the attention of the Minister of Labour and the acting Minister of the Interior (Mr. Crothers) to a telegram placed in my hands to-day by a Mr. Lennon representing the Photo-Engravers' Union of Toronto. It is dated Toronto, Ontario, April 16, 1913, and is as follows:

> Employer in Montreal has gone to England to get more men over. Do what you can to get order through to prevent further importations.
>
> Louis Kehlietz.

This means that the employers of photo-engravers in Toronto and Montreal are still importing men to this country to take the place of strikers. I would ask the Minister of Labour and acting Minister

of the Interior if it is his intention to take steps to have an Order in Council passed under section 38 of the Immigration Act to prevent, for the time being, immigrants of that class coming into Canada?

Mr. CROTHERS: Will my hon. friend be kind enough to send me the telegram or a copy of it?

RURAL MAIL DELIVERY BOXES.

Hon. RODOLPHE LEMIEUX: I was not in the House yesterday when a question was put by the hon. member for Chambly-Verchères (Mr. Rainville) about rural mail delivery boxes, as follows:

Mr. Rainville:

1. When and how were the hundred and ten thousand boxes for the rural mail paid for, which were purchased by the preceding Government without tender?
2. Was there in 1911 a greater number of boxes purchased than were required?
3. Did the present Government succeed in obtaining a reduction on the price of these boxes, and has it consequently paid a lower price than that agreed to by the preceding Government?
4. Was a certain number of these boxes paid for during the election period of 1911? If so, how many boxes and what amount?

I do not object to the form of this question, but I see that there may be an imputation in question 4. I do not know what prompted the hon. gentleman to put the question in this form. When I was Postmaster General orders were given on two different occasions for rural mail delivery boxes. An Order in Council was passed and a contract was signed in each case. I have moved for that Order in Council and a copy of the contract to be laid on the table. The contract stipulated that no boxes should be paid for unless they were required by the Government, and if——

Mr. SPEAKER: The hon. gentleman is not quite in order.

Mr. LEMIEUX: I have just finished, Mr. Speaker. If the payments were made for those boxes they were made according to the contract. But if there is any apprehension of improper conduct on the part of the Postmaster General of that day, I wish to say categorically and emphatically that it is the duty of the Government to investigate it; and I would state to the right hon. leader of the House that if he thinks there is anything improper in the payment for these boxes under my administration, I am ready to accept the judgment of a committee of the House which he should appoint, composed of members of his own party only.

QUEBEC HARBOUR LOAN.

Hon. J. D. HAZEN (Minister of Marine and Fisheries) moved that the House go into committee to consider the following proposed resolution:

1. Resolved, that it is expedient to provide that the Governor in Council may, from time to time, advance and pay to the Corporation of Quebec Harbour Commissioners, hereinafter called the Corporation, such sums of money, not exceeding in the whole the sum of three million five hundred thousand dollars, as are required to enable the Corporation to construct such terminal facilities as are necessary to properly equip the port of Quebec.
2. Resolved, that during the period of construction of the terminal facilities mentioned in these resolutions the interest payable on the debentures receivable by the Minister of Finance in exchange for such advances shall be deemed to be money required to construct and to be part of the cost of construction of the said terminal facilities, and such interest may be paid out of the said sum of three million five hundred thousand dollars.
3. Resolved, that the Corporation shall upon any advances being made, deposit with the Minister of Finance debentures of the Corporation equal in par value to the advance so made, repayable within twenty-five years from the date of issue, and bearing interest payable half yearly at the rate of three and one-half per centum per annum.
4. Resolved, that the principal and interest of any sums advanced under any Act founded on the Resolutions, shall be payable by the Corporation out of all its property, assets, tolls, rates, dues, penalties and other sources of revenue and income whatsoever, and shall be a charge thereon next after, and have precedence in regard to payment next after all debentures or bonds issued by the Corporation amounting to the sum of one million one hundred and fifty thousand dollars, under chapter 48 of the statutes of 1898, chapter 34 of the statutes of 1899, and chapter 36 of the statutes of 1907.

Motion agreed to, and the House went into Committee. (Mr. Deputy Speaker in the Chair.)

Mr. HAZEN: This is a Bill to enable advances to be made to the commissioners of the port of Quebec city to the amount of $3,500,000 for the purpose of equipping the port so that it may be in a position to handle the import and export trade of the port, which is increasing every year, and which, considering the geographical position of Quebec, must continue to increase. The Bill follows very closely—is practically a replica of—the Bill relating to the Montreal Harbour Commissioners under which, from time to time, this Parliament votes sums of money as loans to the Harbour Commissioners of Montreal to be expended on that harbour for the purpose of equipping it to successfully carry on the very large business that is carried on there during the navigation

season. Like the harbour of Montreal, the harbour of Quebec has been managed by a board that was considered to be unwieldly. A number of years ago an Act was passed under which the constitution of the Harbour Board of Montreal was changed, and it was provided that there should be three harbour commissioners to be appointed by the Governor in Council. This plan worked most satisfactorily so far as the port of Montreal is concerned, and at the last session of the House I brought in a Bill, which was passed providing for the the reconstruction of the Harbour Commission of Quebec, a commission consisting of three members to be appointed by the Governor in Council. These commissioners were appointed under the provisions of that Act. They are now entering upon their duties, and it is desirable, if the work is to go on vigorously and is to be useful, and if ample facilities are to be provided for the export and import trade through the port of Quebec, to loan to these commissioners a sum of money to put the port in proper condition to do business.

Mr. GUTHRIE: Will the hon. gentleman give a statement of the amount of the present indebtedness of the Quebec harbour?

Mr. HAZEN: I intended to do that before concluding my remarks. I have the information under my hand, as I took it for granted that it would be desired by the House. The present Bill provides that there should be paid to the Harbour Commissioners of Quebec, from time to time, $3,500,000, this amount is to be expended by the harbour commissioners in a manner satisfactory to the Governor in Council and on the report of the Minister of Marine and Fisheries whose department has charge over the matter. Interest on the debentures during construction, as in the case of the Montreal harbour, to be charged to capital account. There is a time limit for construction, as in the Montreal Act, and section 5 provides:

No such advances shall be made in respect of terminal facilities unless the plans, specifications and estimates for the works to be performed by the corporation and on which the money so to be advanced is to be expended, have been first submitted to and approved by the Governor in Council.

There is also a provision that, as moneys are advanced from time to time by the Government, the debentures of the commission for the amounts so advanced are to be deposited with the Minister of Finance. Section 7 has regard to payments on the loans. In the case of the Quebec harbour, Government advances to a considerable amount have already been made, as well as advances by private individuals. The harbour commissioners at Quebec are to-day indebted to the public who have bought up their debentures, in the sum of about $1,150,000. The interest on this amount has always been paid out of the revenues of the harbour, which to-day amount, I think, to about $128,000, and which it is believed with proper facilities, and with the steadily increasing trade, may increase very largely in the future. Section 7 is as follows:

The principal and interest of the sums advanced under the authority of this Act to the corporation shall be payable by the corporation out of all its property, assets, tolls, rates, dues, penalties and other sources of revenue and income whatsoever, and shall rank as charges thereon next after, and have precedence in regard to payment next after, the principal and interest of all debentures or bonds issued by the corporation under the provisions of chapter 36 of the statutes of 1907, entitled: 'An Act to increase the borrowing powers of the Quebec Harbour Commissioners.

The advances, therefore, made under this Bill shall be a first charge against the property and assets of the corporation next after the payment of principal and interest of all debentures or bonds held by the public.

In reply to the question of the hon. member for South Wellington (Mr. Guthrie) with regard to the outstanding debentures for the moneys advanced by the Government in the past, I may say that they amount to $4,154,195.68. For Government advances, the Government holds debentures to the amount of $3,612,802.42. The Government advances without debentures amount to $541,393.26, and the arrears of interest to March 31, 1912, amount to $3,479,057.42. As my hon. friend will observe, about a year's interest has become due since that time. In 1910 the revenues of the harbour amounted to $121,036.84; in 1911, $122,425.81. While I have not the exact figures before me as to the revenues of the harbour for 1912, I understand that they amounted to about $128,000, or five or six thousand dollars in excess of the amount received during the previous year. I have a balance sheet here showing the details of revenue and expenditure.. The revenue was made up of: tonnage dues, $13,314; import dues, $5,801; export dues, $2,145; harbour dues, $3,787. The wharf and property earnings were as follows: Wellington wharf, $2,610; Grand Trunk wharf, $2,000; Atkinson's wharf, $2,820; East India wharf, $1,435.85; Reynar's wharf, $1,200; Louise docks and wharfs, $83,539.03; beach and deep water lots, $1,725.37; interest, $2,016.98; sundries, $30; making a total of $122,425.81. The expenditures were: Administration, engineering staff, salaries and fees, $16,532.04; legal expenditures, $2,668.50; notarial expenditures, $167.25; miscellaneous expenses, printing, stationery, advertising, harbour master's service, general labour.

&c., $4,508.01; property expenditure, taxes, insurance, repairs, &c., and the maintenance of docks, wharf and stores, $52,970.67; workmen's liability, $81.02; twelve months' interest on bonds, 62-63 Victoria, chapter 34, and 6-7 Edward VII, chapter 36, $30,000; surplus over working expenses, $15,498.32. This makes a total of $122,425.81.

The commissioners of the harbour have had a report made by expert engineers, and perhaps the members would like me to read some extracts from that report to give some idea of what the commissioners think are the essential things to be done at the present time for the purpose of placing the harbour in a proper position for doing business.

Sir WILFRID LAURIER: Who are the engineers?

Mr. HAZEN: Messrs. Coode, Matthews, Fitzmaurice and Wilson, of London, England, and the harbour engineers.

Mr. LEMIEUX: Have you a plan?

Mr. HAZEN: Yes; I shall lay it on the table, so that members can look at it. The memorandum I have here states that Messrs. Coode, Matthews, Fitzmaurice and Wilson made a report dated 21st January, 1913, to the commissioners in regard to the proposed increase of the wharfage accommodation at the harbour for ocean-going steamers and for large vessels. It goes on:

The existing accommodation, is extremely limited for a port possessing such natural advantages and vast prospects of trade expansion. The provision of additional berthage and other facilities connected therewith could not fail, in their opinion, to prove of immense benefit to the port and to the country at large. The plans submitted show the additional wharfage accommodation and reclaimed areas that could be provided. Arrangements would not, of course, be made in the first instance for constructing the whole of the accommodation, at each site as shown on the drawing, but for putting in hand and executing the work in such instalments as might be considered desirable from time to time, each portion forming a section of the complete project.

The present accommodation at this point consists of the tidal basin which has an area of 18 acres, with 3,300 feet of quayage and a depth of 26 feet at low water of spring tides. The entrance to the basin is 200 feet wide. The wet dock, opening from the tidal basin, is about 2,400 feet long by 600 feet in average breadth with an area of 40 acres and a quay frontage of about 3,400 feet. The depth of water in the wet dock is from 22 to 30 feet and the depth over the sill of the gates in 35 feet at high water of spring tides. The width of the entrance from the tidal basin is 60 feet. From the northeast corner of the tidal basin a pier extends northwards a distance of 1,600 feet. This pier is 300 feet in width, and provision has been made for berthage on both faces, although the inner berth, 1,000 feet in length, is not as yet available pending the completion of the necessary dredging alongside and in the approach. There is a depth of over 40 feet at low water of spring tides alongside the outer face of this pier.

Louise embankment—Large additions to the present dock facilities have been contemplated for some time past, northward of the Louise embankment. The main feature of that scheme is the construction of a large sheltered basin in which extensive further berthage accommodation is obtained by a system of projecting jetties, about 1,000 feet in length, pointing approximately north and south. The construction of pier No. 1 was the first step undertaken in the execution of those proposals, and in continuation thereof, the Louise embankment has been widened on its northern face nearly as far as the route of the proposed pier No. 2, which it was intended to construct parallel with pier No. 1, and at a distance of 500 feet therefrom. The engineers do not, however, favour the construction of short jetties. They are of opinion that economical advantages are afforded by providing the wharfage accommodation in one continuous line. It gives a greater amount of berthage and adapts itself to the various lengths of ships to be accommodated.

As a first instalment the engineers recommend the widening of the Louise embankment. The basin opposite the proposed widening would ultimately be about 3,300 feet to 4,000 feet in length by 2,000 feet to 2,500 feet in width, thus affording a very large space for the manœuvring of vessels entering and departing. This basin would be dredged to a depth of 35 feet below the level of low water of ordinary spring tides. In the first instance, however, and until the 'proposed pier' as shown on the plan was executed, it would be unnecessary to dredge the full width of the basin. This basin when completed would have an entrance width of 1,500 feet. The proposed widening of the Louise embankment and the area of 80 acres to be reclaimed in this vicinity are shown on the plan by red colour of dark tint. These works of improvement would be for the advantage of ocean-going steamers and other vessels.

Diamond harbour improvements—These improvements are designed to provide additional deep draught wharfage accommodation for the expansion which it is confidently anticipated will take place in the shipment of produce from Quebec. The bulk of the rail-borne portion of this traffic will, it is anticipated, enter by way of Sillery in the near future, the south shore participating also, on the completion of the new bridge. Provided suitable facilities are afforded, this freight would be more conveniently handled at wharves situated in the neighbourhood of Wolfe Cove, where provision could also be made for the berthing of grain carriers, navigating the canal system from lake Erie.

The area to be reclaimed in this district would be about 80 acres in extent. It could be utilized for the storage of coal, &c., the coaling quay to be some 2,250 feet in length. Provision could also be made for the car ferry service to accommodate a vessel 350 feet in length with a beam of 60 feet and a draught of about 15 feet. The scheme submitted provides for an extension of these works of improvement so as to give a quay frontage of some 12,750 feet.

Railway facilities—In connection with the foregoing proposals for augmenting the deep water accommodation of the port, the engineers draw attention to the necessity of providing suitable railway communication, either by means of a tunnel or by tracks along the frontage. Roads affording convenient access to the new wharves will also be needed. Other questions relative to the handling and storage of grain, the extent and character of said accommodation with the layout of tracks and terminal facilities require careful investigation in order that the most satisfactory arrangements may be adopted.

Attached hereto is a copy of a memorandum submitted by the Harbour Commissioners showing the proposed expenditures on the several works of improvement in the harbour.

The hon. member for Rouville (Mr. Lemieux) asked me for an estimate of the cost. I can give that to the hon. gentleman now. The estimated requirements for the year ending December 31, 1913, although I do not think that it would be possible to do all this work during that short period of time, are as follows:

New quay wall on the north face of the Louise embankment, 1,800 ft.	$810,000 00
Dredging of the trench for the same	110,250 00
Dredging of the channel approach.	621,250 00
Filling required in the season of 1913..	85,067 00
Total estimated cost....	$1,626,567 00
Proposed grain elevator..	$1,014,483 00
Car ferry terminals..	56,350 00
Railway tracks to grain elevator and for terminal yards..	16,454 00
Roadway bridge..	25,000 00
Floating cranes..	60,000 00
Service boat..	130,000 00
Floating fenders..	4,000,00
½ dredging plant valued at $900,000.	450,000 00
Building plant..	50,000 00
Total anticipated expenditure..	$3,502,854 00

This is the estimated expenditure for the year ending December 31. My own view is that it would be impossible to get organized and to do work to the extent of $3,500,000 in one season. However, that is simply my opinion, and no doubt the opinion of the harbour commissioners and their engineers is worth more than mine.

Sir WILFRID LAURIER: The explanation seems to be full and complete; but the minister will realize that it is impossible to discuss these items upon simply hearing them for the first time. I would ask the minister, before the second reading of the Bill, to lay on the table of the House the reports of the commissioners and the engineers upon which the estimates are based. Who are the commissioners now?

Mr. HAZEN: Mr. William Price, Chairman, Mr. Gravelle, of Pointe Lévis, and Mr. J. D. E. Letellier.

Mr. HAZEN.

Sir WILFRID LAURIER: When were they appointed?

Mr. HAZEN: Some time after the Bill was passed last session. The salary of the chairman is $6,000 a year, and the salaries of the other two commissioners $5,000 each.

Mr. LEMIEUX: Would the minister bring down any offers that have been made for the sale of the land that is to be reclaimed?

Mr. HAZEN: I will bring down all the information available, but if there is any special information which my hon. friends opposite would desire, if they will send me a memorandum, I will have that information placed before the House.

Mr. LEMIEUX: Would the minister also bring down information as to the part of the map which is said to be coloured brown?

Mr. HAZEN: I will get the information. It certainly is not brown to my eye, and I think the man who described it as brown would have some difficulty in passing the pilots' eyesight test.

Mr. BELAND: Did the minister give us the estimated cost of the eighty acres on the waterfront where the proposed slip will be located?

Mr. HAZEN: I gave an estimate of what would be spent upon it this year.

Mr. BELAND: Is any part of this work to be done by the Transcontinental Railway Commission?

Mr. HAZEN: No.

Mr. BELAND: What about the slip for the ferry boat?

Mr. HAZEN: It is a question whether the terminals for the car ferry should be done by the harbour commission or by the Transcontinental Railway Commission. The Postmaster General tells me that he thinks some arrangement has been come to between the two bodies.

Sir WILFRID LAURIER: Will you bring down that agreement?

Mr. HAZEN: If there is such an agreement, I will.

Mr. LEMIEUX: Will the minister also bring down the plan of the lock at the entrance of the river St. Charles? If any part of that work is to be done by the Public Works Department it would be well to have the plan for that brought down also so that we may see the whole scheme. Would the minister also bring down a list of the offers made to the harbour commission or to the department for the lands included in the other section of the plan marked in red?

Mr. HAZEN: I shall be glad to bring down all the information available.

Mr. ARTHUR LACHANCE (Quebec Center): (Translation.) Mr. Speaker, as one of the Liberal members for Quebec, I wish to offer a few remarks in respect to this proposed resolution, whereby we are asked to loan to the Quebec Harbour Commissioners an amount of $3,500,000 to provide for terminal facilities, as part of the proper and requisite equipment of the harbour of Quebec. I need not recall that I take an especial interest in this measure, and I hasten to say that the Government could not put too large an amount at the disposal of that commission, so that our port may be in a position to handle the enormous traffic which is expected to come our way. However, as the right hon. leader of the Opposition stated, it is rather difficult just now to intelligently discuss the views of the Government, as we have not as yet been provided with all the particulars and statistics in connection with the proposed works, and regarding the nature of such works. The hon. Minister of Marine and Fisheries has just stated that he would lay on the Table of the House all the documents required to enable us to post ourselves in regard to these improvements, at any rate when the Bill comes up for its second reading. So I shall postpone until the Bill reaches that stage a more extended discussion of the matter, if necessary. Nevertheless, before resuming my seat, I would request the hon. Minister of Marine and Fisheries to leave on the Table of the House the plans which he has just taken down, so that we may look into the particulars.

Mr. BELAND: Has the question of the railway been considered yet? I understand from the plan that there will have to be a certain diversion of the railway to facilitate the approach to the new work. Has that question yet been discussed with the Quebec, Montmorency and Charlevoix Railway Company?

Mr. HAZEN: The estimates that I read referred to this as the estimated cost of the diversion of the line of railway.

Mr. BELAND: What is that?

Mr. HAZEN: I assume there will have have to be an expenditure of money to bring the railway down upon these new quays so that trade that comes by vessel may be loaded direct from the vessels into the warehouses and then into the cars. I presume that will mean some slight change in the railway. The amount mentioned is not very large, only $29,000. On the second reading I shall have full information for my hon. friends.

Sir WILFRID LAURIER: As I understood the report, it referred only to the diversion of the railway to reach the grand levee, the diversion of the main line is not touched upon but there is a casual reference in the report read by my hon friend to the effect that other lines of railway or a tunnel will be built. The information on that is very meagre.

Mr. HAZEN: I have the full report here, and I will have it laid on the table.

Mr. PELLETIER: I think I can say that this item simply provides for the bringing of the railway nearer to the quay and nearer to the wharfs.

Mr. HAZEN: The leader of the Opposition is right in his understanding. In the memorandum there is this:

> In connection with the foregoing proposition for improving the deep water accommodation of the port the engineers call attention to the necessity of providing suitable railway connections either by means of a tunnel or by tracks along the frontage. Rails affording convenient access to the new wharf will also be needed.

In their estimates of requirements for the year ending December 31, we have an item for railway tracks to the grand levee and for terminal yards, $16,454, so that the estimate is simply for some tracks to the levee and to the terminal yard.

Mr. PELLETIER: It will not be necessary, I understand, to have any arrangement with the railway company because the tracks or rails on the embankment belong to the harbour commission, and what they are going to have there will also belong to them and not to a company.

Mr. LEMIEUX: That is a small item, the price of the tracks. Would my hon. friend on the second reading have a list of the owners of the various sites that are being offered to the harbour commissioners at the various points marked on the plan, the prices fixed and the amount agreed to by the department? Has any amount been agreed to or is it going to be expropriated in the usual way?

Mr. HAZEN: I have no report on that. That depends on the action of the commission, subject to the approval of the Governor in Council. What I understand my hon. friend would like to have is a statement showing who the owners are or who are interested in the lands which will have to be taken for the purposes of this work and what the estimated value of such land is.

Mr. LEMIEUX: Did the figures given include the price of lands?

Mr. HAZEN: Yes. My own impression is that very little land will have to be taken from anybody, that it belongs to the department, and that hardly any private lands will have to be taken by expropriation or in any other way; but I will get absolutely accurate information on that point.

Mr. SINCLAIR: Has the minister any general policy with regard to the equipment of harbours? I understand that by this resolution he proposes to lend a considerable sum of money to the harbour of Quebec for the purpose of equipping that harbour, and that the Government is making a large expenditure in Halifax on its own account. There are other great harbours in Canada, and the question is one of very great importance to the taxpayers of this country, if we are to undertake to become responsible for the equipment of the great harbours of Canada. Will the same accommodation be given to Vancouver, and Prince Rupert, and Victoria, and St. John, and all the recognized great harbours of the country, that is, the Government furnishing money for the development of these harbours and equipping them on terms similar to those proposed for Quebec?

Mr. HAZEN: My own opinion is that it is the duty of the Government to equip the great harbours of the country to such an extent that the business of the country can be done through our own ports, and at the same time that we ought to aim at having the great bulk if not all the business of Canada done through the ports of Canada instead if having, as we unfortunately have at present, a great deal of our business done through foreign ports. The Government of the country is spending large sums in the developing of different ports. For Montreal it is advancing large sums of money, but practically that is not costing the country anything, as the Harbour Commissioners of Montreal are paying interest to the country on all the money that has been advanced from time to time, and that now amounts to a good many millions of dollars. In order to keep pace with the growing trade of the country a great many more millions will have to be advanced in the future. In fact the great trouble before the Harbour Commission of Montreal is to provide adequate harbour facilities fast enough for the handling of the trade that in ever-increasing volume is coming there year by year. That is also true of other ports. The Government are spending a large sum in St. John, and yet, as a matter of fact, in that port there has been a congested state of affairs because the facilities have not been sufficient, the dockage and wharfage room has not been adequate to accommodate the vessels. Last week at one time twelve ocean going vessels were there discharging cargoes, and some of these vessels had to wait in the stream until the wharfs could be cleared of the freight from other vessels. I have always thought it was an absolutely proper and correct policy for a country that has done so much to build railways in order to bring the freight from the interior of the country down to the sea-ports, to see that when that freight gets to the sea-ports there are means of handling it economically and expeditiously so that shippers can be sure that when they send goods through Canadian ports they will be handled as economically and expeditiously as through the ports of any other country. The work the Government has been doing in St. John has not been done under a commission. There is no harbour commission there at present, although there probably will be at some time in the future. The city council, under the law, are the conservators of the harbour. But the Government has been building wharfs there, and they appoint wharfingers and collect revenues on the wharfs. These wharfs have been built by the Department of Public Works. In Halifax, as has been before explained to the House, a large expenditure will be made to provide terminal facilities in connection with the Intercolonial railway.

At Quebec it has been felt that the only way to develop that port is by means of a commission, and for the country to advance money to that commission, as at Montreal. I have no doubt that with the ports of the Pacific a policy of a similar character will have to be adopted. The port of Vancouver, which is seeking the establishment of a harbour commission this year—there is a resolution touching the matter now before the House—is doing a tremendous shipping business, and no facilities have so far been provided by the country in that port. No doubt shipments from Vancouver in the future will be enormous, perhaps as large as from any other port in Canada. Facilities will have to be provided there, and, judging from the result of the experience in Montreal, I believe that the most satisfactory way of dealing with a harbour of that sort is by means of a commission. Under this system men interested in the port devote their time to it, acting practically as a branch of the Department of Marine, men who are anxious to advance the interests of the port, and who have the intelligence and knowledge to do so. This year the people of Vancouver are asking for the establishment of a harbour commission to manage the shipping in that harbour, believing it to be far better done in that way than if managed by the city council. With the tremendous growth that there will be in the shipping on the Pacific coast immediately after the opening of the great Panama canal I have no doubt that in future this Parliament will have to be prepared to deal liberally and generously with the harbour of Vancouver and others on the Pacific coast, as it is prepared to-day to deal with Quebec

and as it will be prepared to continue to deal with Montreal. No general policy has been adopted by this or any previous Government in regard to the matter. I think it is apparent that the trend of public opinion is favourable to management by harbour commissioners, it being felt that better results are obtained in that way.

Mr. WM. POWER (Quebec West): A question has been asked about these arrears that are due by the old Harbour Commission of Quebec. I think the minister said it was about $1,000,000.

Mr. HAZEN: Oh, no, it is more than that. The arrears and interest to March 31, 1912, were $3,479,057.42.

Mr. POWER: I desire to ask the minister if there has been any decision to relieve the Quebec Harbour Commission of these arrears of interest. I am not going to say anything with respect to the old harbour commission but it is well known that there is no city in the Dominion of Canada wherein so much money has been spent by private individuals to promote trade and commerce as in the old city of Quebec. Were I to put the amount which was so invested at $30,000,000 or $40,000,000 I would be well within the mark. It may be said that expense was made in the interest of trade and commerce and in the interest of a trade in which the men who made the expenditure were directly interested. Before the days of iron ships it is well known that the timber trade was one of the great industries of this country. But I must tell you in this House and the minister that it was not alone for the timber trade that these improvements were made in Quebec. I well remember the wharfs which were built in the part of the city where I first saw the light of day. Large expenditures were made for the encouragement of the grain trade which is on everybody's lips to-day. Private individuals spent over $200,000 in building docks. They built their own floating elevators, they did more than that, they built the largest class of vessels that could be sent from Great Britain to Quebec. Well do I remember the noble names of these wharfs, they recalled the names of England, Ireland and Scotland. Not only did the merchants of Quebec do this but every man interested in the great trade of Quebec chartered the largest class of sailing vessels that crossed the Atlantic in those days exactly as is done to-day. You have asked me why they did not continue to control this immense trade. Sir, the day of the sailing vessel has about passed away; an era of steam has been brought in but even with that we would have held our own in Quebec had it not been for a monopoly greater than we could withstand which stepped in between us and what well might be called our vested rights. If you ask me who was that monopoly I have to say that monopoly was the Government of this country who, under the guise of lending money to a body corporated in Montreal, commenced deepening the channel from Quebec to that city. When that body corporate found they were in the mire, what did they do? They unloaded that debt upon the Government of this country and that is exactly what I desire to refer to to-day, that the Government of the country would be perfectly justified in taking over not only the interest but the whole of the debt resulting from the old expenditures made upon the harbour of Quebec.

Mr. LEMIEUX: The hon. member for Quebec Centre (Mr. Lachance) asked in French that this plan should be left on the table of the House. Is there no larger plan in the department?

Mr. HAZEN: I think that is the largest plan in the department. There is no doubt that there must be plans in the possession of the harbour commissioners much more detailed.

Mr. LEMIEUX: I would suggest that the minister get a more detailed plan for the use of members.

Mr. HAZEN: Very well. I will leave this one here in the meantime.

Mr. BELAND: Is it possible for the minister to give an estimate of the cost of the projected diversion of the main lines of that railway? Because though the minister appears to think that it will require a small amount, I am under the impression that it will be very costly. Every citizen of Quebec knows how valuable is the land situated northwest of that line It would mean a new right of way, and that could only be obtained only at very high figures.

Mr. PELLETIER: It is on Government property. I telephoned to Mr. Price, expecting that the question would come up. I asked him to whom the tracks of railway belonged, and he told me that that part which was on the embankment and the Louise basin, belonged to the harbour board.

Mr. BELAND: I mean the land beyond the railway on the water front. I doubt very much that that belongs to the Government or harbour commission. As I understand it the line would have to be diverted north in order to make room for the works proposed. It is shown on the plan that it is probable that the main line of the Quebec, Charlevoix and Montmorency railway will have to be diverted. That means a new right of way to the north of the present line.

Mr. SINCLAIR: I think the hon. gentleman does not understand.

Mr. BELAND: Well, we shall know later.

Mr. HAZEN: We will get the information for the hon. gentleman.

Mr. LEMIEUX: I understand that the widening of this Louise basin will also entail the straightening of the Canadian Pacific railway line that goes down to the steamers. Am I right?

Mr. HAZEN: I do not know.

Mr. LEMIEUX: Perhaps the Postmaster General could tell us.

Mr. PELLETIER: I could not say exactly. I have an idea that the line would have to be diverted to come nearer to the elevator and to the edge of the wharf, but as to the details I cannot say. I have seen all the plans in Quebec and have taken a great deal of time to study them, but these details will not remain in the memory. I have asked Mr. Frank of the harbour board and the engineer to come here.

Mr. HAZEN: I will ask Mr Price of the harbour board and the engineer to come here, and I will notify the hon. gentlemen interested when they are to be in Ottawa. They will then be able to meet these gentlemen and get the information they desire.

Resolution reported, read the first and second time, and concurred in.

Mr. HAZEN thereupon moved for leave to introduce Bill No. 179, to provide for further advances to the Quebec Harbour Commission.

Motion agreed to, and Bill read the first time.

EXCHEQUER COURT ACT AMENDMENT.

House went into committee to consider amendments made by the Senate to Bill No. 84, to amend the Exchequer Court Act—Mr. Doherty. (Mr. Deputy Speaker in the Chair.)

Mr. DOHERTY: This Bill was passed by the House to transfer to the Exchequer Court the appelate jurisdiction formerly given to the Governor in Council in cases of refusal of patent applied for. The amendments made by the Senate, do not, I think, very materially alter the Bill. The first relates to fixing the delay during which an appeal is taken. The Bill provided that the appeal be taken within six months after notice thereof has been mailed addressed to the parties interested. The first amendment inserts after the word 'mailed' the words 'by registered letter.' The other amendment is to sub-section 3. That sub-section declared that in cases of appeal to the Governor in Council actually pending jurisdiction was transferred to the Exchequer Court. The Senate thought it desirable to add to that provision the words 'The Governor in Council shall transfer the said appeal and all documents relating thereto to the Exchequer Court.' I fancy this would have followed without expressly requiring it, but there can be no objection, to this being stated.

Amendments reported and agreed to.

SUPREME COURT ACT AMENDMENT.

On motion of Mr. Doherty (Minister of Justice), House went into committee to consider the following proposed resolution (Mr. Deputy Speaker in the Chair):

Resolved, that it is expedient to provide that the Registrar of the Supreme Court of Canada shall be paid an annual salary of five thousand dollars.

Mr. DOHERTY: This resolution is preliminary to the introduction of a Bill to amend the Supreme Court Act. One of the clauses provides that the salary of the registrar shall be $5,000. The Act of 1903 fixed the salary at $3,500, with increases of $100 per annum until it reached the maximum of $4,000. That maximum was reached in 1907-1908. It has been considered that, in view of the responsibility of the work falling upon this officer and in view of the increased cost of living, it would be proper that the salary be fixed at the amount mentioned. I may add that in the statute as it stands the registrar of the Supreme Court is given the rank of a deputy minister. As the lowest salary paid to a deputy minister is $5,000, this proposal is to give to this officer, the same salary that is given to other officers of the same rank.

Mr. D. D. McKENZIE (North Cape Breton): It is not often that a subject comes before the committee which gives us an opportunity of dealing with matters pertaining to the courts and court officers. This matter has reference to the salary of a high officer of the Supreme Court of Canada. It is not my purpose to offer the slightest objection to any increase in the salary of that official, and I am sure that the maximum which the hon. minister proposes to adopt in respect of that salary is none too high. The purpose I have in view in addressing the committee at this moment is to call the attention of the Government and of the hon. Minister of Justice to claims that have frequently been put forward by county court judges all over Canada in respect of an increase in their salaries. Memorials have been submitted from the judges of the county courts of the province from which I come asking for higher salaries. When consideration was

given to this matter in 1905 by the then Minister of Justice, I am sorry that the county court judges were not more liberally dealt with; it would have saved the present minister and the Government of the day the difficulty of reopening and dealing with this important and delicate question. At that time a very substantial and much deserved increase was made in the salaries of the judges of the different supreme courts in Canada. Those increases were necessary and proper to enable the judges of these courts to maintain the standard of life and society necessary to uphold the dignity of their positions. County court judges are appointed from the same bar as judges of the Supreme Court. They receive in their youth the same training, and they must be competent men, possessing sufficient skill and ability to do justice to the honorable and responsible position to which they are appointed. As far as training is concerned, I submit to the hon. minister there is practically no difference between the man selected for the Supreme Court bench and the man selected for appointment as a judge of the county court. The same education; the same training and practice, and the same capacity, are required; the judges have to move in the same circles of society; they have to educate their children in the same schools and colleges, and they have to provide for the necessaries of life in the one case in the same manner as in the other. I submit, therefore, it is hardly fair that there should be such a striking difference between the salaries paid to the judges of the one court and the salaries paid to those of the other. I do not say that the remuneration of the Supreme Court judges is too high; it is a respectable allowance, but I do say that the salaries of the county court judges should go up. We cannot expect competency in the courts of our country unless we are prepared to pay such an amount as is requisite to enable the judges to uphold the dignity, responsibility and respectability which should characterize our courts. Without going elaborately into this matter, I may say that I took this question up with the hon. minister last year, and I think he then intimated that he would be able to give this matter satisfactory consideration. I had a private conversation with him during the present year, and I am sure he is anxious to do what is fair and reasonable in connection with the salaries of the county court judges. I do not take the responsibility of naming any figure as being a reasonable salary, but I hope the remuneration of these judges will be increased to such an extent as to make life comfortable for them, as well as for those who may hereafter occupy similar positions, and to insure that there will be called to the ranks of the judges of the county courts capable men who will be able to do justice to that position and to the high honour of the profession from which they must be selected. If my hon. friend the Minister of Justice will look at the conditions that exist to-day and compare them with the conditions in 1876, when the first county court was, I think, established in the province of Nova Scotia, he will see that, although the work and the responsibility have increased ten-fold, and although the cost of living has gone up, the salaries have remained practically the same. I think that we should pay for competency and respectability and high standing in our courts more than in any other institution we possess, and I therefore, trust that this matter will receive at the hands of the Minister of Justice, at as early a date as possible, the consideration which I think the universal importance of the subject demands.

Mr. GEORGE W. KYTE (Richmond, N.S.): I desire to offer a few observations in support of the plea made by the hon. member for North Cape Breton with regard to increasing the salaries of the county court judges. In the province of Nova Scotia a peculiar situation exists. All the supreme court judges reside in the city of Halifax; the business of the Supreme Court is centralized in that city, so that a very large portion of the business which is disposed of by the Supreme Court judges in other provinces has to be taken up and dealt with by the judges of the county court in the province of Nova Scotia. The population of the province is in the neighbourhood of 460,000 and we have seventy county court judges so that each county court district in the province includes over 60,000 people. In the province of Ontario there are senior and junior county court judges; the situation is entirely different in that province, both with regard to jurisdiction and the emoluments the judges receive in their respective offices. I understand that in Ontario, in addition to their salaries, the judges of the county court, are in receipt of very large fees which are paid to them by way of commissions; that does not apply to the judges of the county court in the province of Nova Scotia. The records of our courts show conclusively that we have in the province of Nova Scotia judges discharging county court functions who possess the highest character and the highest attainments. I understand that some difficulty has existed in the mind of the hon. Minister of Justice with respect to the readjustment of salaries of county court judges throughout the Dominion, and as to the peculiar situation that exists in the province of Ontario. But it seems to me that the position of the county court judges in Nova Scotia, as regards salaries, ought to be treated somewhat differently from that of the county court judges in Ontario. If there is any difficulty in the

mind of the Minister of Justice as to how to deal with the matter of county court judges in Ontario, I submit that that is no reasonable ground for deferring the justice which I think ought to be done to the judges of the county courts in the province of Nova Scotia. He should deal with them upon their merits and upon the merits of the situation then. Later on, when the hon. Minister of Justice has looked into the matter in the province of Ontario, he might deal with the county court judges of that province.

Mr. CARVELL: I do not wish to take up any time, because I addressed myself to the subject during the last session of Parliament. I only want to repeat what I stated then, that it does seem to me that the county court judges of the maritime provinces are not being fairly dealt with. Of course I find no fault with the present minister, he merely accepted the conditions as he found them when he entered office. No doubt there is a great difference between the position of a judge of the county court is the maritime provinces and that of a county court judge in the province of Ontario. I do not say that there is any greater legal ability in the one case than in the other. I think we ought to have men of the very highest legal attainments to occupy the position of county court judge. But there is no getting away from the fact that the county court judges in the maritime provinces are much more important officials than they are in the province of Ontario. In the first place, a judge of the county court in the maritime provinces has as a rule from three to five counties to cover, and he goes on circuit. He visits those counties as a rule about three times a year, I think, and holds circuit just the same as a circuit judge or High Court judge in Ontario. But as has been pointed out he receives no emoluments whatever. The only emolument to my knowledge which a county court judge receives outside of the small salary of about $3,000, I think, is something in the way of travelling expenses and per diem allowance which hardly pays his hotel bill when he goes away from home. In the province of Ontario they receive very large emoluments from the probate business, but in the maritime provinces—I am speaking of New Brunswick, I am not sure about the other provinces—we have local barristers who are appointed judges of probate and they perform the services and receive the fees.

Mr. McKENZIE: It is the same in Nova Scotia.

Mr. CARVELL: And I presume it is the same in Prince Edward Island. Now the county court judges could well perform the functions of those officials and in that way increase their salaries. Of course that is a matter entirely for the local legislatures and we have no jurisdiction over it. I do not have to point out the importance of the business transacted before the county court judges, because there is practically no limit except in the amount of money involved in the cases, and when you come to criminal business, I think I am safe in saying that three-quarters of that class of business in the maritime provinces is handled by county court judges, because they have the transaction of all cases except murder, I think, and rape, and one or two others. As we are a law-abiding community, fortunately the excepted cases are very few, indeed. But you can see that as a rule the county court judges in the maritime provinces have equal jurisdiction with the Supreme Court judges and, as they hold more courts, of course they do more business.

There is another point to which I wish to call the minister's attention, and that is the large amount of criminal business that is done under the Speedy Trials Act. I think that in more than one-half of the cases of men who are sent up for trial, they elect to be tried under the Speedy Trials Act. That is not a very grave burden on the county court judges in Ontario, because as a rule there are two judges for every county, and if one happens to be busy the other is able to attend to the cases. But he does not have to travel any great distance. The county court judge who lives in my own town travels one hundred and fifteen miles north and about one hundred miles south, and spends a large part of his time in travelling around through the four counties in the western part of the province, in order to try those speedy trial cases. Under the law he must go, and he does go; and I think I am safe in saying that the county court judges in the maritime provinces spend more time trying speedy trial cases than the whole of the Ontario judges. It has been suggested by the hon. member for Richmond (Mr. Kyte) that there may be some difficulty in arriving at a satisfactory arrangement as between the judges in the East and the judges in Ontario. I think the hon. minister can work that out. If he would allow me to make a suggestion, I would say to him not to replace the second judge who happens to pass away in Ontario, because I do not think it is necessary that there should be two judges to look after the ordinary court affairs in each county in the province of Ontario. This may be considered drastic, and possibly some of my hon. friends from Ontario might not care about it. But I do not think that the judges either in the maritime provinces or in Ontario are overworked. We want good men, and we cannot get good men unless we pay them reasonable salaries. Therefore I think it follows as a logical

conclusion that we must increase their salary, and if the number of judges in Ontario stands in the way, then I say reduce them, cut them in two if you will, and then you will be able to give the judges good salaries. And when you give decent salaries to the judges in Ontario you can give decent salaries to those in the maritime provinces. I know this matter is not without difficulty, but I am satisfied the minister is giving it his best attention. I believe he is sympathetic with the idea, and I trust he will find some way of working it out.

Mr. DOHERTY: There is no question as to the importance of the matter to which my hon. friends have called attention, and equally no question that there is very great force in what they have said. The matter is engaging my attention, and I can only say that what they have put forward shall be given my very best consideration. I am sorry to say that there are difficulties connected with the position in the Lower provinces, but I shall make my best endeavour to cope with them.

Mr. MACDONALD: When this matter was discussed on a former occasion, I find that a statement was made which went to indicate that there was some impression that the Supreme Court judges in my province had not the same jurisdiction and powers as the judges of the High Court of Ontario. I merely wish to say that the position of these judges in the province of Nova Scotia and their jurisdiction are quite as wide as those of the High Court of Ontario, and are equal to those of the Court of King's Bench of the province of Quebec. When we mentioned this matter before, the minister was good enough to say that it was receiving his earnest attention. I think it is hardly fair to the men who fill the judiciary in our province that the discrimination against them on the statute-books of the country should be maintained. We have given a distinguished Premier and a Minister of Justice to Canada who was a former judge in our Supreme Court and in the Department of Justice my hon. friend has under him to-day a distinguished barrister from our province of judicial attainments. His predecessor was the late lamented Judge Sedgewick, who, on the Supreme Court bench, gave good service to the country. In point of personality, there is no disparity between the men who have filled positions in that line from that province and those who come from other provinces, where higher salaries are maintained although there is no difference in the amount of work that is done. I am quite sure that, if the minister proceeded by a slight amendment to remove that distinction which is now maintained between the salaries of the judges of our province and those of judges in Ontario, he would find no objection from this side of the House and I do not think he would have very much difficulty in remedying these conditions if he would apply himself to it immediately, and in this session of Parliament.

Mr. DOHERTY: I can only say that I have endeavoured to deal with the matter, although it is not the only case where there is a disparity between salaries of judges of the high courts of the country. Some of the judges of the Superior Court in Quebec have salaries which are lower than those of the judges of the High Court of Nova Scotia. There are quite a number of anomalies which we will have to try to find courage to face and to find a remedy for as soon as possible.

Mr. LEMIEUX: Although this subject is not exactly germane to the resolution under discussion, yet as it refers to the Supreme Court, I would like to renew the question which I put the other day in the House and which my hon. friend (Mr. Doherty) promised to consider. The hon. gentleman will remember that a despatch appeared in the press about certain legislation introduced into the Imperial Parliament by Lord Haldane to strengthen the Privy Council by the addition of new law lords and from that mysterious cable despatch we gathered that the law lords would be taken from the higher courts in the various dominions. My hon. friend however was, like most of us, not certain what was the meaning of the cable despatch and I am no further advanced to-day as to the interpretation of it than we were the other day. But since then this despatch has attracted considerable attention in legal circles. I was reading in the Montreal Star a few days ago an interview given by one of the leading members of the Bar in Montreal, Mr. A. W. Atwater, K.C., in which he said that:

> The Bill which Lord Haldane has introduced in the House of Lords to provide greater facilities for the handling of overseas appeals to the Privy Council is warmly welcomed by members of the Bar whose practice takes them frequently to London.

Mr. Atwater, who has a very large practice as solicitor for the city of Montreal and who appears quite often before the Privy Council, went on to say:

> I do not think, that it will do anything to expedite the business of Canadian appeals, as there is now no undue delay. We have nothing whatever to complain of in that respect. We always find the committee most obliging, and they will sometimes sit right into August in order to finish their list.
>
> I think the idea of the Bill is so to strengthen the committee, so as to relieve the

members of some of the strain which now falls on them, and to have appeals heard by at least four or five judges instead of by three as may be the case sometimes now. It should be borne in mind that Canadian appeals only form part of the great volume of business before the committee. Indian appeals for instance are much more numerous than Canadian.

The cable summaries of the Bill are very ambiguous, and it is impossible to understand what they really mean in places. It may be intended to lead up to the establishment of a uniform court of appeal for Great Britain and the dominions but the messages are indefinite on this point. Furthermore, they are not clear whether it is intended to strengthen the representation of the dominions on the committee.

We, like Mr. Atwater, find the cable despatch very ambiguous. But the hon. Minister of Justice, the other day, stated, in answer to my hon. friend from Russell (Mr. Murphy) that last summer, during his stay in London, he had had informal conferences with Lord Haldane, if I mistake not, at which this question was broached. I would like to know from my hon. friend if his conferences with the Lord Chancellor were on the line of the proposals which were made at the time of the last Imperial conference in 1911. To refresh my hon. friend's memory, I might be permitted to read a summary of the proposals of His Majesty's Government which were agreed to by the conference. They will be found at page 236 of the Imperial Conference Report, 1911:

The following proposition appears to express the result of the discussion at the Imperial conference on Monday the 12th June.

1. At present, the House of Lords is the Supreme Court of Appeal for the United Kingdom, and the King in Council, (in effect the Judicial Committee) is the Supreme Court of Appeal for the rest of the Empire.

2. It is proposed to take a first step towards combining these courts into a Supreme Court of Appeal for the Empire, and towards strengthening them by adding to the number of Judges composing them.

3. The scheme is that the Home Government should add two selected judges to the Lords of Appeal. There would then be six Law Lords devoting their whole time to sitting in the two Courts.

4. In addition, the Lord Chancellor would, as now, preside whenever he is present, and all who are now qualified to sit in either the House of Lords or the Judicial Committee would be able to sit as now.

5. In this way the appeals of the United Kingdom and of the rest of the Empire respectively would be heard by the same judges who hear them now, with the addition of two Law Lords to both courts, but the two courts would both be branches of the Imperial Court of Appeal.

6. Except where it is necessary that the House of Lords and the Judicial Committee shall sit simultaneously it is contemplated that the court shall sit in full strength first at the one end then at the other.

Mr. LEMIEUX.

7. It will be necessary that the conditions and method of appeal from different parts of the Empire shall be suited to the local requirements, and it is not practicable to attain uniformity in these respects, at all events at first. But as the judges will be almost entirely the same for all kinds of appeals, it seems probable that a greater degree of uniformity may be reached, and possibly in time all differences may be effaced.

8. It is further proposed that, in accordance with the wishes expressed by the Dominion Representatives, the practice of the Judicial Committee shall be modified so that in Dominion cases any dissentient judge may be free to give his reasons if His Majesty's consent is given to this change.

I see by the precis of the conference that there was quite a long discussion about the proposals which were made, but what I am anxious to know from the minister is whether any action has been taken as between the Dominion Government and the Imperial Government on this line and, if so, what action has been taken. Parliament is anxious to know what was the purpose and what the result of these informal conferences.

Mr. DOHERTY: I do not think I ever described the conversations we had last summer as conferences. I may say that I cabled yesterday asking for a copy of the Bill and such information as could be given with regard to it. In these conversations to which I have referred there was no discussion of any such details as are suggested in the proposed Bill the hon. member has read. There was nothing done otherwise than in a conversational way, and I do not think I could say that the Lord Chancellor said more than that he was interesting himself in endeavouring to provide for strengthening the court which heard our appeals. There certainly was no outlining of any definite plans. Opinions have been invited as to the desirability of altering the present system of the Privy Council under which a judgment is rendered without an expression of individual opinion and the Dominion Government gathered the opinions of the different provinces on the subject and communicated them together with its own opinion, as was requested.

Sir WILFRID LAURIER: What were the opinions forwarded?

Mr. DOHERTY: The opinions of the provinces did not agree, but I may say that the opinion expressed by this Government was not favourable to the suggestion that the dissentient judges, if there should be any, should express their dissent.

Sir WILFRID LAURIER: Did the Minister of Justice himself expresses any opinion?

Mr. DOHERTY: I concurred in the opinion that it would not be an advantage

that their lordships of the Privy Council should depart from the present custom of rendering judgment without the expression of any dissenting opinion.

Sir WILFRID LAURIER: Hear, hear.

Mr. LEMIEUX: This is a very important subject, especially affecting the members of the legal profession, and I would like the Minister of Justice to make a statement with regard to it at a later date; to give us a resume of the opinions expressed by the different provinces and by the Dominion, and to submit the Bill to us when he receives it.

Mr. DOHERTY: I shall be very glad to communicate all the information I have and all that I may receive.

Resolution reported, read the first and the second time, and concurred in.

Mr. DOHERTY thereupon moved for leave to introduce Bill No. 180, to amend the Supreme Court Act.

Motion agreed to, and Bill read the first time.

AID TO AGRICULTURE.

Hon. MARTIN BURRELL (Minister of Agriculture) moved second reading of Bill No. 103, for the granting of aid for the advancement of agriculture instruction in the provinces.

Some hon. MEMBERS: Explain.

Mr. BURRELL: When I had the honour to introduce this Bill to the House on January 24, I went into its subject matter in such detail that it will not now be necessary for me to discuss the general principle of the Bill. I might say that in the intervening months since the Bill was presented I have seen no reason to alter my opinion as to the general lines upon which this proposed help to agriculture should proceed. Occasionally there has been a little misconception in the country as to the differences which mark this particular Bill from the Bill it is intended to repeal and which was only a provisional measure adopted by this House last year. I purpose reading one or two opinions to show the feeling of prominent journalists and leaders of opinion in regard to the particular line which this Bill takes. Every country in modern times has come to the conclusion that the most satisfactory and best aid that can be given to agriculture is by educational means. Great Britain has recently been awakened to the realization of the absolute necessity of revivifying her agricultural system, and the Hon. Walter Runciman, president of the Board of Agriculture, speaking on the subject recently used this language:

> Agricultural education is the right of the humblest agriculturist in the country. . . . First and foremost then it was necessary that agricultural education should come to be regarded as the right of the humblest agriculturist in the country, and it appeared that there were three groups of young agriculturists who could especially benefit by it. First, there was the well-to-do youngster who could afford two or three years in college; second, the youngster who could afford to spend the winter away from his father's farm for two or three years in order to attend a farm school; third, the boys and girls, young men and women, whose circumstances made it necessary that they should be taught by travelling instructors if taught at all.

Mr. Runciman adds:

> I found that the scientists and the demonstrators at the colleges were constantly making discoveries, knowledge of which ought to be widely disseminated, especially in their own districts. That is to be done now partly through the eductional network I have described and partay by advisors whose salaries are paid out of the development fund, and who at each centre give gratuitous advice on scientific questions to farmers.

That is the general view of the English authorities who are considering methods to help agriculture. In referring to other authorities I would gladly take this opportunity cordially to express my appreciation of the generous way in which the press of the country and various influential people interested in agriculture, apart altogether from the political aspect of things, have expressed themselves with regard to the terms and provisions of this Bill. I am not going to quote from these parties which might perhaps be naturally inclined to favourable criticism of the measure brought in by this Government, but I will refer to expressions from one or two other sources, which at all events, would not be looked upon as having such special leanings. I have here a quotation from the Toronto Globe of January 7:

> Mr. Burrell in his exposition drew a clear and proper line of demarcation between the ordinary agricultural services, managed by the department of which he is the head, and the educational service, which is properly a function of each provincial Government. As the ten million grant is to improve education he has adopted the wise course of distributing the money among the provinces, taking such precautions as may be found practicable to see that it is reasonably well spent. The basis of distribution is simple and equitable; each province is to receive twenty thousand dollars yearly, and the remainder of the appropriation for each year will be distributed according to population.

There is a small extract which I would like to put on 'Hansard' from the Family Herald and Weekly Star of Montreal:

> The sum is certainly not too large—it might, indeed, be made larger before the ten years are up, if it be found that the work is growing beyond its limits. The idea of concentrating on education is a good one, and is

in line with modern thought and experience. We shall now see how it works out. The proof of the pudding is in the eating. The various bodies which will have to do with the administration of this fund will be on their trial. They will be judged by a critical and informed jury for they will be judged by the farmers themselves who are expected to benefit.

I have received a great multitude of letters during the last two or three months, and I would just like to read one or two. Here is a reference to an interview with Professor Cumming, secretary of agriculture in the province of Nova Scotia:

The Federal Department of Agriculture has in my opinion showed wisdom in the arrangements it has made for the expense of the generous increased assistance which is being given to agriculture. declared Professor Cumming. What Nova Scotia and the other maritime provinces want is money to carry on more agricultural education work and to be able to offer the financial inducements to keep our good men to carry on this work. That is just what the Dominion Government's aid is going to enable us to do.

And may I be permitted to read a brief extract from a letter received from the president of the University of Saskatchewan, dated November 28, 1912:

Permit me to express my hearty approval of your policy of assisting agricultural education throughout Canada.

In this province our two greatest needs are the carrying of agricultural knowledge and practices to the new settlers and research. As you know conditions here are so different to those of the Old Country which are familiar to the settler that he is at considerable disadvantage for the first few years of his settlement.

There is also a great number of problems to investigate, and unless satisfactory solutions are found in the near future, our progress here will be seriously delayed.

We cannot appreciate too highly the aid which you are proposing to give to agriculture. It is a platitude to remark that the prosperity of the country depends upon the prosperity of agriculture. When the crops are good and plentiful, easily marketed and sold at a good price, the general business of the country thrives, and if they fail, the general business of the country is seriously crippled. I believe one dollar spent in improving agriculture here would yield five dollars worth in the general business of the province.

And in concluding these extracts, I will put on record a note I have received from the Premier of Saskatchewan, Hon. Walter Scott:

Regina, 1st Feb., 1913.

Dear Mr. Burrell,—I wish to send you a line of congratulation and commendation upon the measure which you have introduced in Parliament for aiding agricultural education in the several provinces of Canada. As I view it, your Bill is one which should have the hearty support of the country as a whole.

With kind regards, believe me,

Yours sincerely yours,

Walter Scott.

Hon. Martin Burrell,
Minister of Agriculture,
Ottawa, Ont.

Now, I do not put these extracts on record—and do not wish to be misunderstood as doing so—for the purpose of showing that we are getting endorsation from these sources, but because I want to direct the attention of the House to the fact that this Bill differs slightly from the measure I introduced last year. That Bill allowed the money which was to be voted by this Parliament to be devoted in a large variety of ways which I can touch upon in committee if hon. members desire to have the matter threshed out. But these extracts are particularly on the line of agricultural education, and I have given them for the purpose of showing that on the whole the men in Canada who have given serious and careful attention to this subject, I think, will justify the Government in restricting the federal aid to lines particularly and soundly interpretative of agricultural education. I do not wish further to delay the House. When we get into committee if there are details of the Bill which hon. gentlemen wish to have explained, or on which they wish the view of the Government, I need hardly say I will give the fullest explanation in my power.

Mr. MICHAEL CLARK (Red Deer): I do not rise with the object of offering any opposition to the Bill nor with the object of unduly delaying the committee stage of it. I am moderately equipped for saying much upon the subject, as it was raised by my hon. friend in his speech on the first reading. I listened to that speech with great pleasure. Its literary form was, as is always the case with my hon. friend's utterances, attractive, and he displayed great enthusiasm as he always does in referring to this idyllic subject. He went rather wider then than he seems disposed to allow the House to go or to suggest that we should go, and raised a great many topics, by reference at least in that speech. We have been so much engaged in the strenuous business of working out policies on the water that I confess I have not had time to devote myself much to the consideration of policies on land, as raised during the speech of my hon. friend. I have not had time to re-read his utterances, though I listened to them carefully at the time. I do remember that he stated that he desired to deal with the subject in a non-partisan way, and so far as I have looked at the Bill he has been guided by that principle. He was not quite non-partisan in his speech, however. I remem-

ber distinctly that he began by saying that he introduced the measure in fulfilment of a pledge given by his right hon. leader that something would be done for agriculture. Now, I do not know what it was precisely that my right hon. friend the Prime Minister promised to do for agriculture during the general election of 1911. I keep beside me the Halifax programme, but, of course, that was drawn up for the guidance of the Conservative party in 1908. I keep it beside me as an interesting piece of literature, as showing how far it is possible for a statesman to go when in power from what he professed in opposition. I cannot find in that programme any distinct promise on behalf of the agricultural interests.

Mr. BURRELL: I do not wish to interrupt the hon. gentleman, but if he will permit me for a moment, I will explain. In the opening remarks I made on the introduction of the Bill, I said:

> The right hon. gentleman who now leads this House stated to the people of Canada on August 14, 1911——

Which was, as my hon. friend knows, an election manifesto.

> —that if he were placed in charge of the Government of the country he would provide for 'the granting of liberal assistance to the provinces for the purpose of supplementing and extending the work of agricultural education, and for the improvement of agriculture.'

That is the promise I referred to.

Mr. CLARK: I am glad indeed to have that evidence, which, of course, is incontrovertible, that the Government is about to fulfil one pledge. I am sure my right hon. friend (Mr. Borden) on this, as on so many other grounds, ought to hold in the highest esteem my hon. friend the Minister of Agriculture. However, that is not the only pledge given by my right hon. friend and the party opposite as to what would be done for the agricultural interests if they came into power. They gave at least one pledge which they never can fulfil. It was not in the manifesto, but was given by voting for a declared principle in this House. I recollect, as I am sure you do, Mr. Speaker, that in the first session of the last Parliament, we had a division in this House on the principle that a vacancy on the Railway Commission should be filled by the appointment of a western farmer. I have not prepared what I have to say and do not recollect the exact wording of the resolution, but that is the principle upon which we voted. The resolution was moved as a vote of want of confidence in the then Administration. That is the most solemn method by which a party can give a pledge. They moved actually that the party then in power in this country were unworthy of the confidence of the country and inferentially declared that they would fill the vacancy on the Railway Commission with a farmer. The then member for Macdonald (Mr. Staples) moved the resolution, and we had speeches from almost every western member upon the subject. The vote that followed was a party vote. My hon. friend from Souris (Mr. Schaffner) spoke and my hon. friend from Portage la Prairie (Mr. Meighen) was even more solemn than usual in the closing words of what he said on that occasion:

> And I say further that he who votes the other way at this time acknowledging the immense interests, as members have freely acknowledged to be represented by the character of appointment aimed at, proclaims to his country and to his constituents by that vote, that in his opinion there is no practical western farmer qualified to measure for the office, and he must take the full responsibility for that position.

That was given a very solemn emphasis by the hon. member for Portage la Prairie. I know that my hon. friend the minister was in the House, for I recollect that he intervened in the debate with, at any rate, a question; and he expressed the hope that Mr. Staples—I mention his name as he is not now in the House—included horticulture in his expression of ideas on the subject; that is to say, I presume he thought that better horticulturists would be found than agriculturists. There is just a possible chance that the Government will escape the charge of a broken promise in connection with that interruption, because Mr. Staples at once said he did not for a moment forget that horticulture was an important branch of the cultivation of the soil. I am certain the vote was brought in to catch the votes of members from the prairie provinces. But the way it worked out was this. Mr. Goodeve who was then a member of the House, voted with the party opposite; he has since been appointed to a position on the Railway Commission. I presume he got the appointment because of the fact that there was a garden behind his store, and he therefore came in as a horticulturist. My hon. friend the Minister of Agriculture came in as a horticulturist also, and got the portfolio of agriculture. I do not know how the farmers of the West will regard this matter when it is brought to their attention, because, what with the commissionership and the ministership, the farmers of plains are faring rather badly; I hardly think they will regard hon. gentlemen opposite as having fulfilled their pledges to the farmers on that particular question. I have referred so often to the speech of the hon. member from Portage la Prairie in regard to agricultural implements that I need mention

it only as another case in which he would have had an opportunity of voting, if the session had not come to an end during the course of which the party opposite were pledged to a substantial reduction of the duty upon agricultural implements. That remains an unfulfilled pledge; the other pledge can never be fulfilled unless a horticulturist fills the position. Another pledge was given by the agriculturists of the party opposite. A solemn resolution was introduced, of which the meaning presumably was that agriculture, for its salvation, required a return of the Tory Government that they might save agriculture by introducing a chilled meat plant in the West under Government care. There was a debate upon that and the House was divided upon it. Hon. gentlemen opposite voted that a chilled meat plant was the particular thing that was necessary to save western agriculturists and the farming industry generally. I do not think they saw very far into real economic conditions when they brought in that resolution, because the experience of the people of western Canada now is that there is in that portion of the country a great deal more chill than beef. The fact is that beef is produced in western Canada is a quantity barely sufficient, under present conditions, to satisfy the wants of the people of this country. There is no particular need for chilling the beef to any greater extent than it is chilled by the ordinary effect of the climate. But that is not my point. My hon. friend, who was so eager to avow his non-partisan spirit, but nevertheless began his speech by saying he introduced this Bill in fulfillment of a pledge, also voted, I think, in favour of this chilled meat proposition; and that is another pledge to the farmer that has not been fulfilled. The western farmers know these things, and when they come to study the merits of this particular measure, having special regard to the statement of the hon. minister that it was introduced in fulfillment of a pledge, they will not allow themselves to be absolutely carried away by the glamour of this measure, which is really only a show so far as any actual benefit to agriculture is concerned. It is customary in this House to carry on a continual display, the object of which is to show that one political party is the friend of the farmer, that Codlin is their friend, not Short; but the western farmer I think will not feel that Codlin is really befriending him in supporting this educational system that is proposed to be established. I do not think my hon. friend is going to do a great deal for Canada nor for its agricultural interests. The trouble, as I have said, in considering economic conditions, many of which were dealt with in the very interesting speech of my hon. friend on the first reading, is that if you educate the farmer to a better production, you naturally make every farmer produce more. This matter was touched on by the hon. minister, and he gave us figures relating to various countries with regard to the production per acre of certain farm products. I believe we could have a great deal of improvement in our methods in Canada in that respect. I believe it is a fact that we produce only seventeen bushels or so of wheat to the acre in this country as compared with thirty-two or thirty-three in Germany and the Old Country. If you educate your farmers, spending ten millions in the process, to produce thirty-two bushels where they now produce seventeen, what will be the result? I believe there are one hundred million bushels of unmarketed grain in western Canada at the present time, of last year's crop, and if you double your production that means that in the spring you will have two hundred million bushels of unmarketed grain. It would almost appear that to confer a real benefit upon the farmers of the West it would be desirable to lessen the production, unless you provide by some economic means a method by which they will be able to get rid of their produce. We do not lack wheat in this country. My hon. friends are the great apostles of a home market, but we are supplying the home market and we have one hundred million bushels in the barns beside. The gentlemen who are engaged in manufacturing agricultural implements to sell to those in the West who are raising the grain with them are not getting on very well with their collections in western Canada. I want to put this to the Government and the hon. the Minister of Agriculture as a real economic problem. If you are going to teach your farmers to produce twice the amount of grain they are now producing, what is to be the result? The problem is simple enough; we are face to face with the fact that there are one hundred million bushels of grain from last year's crop unmarketed this year. I think it would have been better to have carried reciprocity and have allowed the farmers to have access to the markets beyond the line to the south of us. Referring to that question, there has been considerable rejoicing in the Government press because fifty per cent of reciprocity was likely to be carried by the United States Congress, but I quite fail to understand the physchology of either men or newspapers who believe that one hundred per cent. of a good thing is objectionable but fifty per cent. is all right. There is a good deal of fighting on this question below the line, and I am certain that Canada will not obtain, under any arrangement made by the present Government of the United States, any such

a bargain as we could have obtained under the arrangement made by the late Government, but which, unfortunately, was not carried into effect. If there had been an opportunity for debate upon the first reading I should like to have raised some of these points at that time. I regret that I did not have the opportunity, for I would have liked to have heard the hon. minister express his views in regard to some of the points I have raised on this great question of how we are to help the farmers of the country. He mentioned just now in justification of his measure certain English authorities, and he quoted my old friend and colleague on the school board of Newcastle, Mr. Runciman, as approving of methods similar to those he is introducing under this measure. I suppose he was conscientiously endeavouring to give us an argument why this Bill is a good one. I am not opposing the Bill, but it is very difficult for me to refrain from opposing a false argument when I hear it, and I do not think that argument was a good one. There is a great difference between Britain and this country in respect of wheat production; they produce an amount in deficiency of the food supply necessary for the population, but we in this country produce an amount in excess of our requirements, and if we had a sensible fiscal system we could produce a vast excess, benefitting not only the farmers, but the wealth and prosperity of the whole country. My point in passing is that the economic conditions and the needs of the two countries are diametrically opposed. We have an excess production now over what we need. They have an immense deficiency of production, so that an argument drawn from what they are doing in England does not carry me any further in the solution of this problem which was so lamentably prevented from being solved partially, at any rate, by the unfortunate result of the last election, not unfortunate so far as the change of sides is concerned—that is a small matter to a man who, since he was in his 'teens, has been doing everything he could to the best of his knowledge and ability to promote the best interests of all classes, in any country he happens to be living in—but lamentable from the standpoint of the conditions that have followed the turning down of that agreement. I should like my hon. friend to tell me how he is going to help Canada or the agricultural interests by increasing any further the production of the farmers if he does not influence the Government of which he is a member to make such arrangements as will help them to dispose of the increased production. Of course the real burden upon the back of the farmer, is the burden of protection, which does not increase the prices of what he has to sell but which increases to an enormous extent the cost of what he has to buy. That is why farming is not a popular occupation in Canada. That is why we have such difficulty in getting our sons upon the land. I have experienced this difficulty in my own family, because farming is not remunerative to anything like the extent that it should be, considering the labour and care that are put into the occupation I know what I am talking about, because when I have not been dealing with water policies, I have been following a land policy of my own and trying to learn something about farming. The real burden is that his calling is not remunerative, and it is not remunerative because he has not a market for his material, so far as western Canada is concerned. My hon. friends on the other side of the House will tell me, and I think this is germane to what fell from the minister on the first reading, that the home market is the market. I believe that the protectionists of Toronto, in one of the various fields of their operations, have formed a society for nothing else than the sending out of literature on the value of the home market. No one depreciates the value of the home market, though why one should sing its praises particularly, I do not know, because every country that ever existed on the face of the earth must have its own home market for the great majority of its wants, and especially of its agricultural wants, a large portion of it anyway. There is no difficulty about retaining the home market for what you produce. Proximity, the fact that you are living in the midst of it, makes it certain that any produce worth thinking about will command the home market. But the trouble with the argument about the home market is that once you begin to cater only to the home market you are in very great danger of failing to supply it, and I would like to impress that upon my hon. friends opposite. When the home market becomes your creed and your method of practice, you are in very great danger of failing to supply it. Let me illustrate that. In Prince Edward Island—I am not certain whether I mentioned this before in the House or not—you have the finest land for growing potatoes in the world. My hon. friend from Prince Edward Island will agree with me in that respect if not in any other. I am told by the Islanders I have met that they have the finest land for growing potatoes in the world, and yet the extraordinary spectacle was seen of potatoes being brought from Ireland to Ontario last year. That happened in this country. With an island nearly half the size of England, and one-third the size of Ireland, 120 miles in length and of considerable breadth, you had the extraordinary spectacle of potatoes being brought from Ireland and sold in the province of Ontario, and sold in Montreal in the province of Quebec also. That might have been due partially to a temporary failure of the crop, but why should a

temporary failure of the crop in a country of unlimited extent, and of the unlimited possibilities of Canada affect the home market? Simply because by following the home market theory, you have reduced your production to what you can dispose of within your own country. If you had reciprocity, as they used to have it—and now I think we are to have it on potatoes, and we shall see how it works out presently—if we had accepted reciprocity, we would have seen these potatoe grounds cultivated, and I have no doubt we shall see them now. Anyway the illustration is just as good, apart from any changes that may be made in the fiscal arrangements of the country to the south of us. My point is that the farmers in Prince Edward Island do not put more land in potatoes because there is not a market for them when they raise them. While you are catering to the home market, you actually fail to supply it, and this in a country which is a continent. The same thing has happened in regard to beef, to which I referred in another connection. Here you have unlimited land for raising beef. Alberta is the finest province in the world for raising beef, and you cater mostly to your home market. The way to increase your production of agricultural products is to deal freely with other countries.

Now, we come to a point at which I am reminded of the hon. Minister of Trade and Commerce, whom I miss very much when we are dealing with the fiscal problem. In a speech during the recess last summer, he advised the manufacturers of this country to cater to the foreign market. Why, Sir, it is an economic impossibility for Canada to be a huge exporter of manufactures at this stage of her progress, and for the very simple reason that you must get some goods in repayment for your manufactures, and it is certain that you will not buy much agricultural produce or food. It is an economic impossibility to develop a large export trade in manufactures at this juncture of Canada's history. I want to impress upon the hon. the Minister of Agriculture, who is responsible for the prosperity of agriculture to a certain extent, and for the arrangements which are to make for the prosperity of the farmers, that if he can do anything to promote the production of a huge excess by means of supplying a market for that excess, he will have some chance of success in his object. But certainly to my mind, he will not greatly affect the condition of the agricultural industry or of the farmers, or of the country at large by educating the farmers to produce more while your fiscal system fails to tell them where they are going to send it when they have produced it.

Mr. CLARK (Red Deer).

Now, in regard to the Bill itself—

Some hon. MEMBERS: Hear, hear.

Mr. CLARK: They are strong on fractional relief on the other side. They want to hear about how they are going to improve the farmers' bank account by helping some corner of his intellect. That is all very nice. I am a theorist, I am told some times, but I never spun so fine a theory as that by conferring a university degree you will satisfy a man's stomach. I never tried to make a man's fortune by recommending him to study Sanskrit. I am trying to show that I am a practical man in regard to farming, and I ought to be, for I know something about it. My hon. friend from West Algoma has not that advantage. In regard to the Bill itself, I have no objections to it, and I am bound to say, as I said before, that the minister has followed his promise out in the way he has arranged to spend this money. I am very glad that the Government has learned something from the criticism we passed upon another department of their policy last session. They wanted to pass a road Bill last session you will remember, and in these days when free speech is likely to be curtailed, I would direct attention to the fact that criticism even of this Government is capable of producing some little improvement. The criticism we passed upon the road Bill was: we have no objection to spend this money on roads, but we do not want you to use it as an electioneering device, and if you determine to use it as an electioneering device we will try to get our friends elsewhere to put you out of business on that particular line of your operations. I found nothing that was more easily defended than the Senate's action in taking our view in that particular matter, and they certainly should be easily defended because I find the best defence for the Senate in the method which is now followed by the Minister of Agriculture in sharing up the money under this Bill. The hon. gentleman (Mr. Burrell) is essentially a fair-minded man; he is a man who is open to improvement; he has learned something and the Government has learned something from our criticism on the road Bill. I congratulate him on the way in which he is going to divide the money equally between the various provinces in this case.

At six o'clock, the House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill No. 122, for the relief of Minnie Edna Brownell—Mr. Oliver.

Bill No. 160, respecting Ottawa and Montreal Transmission Company, Limited—Mr. Fripp.

Bill No. 164, for the relief of Charles Albert Flower—Mr. Meighen.

Bill No. 165, for the relief of Otto Clarence Peterson—Mr. Nesbitt.

Bill No. 167, for the relief of Harold Moss Hampson—Mr. Kay.

Bill No. 169, for the relief of Alexander Zephérin Gonier—Mr. Guthrie.

AID TO AGRICULTURE.

Mr. E. W. NESBITT (North Oxford): Mr. Speaker, for once I do not find myself quite in accord with the hon. member for Red Deer (Mr. Clark), because he stated that he had no fault to find with this Bill. I have no fault to find with the supposed object of the Bill, but I have a good deal of fault to find with the Bill itself.

Mr. CLARK: I did not say so.

Mr. NESBITT: Then I presume that I am still in total accord with my hon. friend. When the Bill was introduced by the hon. Minister of Agriculture some time ago, he said that it was in fulfilment of a pledge of a grant of money towards agricultural education given by the Premier to the people of Canada during the recent election campaign. The Bill on its face purports to grant $10,000,000 for that purpose. That $10,000,000, however, is divided into instalments to be paid over a number of years, and is placed at the disposal of the Minister of Agriculture and the Governor in Council. The Bill does not say what form the education is to take. My hon. friend will certainly not be accused of hiding his light under a bushel when he advertises to the public that he is going to give $10,000,000 for the purpose of education, whereas what he is really going to do is to give a million dollars a year, which he could just as well put in the estimates each year without making any display. It is like a person giving $10 a year towards a particular object and advertising that he is giving $100 or $200, which in reality he is spreading over ten or twenty years. The Bill commences by reciting:

> For the purpose of aiding and advancing the farming industry by instruction in agriculture, and for the purposes authorized by this Act, the following sums, aggregating ten million dollars,——

And so on. My hon. friend says that he has received a great many complimentary letters from the people throughout the country upon the provisions of the Bill. I find fault with the Bill because there are no provisions in it. The minister does not say what he is going to do with this money. He practically keeps control of it. Let me direct the attention of the House in the first place to section 4, sub-section (a), in which he proposes to give to certain veterinary colleges a grant of $20,000 a year. Veterinary science is probably as worthy an object of encouragement as anything else for the hon. minister, because veterinary surgeons are very useful in association with agriculture. My hon. friend could very easily have given the money in such a way that it would advance the education of veterinary surgeons. In place of giving it to the colleges and letting the colleges pay their expenses out of it and make that additional profit, he could very easily have given the money for a certain standard of scholarship. He could readily have set some standard to which the students must come up to, before they would be able to acquire the scholarship. By that means he would very materially have assisted veterinary science in this country, and would have put it on a higher plane of education, which, without saying anything to the detriment of the ordinary veterinary surgeon in this country. I think is very much needed. The section goes on to say:

> (b) The sum of twenty thousand dollars shall be paid in each year to the government of each province;
>
> (c) The remainder of the appropriation for each year shall be allotted and paid to the governments of the respective provinces in proportion to the populations of the said provinces respectively as determined by the latest decennial census.

That looks all right on the surface, but section 5 says:

> The payments hereinbefore authorized shall, as to each province, be conditional upon agreement between the minister and the Government of the province as to the terms, conditions and purposes, within the meaning of this Act, upon and for which the payments are to be made and applied, and such agreement shall be subject to the approval of the Governor in Council.

That means that the provinces have to satisfy the minister as to what they are going to do with the grant. That may be all right, but at the same time it would be very easy for the minister not to agree with the provinces. I will bring to your attention a clause under which the minister keeps control of the money to do with it as he thinks proper. This minister may be all wise and a better judge of what should be done with the money than the provinces are. His successor, if he has one, may not be so wise, and some contention might arise whereby, under section 7, he would be able to expend the money himself. Section 6 says:

> The minister may appoint such officers as are required for carrying out the provisions of this Act, and for such inspection, examination and report as are necessary to insure the expenditure of the moneys paid in accordance with the intention of this Act and the agreements and regulations made

under the authority of this Act; and the salaries and expenses of such officers shall be paid out of the moneys appropriated by Parliament for the purpose.

I find fault with this clause, because if the intention is to give money to the provinces for the purpose of aiding agricultural education there is no need for the establishment of a staff over and above what the minister already has. To spend this money on a staff to be appointed, I say with all due deference to the gentlemen who might fill these places they might easily be of not much benefit to the country. If this money is to be given to the provinces as the Bill purports to provide, then it should be given to the provinces. And that is what I find fault with in the Bill all through. In the first place, it starts off by proposing to give $10,000,000, and so the agricultural community is led to believe that it is going to get $10,000,000 for the purpose of agricultural education, whereas the money is dribbled out over a period of years, and, as I say, all that is proposed to be done could be done with much less display. The next section provides:

The Governor in Council may make such regulations as are deemed advisable for giving effect to the objects and purposes of this Act, and, notwithstanding anything in this Act, the minister, with the approval of the Governor in Council and with the consent of the Lieutenant Governor in Council of any province and upon such terms and conditions as are prescribed by the Governor in Council, may expend in any such province in any year the whole or any part of the grant provided for such province under this Act for the purposes set forth in the preamble of this Act.

In the first place, there is no purpose set forth in the preamble In the next place, it is provided that both the Governor in Council and the Lieutenant Governor in Council must be agreed before the minister can spend the money. Suppose there is a difference of opinion between the Governor in Council and the Lieutenant Governor in Council, the money could not be spent. That clause, I think, is unnecessary. If the minister is going to give the money to the provinces to be spent on agricultural education why does he not give it, instead of trying to keep control in this hidden way. Why not give it outright to the provinces? They know, perhaps, as well as any of us here, what is the best way of spending the money to bring about the education of their farming communities, Section 8 provides that the minister shall lay an annual report before Parliament. But, as I said in starting, he takes the right of granting the ten millons to be expended by himself under the direction of the Governor in Council. He reports to this House, but before he reports the money is all spent; we are not asked how it shall be expended; we have no rights in the matter. The minister says that the money is to be spent for the education of the agricultural community. But what is the education of the agricultural community? Is it teaching the farmers to plough, or to break in colts, or to feed sheep or pigs, or to prune trees? Our agricultural college in Ontario, and, I fancy, similar institutions all through the country, are doing good work in the education of the farmer. But they do not reach the people. And, so far as I am concerned, if we are to have this money expended, I would like to know how it is going to be expended to reach the people. If it is going to be spent in assisting agricultural colleges, that is a good thing, but it is not the object, that, in my judgment, we should devote our thoughts to at the present time. We need to get at the ordinary farmer, the man who does not go to college or send his son to college—does not have the means to do so. Then, there are a great number of young men who go to our agricultural colleges who do not go back to the farm—we all know that; they go into other pursuits, probably become teachers in agricultural colleges or something of that kind. There is no doubt that the minister's intention is perfectly honest, but I would point out in all earnestness that if he is going to spend this money on agricultural education, he should work it out on some line to get in touch with the people on the farms. A few years ago the Department of Agriculture here inaugurated the system of teaching the farmers to carry on cow-testing. Men were appointed for each district who were supposed to teach the farmers how to test milk and cream and how to keep the records of milk production from each cow. That is of very great benefit to the ordinary farmer,—no one can imagine what a benefit it is who has not practiced it. But the good of this movement, in my judgment, was greatly lessened by the fact that these men instead of going to the farmers, went to the cheese and butter factories making tests and giving illustrations to those who came there. I understand that in some countries, they have what they call illustration farms—

Mr. EDWARDS: Will the hon. gentleman permit me to say that, while I do not know how things were managed in his part of the country, in the country I represent, that which he suggests is precisely what was done. The man engaged in cow-testing visits the farmers. I had a man appointed in my county and he goes around to the different farms and instructs the farmers how to properly weigh and test the milk of each individual cow. He does not do the work in the factory, but on the different farms.

Mr. NESBITT: I congratulate the hon. gentleman on that fact. So far as my experience goes, I do not know if any farmer whose place has been visited for this purpose by the gentleman in charge of the cow-testing. He does go to the factory, and if the farmer goes to the factory, he gets the benefit of the illustration and test. But very few farmers go to the factory themselves. They send a boy, or more often the milk is carried to the factory by a milk drawer who engages at the beginning of the season to draw on a contract basis, and this man takes no more interest in the testing of milk than I take in the Persian language. I was about to speak of having illustration farms, which exist in some countries. I understand that these farms are run by those in charge just as though they owned the place. On certain days, perhaps a week or two weeks apart, the farmers from the surrounding country are invited to the illustration farm and those in charge teach them as far as they can, the benefits of adapting the soil to the kinds of grain they are growing, and so on. They follow out that line of procedure as well in the matter of dairying as in grain production; so that it is practically an education to the farmer. My hon. friend in his Bill says he proposes to grant this money for agricultural education. I have seen in my time a great deal of this so-called agricultural education, and I venture to say that very little of it reaches the ordinary farmer whom we all desire to reach. I hope my hon. friend the Minister of Agriculture will see his way clear to withdraw any intimation that he wants to dispose of this money in a different manner than is indicated by the purport of the Bill, by striking out clause 7, which is absolutely unnecessary—and clause 6 is of the same character.

I desire to say a word to emphasize what I have said to my hon. friend with reference to the grant to the veterinary colleges. I can quite appreciate the fact that the ordinary veterinary in this country might be of much greater benefit to the community that he serves if he had the knowledge that he should have before attempting to doctor their stock. With the apparent intention of the Bill I have no fault to find; as to the proposed method of carrying out its provisions, I doubt very much the probability of the benefits to arise therefrom. The Ontario Government have a resident district superintendent who assists the farmer by giving him instructions along certain lines, but the difficulty in connection with that is that, like other matters of a similar nature, the whole thing is confined to party politics. If both parties could rise above that, and refrain from confining the benefits which might be derived from education of this or any other kind, which is supposed to be for the benefit of the whole community, to party politics; it would be a great advantage to the people. It does not necessarily follow that because one of my hon. friends on the other side of the House represents a farming district and a member on this side also represents a farming community, that the district represented by the Liberal members should not receive as much attention as it to be given to the district represented by the Conservative member. That is the fault I have to find with the district representative of the Ontario Government; he would not try to educate a Grit along farming or any other lines.

Mr. COCHRANE: The hon. gentleman is entirely mistaken; I am sure that half the district representatives are Liberals.

Mr. NESBITT: My hon. friend may have had influence enough and fair play enough to see that in other parts of the country this is not the case, but I speak only whereof I know, and of what comes under my own observation. A certain amount of benefit, of course, results from the activities of that gentleman, no matter what district he is in, but I contend that he does not come in touch with the farming community as he should; he does not make it his business to meet the farmers and educate them along certain necessary lines. As a matter of fact, as the hon. member for Red Deer (Mr. Clark) has pointed out, if a market is provided for the farmer he will take steps to educate himself; it is wonderful how much he can educate himself and to what an extent he can, as a result, successfully carry out his duties. At any rate, the great bulk of the farmers I have the honour to represent are quite capable of educating themselves and of farming just about as well as it is possible to do. Many of them, of course, do not farm as well as they could, and many of them might be benefitted by a certain amount of education which could be given to them by the expenditure of this money if it was applied in such a way as to give the whole community the benefit—not any particular class or section of the country. I make these remarks to point out to my hon. friend not that I have any suspicion that he will do anything wrong, for I think he has the interests of his department very much at heart, but before his Bill passes, I wanted to point out some of the weaknesses which I thought I saw in it, and which I hope, before the Bill is given its third reading, he will endeavour to rectify. The hon. member for Red Deer has told the House, in a very much better way than I could do it, of several things the present Government could do for the farmer—things which they very strongly advocated when they were on this side of the House; at the same time, this is a step in the right direction if it is properly carried out, and I hope that my hon. friend the Minister of Agricul-

ture will endeavour to carry it out in such a manner as to make its application a benefit to the agricultural community, and to insure that its benefits will not be eaten up in some department in Ottawa or wasted in some other form by paying officials who could very well be dispensed with.

Mr. RICHARD BLAIN (Peel): I am sure the farming community of Canada will be greatly disappointed in the remarks of my hon. friend the member for North Oxford (Mr. Nesbitt), as will the farmers in the district represented by the hon. member for Red Deer (Mr. Clark) in that hon. gentleman's remarks. It is indeed unfortunate, when the Minister of Agriculture presents a non-partisan Bill to this House appropriating $10,000,000 out of the federal treasury for the purpose of extending aid to agriculture in every province of Canada, that hon. gentlemen in opposition, who are always posing as representatives of the farming community in this House indulge in such adverse criticism of it. My hon. friend from Red Deer is constantly reading lessons to hon. gentlemen on this side of the House, pointing out their alleged inconsistencies, what they did when they sat to your left, Mr. Speaker, and what they are doing now when supporting the Government at your right. I would suggest to my hon. friend that a lesson applied to himself occasionally would be very beneficial to him. My hon. friend should, I think, learn the lesson that when the minister introduces a Bill of this kind for the purpose of assisting the farmers, he should not commence to discuss it by condemning the electors of Canada for what they did on the 21st of September, 1911. My hon. friend has not spoken in this House upon any question, I think, without dragging in the reciprocity question, which was settled by the farmers and the people of Canada in the general elections of 1911. I was coming to the conclusion rather reluctantly that my hon. friend was more a partisan than a farmer. Surely that would be an unfortunate, if not an unfair conclusion to arrive at with regard to a gentleman who poses as a free trader, and as not much of a partisan. My hon. friend, of course, commenced to talk about reciprocity. He pointed out what the electors did in 1911. Why could not my hon. friend be fair to the Government of the day and to the Minister of Agriculture and say that this legislation is a move in the right direction? There has been a universal desire from the farmers in every province that owing to the very large increase in the revenues of the country, a considerable portion of which is contributed by the farming community, they in return should receive a fair share from the federal treasury for the purpose of furthering the agricultural interests of the country. That was the view in every part of Canada. It is true that the party now in power, when on the other side, condemned the then Administration for not giving largely out of the treasury to the furtherance of the interests to which I have referred. The Conservative party in those days laid down a policy, and a pledge was given by the right hon. the Prime Minister that when they came into power they would give a larger contribution out of the federal treasury in aid of agriculture. Now, when my hon. friend the Minister of Agriculture introduces a Bill for that purpose, my hon. friend from Red Deer indulges in a criticism about reciprocity. It does not seem as if my hon. friend was very much interested in the farmers. Whatever opinions he may have held in regard to the interests of the farmers when he entered the House, have been lost in the persistent and unflinching support he gives to his party on every question, regardless of the farmer or anybody else.

I do not wish to enter into a detailed criticism of the Bill. All I have to say is that I too have the honour of representing a considerable number of farmers. This Bill was introduced some months ago, and we have the word of the Minister of Agriculture that not a protest has been received from any local government in Canada, Liberal or Conservative, and that not a protest has been received from any Minister of Agriculture representing any provincial government that is Liberal in this country. But he has given to us the case of a Liberal Prime Minister who wrote to him congratulating him upon the Bill, and upon giving something more out of the federal treasury to further the farmers' interests in this country. My hon. friend the Minister of Agriculture has also stated that he has not received any protest from any Premier of Canada from one end of it to the other, and that his desk and his office are filled with letters from every part of Canada approving of his course and commending him for the Bill he has introduced, which does not contain one particle of partisanship.

Mr. MARTIN (St. Mary's, Montreal): That does not mean that the Bill is perfect.

Mr. BLAIN: I did not say that. If my hon. friend has any suggestion to make, the minister would be willing, I am sure, to receive it. My hon. friend has had several months during which to offer some suggestion, and I venture to say he has not supplied one. I doubt whether my hon. friend would venture a suggestion to improve the Bill now.

Mr. MARTIN: Time will tell.

Mr. BLAIN: May I ask the hon. member for Red Deer if he has given any sug-

gestion to the minister to improve the Bill since it was introduced.

Mr. CLARK (Red Deer): The first reading of the Bill was called at a time of night when it was particularly difficult to speak, and the minister thanked us for allowing him to get the first reading without discussion. We were very glad to assist him. We did not know that it was coming up for second reading to-day until mid-day. We could not ascertain last night what business was to be taken up. I think that is a sufficient reason for being rather diffident about the attention one has given to the Bill.

Mr. BLAIN: That answer may be satisfactory to my hon. friend, but I do not think the farmers will regard it as such.

Mr. CLARK: I will risk it with mine.

Mr. BLAIN: From reports received to-day from his own district he might find himself on dangerous ground. He offers that as a reason why he has not given the minister one suggestion for the improvement of this Bill. The Bill has been in the hands of the hon. member for Red Deer and my hon. friend from North Oxford (Mr. Nesbitt) for several months. They have given it some consideration, and they are ready at a moment's notice to give it some criticism. I should be very much surprised if the farmers of this country agreed with my hon. friends from North Oxford and Red Deer. My hon. friend from North Oxford may suggest that the farmers in his part of the country do not require any education. They understand this question very well. There is a college in the city of Woodstock. Is my hon. friend opposed to the clause in the Bill which says that a certain proportion of the money shall go to the agricultural colleges?

Mr. NESBITT: I did not notice it.

Mr. BLAIN: Is he opposed to giving a portion of the money to the veterinary colleges in each province?

Mr. NESBITT: You said agricultural colleges.

Mr. BLAIN: I meant veterinary colleges.

Mr. NESBITT: There is neither a veterinary college nor an agricultural college in Woodstock.

Mr. BLAIN: What kind of college is it?

Mr. NESBITT: It is a boy's college, and it trains them particularly for the ministry.

Mr. BLAIN: We may conclude that my hon. friend did not pass through that college. However, I did not rise for the purpose of entering into any criticism of this Bill, but only to say that I thought the general impression in the House was that it would receive the approval of hon. gentlemen who pose as farmers, and that for once they would allow other questions to be set aside, and give the Bill a fair and reasonable criticism. Above all, if they think the Bill is not satisfactory, they might make some suggestions to the minister by way of improving it. I venture the statement that not one protest has come directly to the Minister of Agriculture from North Oxford or from Red Deer against the introduction of the Bill, nor any criticism of it.

Mr. NESBITT: I would like to say that if there had been any protest from my constituents, they would have sent it to me, and not to my hon. friend.

Mr. BLAIN: Has my hon. friend in his possession any protests against the Bill from the farmers of his county?

Mr. NESBITT: Again I would like to say that I am in the happy position that the farmers of North Oxford think I am quite capable of looking after their interests.

Mr. BLAIN: I would suggest to my hon. friend that he send a few copies of his speech to the farmers of North Oxford and get their opinion about it.

Mr. NESBITT: I will send it to the daily paper, and it will be printed in that paper. which enters every home in North Oxford.

Mr. BLAIN: I am very glad. For myself, let me say that the farmers of my county are well satisfied. They feel that the Government are fulfilling to the letter the pledge they gave to the electors when they were in opposition, that they would give a further proportion of the revenue of Canada for the promotion of the agricultural interests of the country, and that they would leave the expenditure of this money partially in the hands of the provincial governments regardless of politics; my hon. friend the Minister of Agriculture, of course, having some opportunity of examination and investigation as to how this money shall be expended. I venture to think that when a portion of this money has been expended, there will not be much criticism or condemnation of the Minister of Agriculture for the part he has taken in connection with it.

Mr. MACLEAN (Halifax): May I ask my hon. friend if he would not prefer seeing this money distributed in the province of Ontario according to its farming population, disregarding the population of the cities and towns?

Mr. BLAIN: That is a fair question. I am a Canadian who believes in broad

principles. I believe in a broader and more liberal policy, and I hold that it is not possible to expend a dollar of federal money in any part of the province of Ontario that will not influence and help the agricultural interests of the province. I am quite willing to give to my hon. friend the Minister of Agriculture my hearty support in this new venture that he is making, the object of which is to satisfy the agricultural interests and other classes in Canada that they shall have expended for educational purposes a larger proportion of the money that is in the federal treasury. The hon. member for North Oxford said that somewhere in the Bill there was something that was misleading. He asked why the minister did not say that a million dollars would be expended for one year instead of ten millions for the next ten years. If the Government proposed to lay down a new policy, that there should be further and better education in connection with agricultural pursuits, and that it shall be supported out of the federal treasury, then I say that if it is to be of any value to the agricultural interests, that policy should extend over a number of years. Surely that is a fair proposition. It would not serve the purpose nearly so well if the Minister of Agriculture were to say, as the hon. member for North Oxford suggests, that this year there shall be one million expended while no suggestion is made about next year or the years to come. If that were said I think my hon. friend would have a fair ground of criticism from a partisan standpoint. But the hon. Minister of Agriculture has ventured to say that he believes in his policy, that he is satisfied that his policy will commend itself to the people of Canada, and that, in order that there shall be no mistake, in order that no provincial government which co-operates with the federal Government shall be misled, he makes the announcement that we shall give out of the public treasury of the Dominion ten million dollars, of which one million shall be paid each and every year for ten years. Then the people of the country will understand the policy for the Government. Surely that is a proposition which has merit in it, surely that is something to commend this policy to the farming community and every class in Canada. Why the hon. gentleman should say that there is any deception in it I cannot understand, and I am sure that the people of Canada will not understand my hon. friend's criticism in that respect.

I said that I did not propose to enter into a discussion of this matter. My hon. friend the Minister of Agriculture does not require any defence or help from me. My hon. friend has made a forceful presentation of his policy, and I am sure it has met with general approval. Two hon. gentlemen have ventured to criticise it a little, one condemning it in part and one approving it in part; but I venture to say that no farmer in the constituencies represented by these hon. gentlemen has sent one line protesting either directly or indirectly against this policy; and therefore I say that the minister has a right to congratulate himself that the farmers of these two constituencies are satisfied with this Bill, as the farmers of all Canada are satisfied with it.

Mr. CLARK (Red Deer) : I should like to give my hon. friend a chance to remove the false impression that, I am sure, he did not wish to convey by his reference to some events of yesterday. I could not mistake the meaning of my hon. friend's words. In the riding that I have the honour to represent there are eleven provincial contituencies, in eight of which Liberals have been returned, in one a Conservative and in two the result is as yet uncertain. I do not see any danger in that.

Mr. BLAIN : I only mentioned that in a passing way, and I did not wish to convey any false impression. But I think that the returns from the province from which my hon. friend comes show that the friends of my hon. friend are rather disappearing and that the Liberal-Conservative policy is in the ascendant.

Hon. FRANK OLIVER (Edmonton) : Mr. Speaker, I am sure that we are all very glad to see that the closure has been removed, and we are more than pleased to hear again from my good friend from Peel (Mr. Blain). I am sorry that he has been under closure himself so long that he cannot get over the idea that it is a proper condition for a parliament to be in.

Mr. BLAIN : I thought we had no closure yet.

Mr. OLIVER : I say that my hon. friend has been under closure for a matter of three months.

Mr. HENDERSON: Not at all.

Mr. OLIVER: We have not heard from him and we have not heard from my hon. friend from Halton (Mr. Henderson) either, except incidentally. We are delighted to see that the closure has been removed from the Government party and that hon. members now have liberty to express their opinions in regard to important public questions. I was going on to say that my hon. friend (Mr. Blain) has been under closure so long, and he has thought so much over the proposed measure, that he has reached the conclusion that a condition of closure is a proper condition for the Parliament of Canada, and he objects most strenuously to any member opposite daring to criticise

for a moment this measure which is now before the House. Why, I ask the hon. gentleman, has the Bill been brought before the House? Why were the resolutions upon which the Bill was based introduced? After those resolutions were passed, the Bill was introduced, it is now at the second reading, it will be moved into committee, after which there will be a third reading. Why all this procedure if there is to be no discussion in the House, and if members of Parliament are to be under the threat of my hon. friend of being discredited in their constituencies because they dare to exercise the functions for which they were elected? My hon. friend seems to have misapprehended the purpose of Parliament.

Mr. BLAIN: I am within the judgment of the House when I say that I do not think I suggested that there should be no discussion of my hon. friend's Bill. Did my hon. friend gather that from my remarks?

Mr. OLIVER: That is what I thought the hon. gentleman was trying to say.

Mr. BLAIN: So far as I am concerned, I would be glad to hear criticism on the Bill from any gentleman on the other side.

Mr. OLIVER: Now that we are free to criticise the Bill without being threatened with the withdrawal of the confidence of our electors because we do so, I suppose I may proceed to offer some moderate suggestions as to the measure before us.

The Minister of Agriculture says it is proper that the Bill should provide for a continuous policy for a term of years, and for that reason instead of provision being made for a vote of three-quarters of a million dollars for the current year, ten million dollars is to be taken and a portion of it expended each year extending over a period of ten years. I point out that the Bill is in effect declaratory and not mandatory, and that the same result would be achieved if the Government provided a sum in the estimates equal to the amount which the Bill provides to be expended during the current year, and accompany that by a declaration from the minister that it was the policy of the Government to continue such vote for a period of ten years. Although this Bill may be passed to-day, Parliament can at any session repeal the law and restrict expenditure as it may see fit. There is nothing more in this Bill than a declaration of policy on the part of the Government which could be obtained by the ordinary procedure of placing a sum in the estimates for this year, accompanied by a declaration as to the policy of the Government for the next ten years. There is provision in the Bill by which at the beginning of each session the minister shall lay on the table of the House a return giving particulars as to what action had been taken under the Bill during the preceding year. That is a perfectly proper provision. But I maintain that when the subject is so important as education in agriculture; when the amount involved is so large, and the object to be achieved has such an important bearing upon the welfare of the people of the country, it is not satisfactory that the only share future parliaments shall have in directing the course of administration under this Bill, will be to criticise the thing that has been done. It would, in my opinion, be to the advantage of agricultural education in the country, if from year to year the minister placed before Parliament his proposals for the coming year, as is done in the case of the ordinary estimates, so that the members of this Parliament, all of whom have deep interest in the work and all of whom have more or less intimate knowledge of the results of that work in their localities, would have opportunities to give the minister and the Government the advantage of their knowledge and suggestion. This, without dispute, would be of great value in working out any scheme of assistance to agricultural education in Canada. The Bill is a new proposition; it is a new idea in the way of advancing agricultural education, and the details of its working will doubtless be altered and improved from year to year. I think that the minister would be well advised if he made such changes in the provisions of the Bill in regard to the appropriations of money as would put the working of the measure under the criticism, if you like, but more especially under the suggestion, of Parliament from year to year as the money was being appropriated for each year.

Mr. BLAIN: The hon. minister has laid down in the Bill provisions whereby he will consult the local legislatures of the different provinces as to the details of expenditure. That is the reason.

Mr. BELAND: The governments.

Mr. BLAIN: The governments.

Mr. OLIVER: I am very glad to have the criticism of my hon. friend, because it enables me to bring out more clearly this point. This is federal money that is being voted. This is the federal Parliament responsible to the people of Canada for the proper expenditure of that money. The members of this Parliament have a responsibility to their constituents that they are not relieved from in any degree because an arrangement satisfactory to the several provincial legislatures is made by the Minister of Agriculture. It is per-

fectly right and proper that the minister should, if he sees fit or as the Bill provides, discuss these matters with the legislatures, but our responsibility is to the people who elect us. If the method of expenditure can be improved in any way, it is our business to know it and it is our right, properly speaking, as well as our responsibility, to take the opportunity of saying so on the floor of this House. I lay some stress on this because I gather from the remarks of my hon. friend a suggestion that, if the people of the different constituencies had not complained in regard to the provisions of the Bill, that meant that they were perfectly satisfied with its provisions. The people of Canada have no knowledge of the details of this Bill. They have sent us here to represent them and to act in their interest. It is for us to have knowledge of the provisions of the Bill, to make up our minds as to whether those provisions will meet the case of our several constituencies and to declare our minds here in regard to those provisions. The responsibility rests upon us. It is for us to discharge that responsibility; and neither the individual elector in the constituency nor the local legislature of the province relieves us in any degree from the responsibility that rests upon us as members elected to this House, who are by the terms of this Bill making an appropriation of a very considerable amount of money for a very laudable purpose, and for the proper carrying out of which purpose we are the people who are directly and primarily responsible. Therefore I would say to the hon. minister that when the Bill comes into committee I shall go into further details in regard to such amendments as I would like to see made to the money provisions so as to bring its operation directly under the criticism and the suggestions of the members of this House from year to year; so that the minister, in mapping out his project, in carrying out this adminstration, would have the advantage of this criticism and these suggestions in working out a scheme that I am sure he is ambitious to have achieve a very considerable success. We are all just as anxious as he is to have the object of the Bill succeed to the benefit of the country.

Mr. J. H. SINCLAIR (Guysborough): Mr. Speaker, the principle of the Bill meets with my very cordial approval. I believe in agricultural education. In our own province, we have an agricultural college which is doing splendid work, and any assistance that it can get from this source will be acceptable indeed. The Minister of Agriculture, however, in addressing the House on this important matter, told us that this Bill was being introduced in fulfilment of a pledge given by the Prime Minister prior to the last federal election. I make this criticism, that it can scarcely be called a fulfilment of that pledge. I have here the platform issued by the Prime Minister prior to the last federal election, in which I find the following. He mentions a number of reforms that he proposes to introduce and then in section 10 he says:

> The granting of liberal assistance to the provinces for the purpose of supplementing and extending the work of agricultural education and for the improvement of agriculture.

The point I wish to make is that this can hardly be called liberal assistance. The amount is altogether too small to be of any great advantage in building up agricultural education in this country. If you look at the Bill, you will find that during the present year the minister expects to spend about $700,000. I have not the census at hand, but I believe that about four millions of the people of this country depend upon agriculture for their livelihood. If you divide up this comparatively small amount of $700,000 among the four million people who are engaged in agricultural pursuits in Canada, you will give them about eighteen cents apiece, or about the price of a couple of cheap cigars. You could not educate a boy very much on that. It seems to me that the amount is altogether too small.

Mr. BLAIN: How does it compare with the grants made during the last fifteen years by the Government which my hon. friend supported?

Mr. SINCLAIR: I quite admit that the former Government did not undertake to assist agricultural education in this way. This is a new venture in the government of the country. I am not complaining about it. It is a proper venture to make; but, after it was put down as an important plank in the platform of the party at the recent election, and after it was paraded in the House as a great reform, it is altogether too small, in my judgment, to be of any great assistance in this very important matter. I have pointed out that we have about four million people engaged in agricultural pursuits. We have a revenue of about $165,000,000 a year drawn very largely from the agriculturalists of this country. They are the people who pay the taxes. Now, can it be said that that comparatively small amount, is liberal assistance to give to this great country? Why, if you consult the estimates you will find the Minister of Militia will spend at least $10,000,000 a year—he will spend ten times as much in one year as the Minister of Agriculture intends to devote to agricultural education in the country. I am quite in accord with the Bill and think it has been worked out

properly, in many respects. The money is being divided among the provinces, and that is the right system. The money goes to the provinces in proportion to population, and I agree with that also. I have no criticism of the measure itself, but as the Minister of Agriculture if to be considered as doing anything important, anything worth while, for agricultural education, he has got to do something a good deal more than he has submitted to the House in this Bill.

Mr. F. B. CARVELL (Carleton, N.B.): I congratulate the minister on the new line of policy he has adopted. I believe it is a step in the right direction. But, like other gentlemen who have spoken on the matter, I am afraid the Bill has its faults. I am afraid also that it may to some extent be deceptive. I do not mean that the minister put in this $10,000,000 to be expended in ten years for the purpose of getting good big headlines in the party newspapers, but I must confess that the party newspapers made use of the headlines after the minister introduced the measure. It may be said that this is fair party warfare, and so I do not find fault with the minister on that point. I do think, however, that this money should be voted year by year as was said by the hon. member for Edmonton (Mr. Oliver). Parliament could repeal the Bill at any time. This is nothing more than a declaration of principle. If it is necessary to spend, say, three-quarters of a million during the first, the second and the third years, let us say, you will find that an average of a million and a quarter a year during the last seven years will not be enough. In a new country like Canada where everything is growing, you cannot legislate ahead for ten years. And I am afraid that if the Minister of Agriculture is under the impression that $1,000,000 a year for ten years will be sufficient to carry out this scheme, he will be awfully disappointed. I have no idea, of course, that the hon. gentleman will preside over the department for ten years, but whoever is in his place will find that these institutions will come back in ten years—yes, in five years—and demand more money, and more will have to be granted. Also, there will be amendments made to the Act from time to time. For these reasons, I think that the minister would be right in abandoning the headline policy and in coming down to business, declaring his principles—and I think that every member will agree that it is advisable that we should enter into a permanent policy to assist agricultural education and agricultural educational institutions—and leave the matter open so that Parliament shall vote the money from year to year. Of course, Parliament can do as it likes any way and as I have said, as years go by, the subsidies will have to be increased. I have a concrete case in my own constituency. I understand that my constituency—in fact, my own town—is to be one of the beneficiaries under this Act. Some years ago a good-minded citizen left about half a million to the town to be expended by trustees in certain institutions, one of them a technical school to be created. That school was never created, and so a fund of probably $100,000 or $150,000 is available. I understand that an arrangement has been made with the minister under which the trustees of the estate are to provide the buildings and the college is to be established. But the difficulty is that because of political exigencies in the province of New Brunswick one college is not sufficient, and I am informed that a second is to be established in a different part of the province. Now, the province of New Brunswick is small from an agricultural standpoint. It was not very large, I regret to say, from the standpoint of population—we have only about 350,000 people, and I am sorry to say that our population is not increasing as rapidly as it ought to do. Well, two agricultural colleges are to be established. We are to get one in our town because we happen to have the funds to construct the buildings, and we shall have splendid buildings. The college will not be of very large size, but I am satisfied that it will be as well equipped as any institution of its size in Canada. Under the scheme as proposed in the Bill, as I figure it, we shall get in the province of New Brunswick somewhere in the region of $50,000 to $60,000 a year. Some portion of it must be utilized in other ways, and probably not more than $20,000 a year will go to each of these colleges. Now you cannot run any kind of an agricultural college on $20,000 a year, and I may tell the minister that the province of New Brunswick is not able financially to devote any large amount of money above what she gets from this subsidy toward the maintenance of agricultural colleges. I am not finding fault with the minister. I realize that he has been importuned by his political friends, and I am sorry to say that he has yielded, and instead of having one good college of this kind, he is going to have two, which in my judgment will be very ordinary, especially if he does not increase the amount. I have some doubt whether he would not get better results if he devoted the money to the establishment of well-equipped model farms. However, if the minister feels that he will get the best results from the colleges, I will not say him nay. But I do think that he ought to have a model farm in connection with each and every college. But here again political exigencies come in. The model farm in the province of New Brunswick will be about sixty-eight miles away from one college and a hundred

miles from the other. If this kind of thing goes on all over Canada, we shall not get much from the inauguration of this policy unless the amount is increased. That brings me back to the original proposition, that this amount should be voted year by year and it should be left open that Parliament can increase the grant if it is necessary—and it will be necessary; the minister may rely upon that. No doubt, already, demands have been made upon him for more than $1,000,000 a year will provide; and I think he would do well to consider, before this vote goes through, the advisability of changing this feature of the Bill and have the money voted year by year, and then we can vote whatever may be deemed necessary.

Mr. F. R. LALOR (Haldimand): I congratulate the minister on being able to present such a Bill to this House in the interests of the agricultural class that cannot very well be criticized by hon. gentlemen opposite, although they are always in such a critical mood. We have criticisms from the hon. member for North Oxford (Mr. Nesbitt), who represents a great agricultural county, one of the greatest, I suppose, in the province of Ontario. I came into the House a little late, and heard only a portion of the hon. gentleman's speech, but from what I did hear it was very difficult for me to tell whether the hon. gentleman was supporting the Bill or opposing it, because in one portion of his speech he made a statement which in another portion he absolutely contradicted. He apparently objected to the Government's retaining any control over this sum of money which is being devoted to the interests of agriculture; and, later on in the same speech, he said, if I understood him correctly, that it was not wise to hand the money over to the provincial authorities, because the Government of the province of Ontario allowed its agricultural propaganda to be influenced by political considerations.

Mr. NESBITT: I am sure my hon. friend does not desire to misrepresent me. What I did say was that I did object to the Government's pretending to hand over the money to the province and at the same time keeping a string on it.

Mr. LALOR: Surely the hon. gentleman would not advocate that this Parliament should lose control of moneys granted under such legislation? The hon. gentleman told us that farm inspectors in the province of Ontario were political appointees. Although we have no farm inspector in Haldimand, I may say that in the county of Norfolk, lying directly between the hon. gentleman's constituency and mine, there is an agricultural instructor who is the son of one of the most prominent Liberals in the county of Haldimand. I do not believe that the provincial Government in the province of Ontario have the slightest desire to appoint men who are of the same political faith as themselves.

Mr. NESBITT: I did not say that.

Mr. LALOR: That is my interpretation of the hon. gentleman's remarks. I believe this Bill will give universal satisfaction to the farmers of this country; I believe it is a move in the right direction. I do not think any of us are too old to learn; I am sure that the farmers of Canada are not under the impression that they know all there is to know about agriculture, and I am confident they would be only too glad to receive instructions from competent men along such lines as would tend to help them get better results from their work. I am rather surprised that the hon. member for North Oxford should not, without hesitation, support this measure, instead of adversely criticising it.

This measure has also come in for a good deal of criticism from the hon. member for Red Deer (Mr. Clark). My hon. friend occupies a good deal of the time of this House. If hon. gentlemen will look at 'Hansard' they will find that many of its pages are covered with speeches made by that hon. gentleman during this and preceding sessions; and the chief subject which the hon. gentleman invariably brings forward in every discussion in which he takes part is the nightmare of reciprocity. I thought that reciprocity was dead, and I do not see how even the hon. member for Red Deer can resurrect it and bring the corpse back to life. If we look at the returns of the provincial election in the province of Alberta from the district of Red Deer, which my hon. friend represents, we shall find that even in that great province, where we did imagine, from the remarks of the hon. gentleman in this House, that the people are all free traders and in favour of reciprocity; it looks as if the Conservative party were still alive, in view of the very small majority by which my hon. friend's friends were elected in the provincial legislature of that province. I think that hon. gentlemen from that province should be very careful as to their attitude in this House in regard to public matters now and the next general election. The hon. gentleman often refers to me as a manufacturer, and I may tell him that I would rather be called a manufacturer and have a record to point to as having done something for the constituency which I represent, and the Dominion as well, than be a theorist, as is the hon. member for Red Deer, who talks inces-

santly in this House about the beauties and advantages of free trade, without producing or suggesting any practical results. Free trade is not practicable in this country, as we all know, and the hon. gentleman, with his great ability, which we all recognize, is losing a golden opportunity when he endeavours to persuade the people of Canada that their best interests lie in the direction of reciprocity and free trade. I represent in this House a large agricultural community, a border county,—and I am free to say that, although reciprocity was popular in the county in the earlier stages of the last general election campaign, after listening to the arguments, the people quickly realized the true facts, and that hon. gentlemen opposite wanted to open up the markets of the farmers of this country to the competition not only of the United States but of twelve or thirteen other countries as well.

Mr. SPEAKER: I would like to remind the hon. member that it is the second reading of the Bill that is now before the House.

Mr. LALOR: I bow to your ruling, Mr. Speaker; but, as the hon. member for Red Deer discussed the question of reciprocity during the course of his speech, I thought I would be justified in making some reply. Since the present Government have attained power they have, by legislation, done more for the agricultural interests of this country and the farmers of Canada than hon. gentlemen opposite ever attempted to do during the fifteen years in which they were in power. I defy one of them to point to any important measure that they ever brought forward and passed in this House which was in the interest of the agricultural classes of Canada. The farmers are the backbone of the country; they are the people who produce its wealth, and they are deserving of any legislation which may be in their interests. The Minister of Agriculture of the present Government is a practical farmer; he knows their needs and requirements; he can judge what legislation is likely to be in their best interests; and, in introducing this Bill, he is bringing forward a measure which will be a direct benefit to the farming interests of this country. The hon. member for Edmonton says he opposes the measure because it is a permanent policy; he does not want the Government to lay down a permanent policy in this regard. Surely that is not a sincere criticism of the measure.

Mr. OLIVER: I must beg the hon. gentleman's pardon; I did not say I was opposing the Bill.

Mr. LALOR: I understood the hon. gentleman to criticise it because it was a permanent policy. Surely it is in the best interests of this country that the policy laid down should be a permanent policy.

Mr. OLIVER: I did not object to it because it was a permanent policy; I admitted that it was quite proper that there should be a permanent policy; but I said that the permanency should be embodied in the form of a Bill.

Mr. LALOR: If the hon. gentleman will make three or four additional speeches on this question, perhaps we shall better understand what he did mean.

Mr. OLIVER: There is no possibility of my hon. friend's understanding it.

Mr. LALOR: I venture to say the hon. gentleman understood a good many things last night that he had not understood before; he is not too old to learn. He criticised the measure because, if I understood him correctly, this is not a policy which will require to be brought down each year, year after year; and the hon. member for Carleton (Mr. Carvell) objected to it on the same ground.

Mr. CARVELL: I did not object to it on that ground at all.

Mr. LALOR: That is as I understood the hon. gentlemen. I listened very attentively to what they said. I believe that the Minister of Agriculture has adopted the proper policy in spreading the grants over a number of years, so that the farmers of the country, and the Government as well, will know what amount is to be expended year after year for a term of years. I believe that better results will be obtained in that way, and if at any time in the future it is necessary to make any amendments in the Act, we shall be able to do so even although the grants are spread over a number of years. This Government has already done more for the farmers of the country than our opponents did during the whole time they were in power. Last year we had the Highways Bill, and I hope it will be introduced again this year. That Bill was opposed by hon. gentlemen opposite, if I remember correctly, and the Senate, I suppose at the dictation of the leader of the Opposition in this House, killed the measure. Hon. gentlemen opposite, and especially those who come from the province of Ontario, will have to answer to the farmers when they try to explain why that Highways Bill was opposed by them in this House and killed by the Senate. I represent a county which is expending something in the neighbourhood of $300,000 upon highways, and if the Bill of last session had passed the farmers of the county of Haldimand would have been relieved to the extent of one-third of their taxes for the highways, and the same no

doubt can be said of every other county throughout the province of Ontario.

Mr. OLIVER: My hon. friend is an optimist.

Mr. LALOR: When hon. gentlemen opposite try to explain their position, the farmers will ask them why it was they refused to relieve them of taxation, and why they declined to permit this Government to give the aid which they were so anxious to give.

Mr. CARVELL: If the passage of the Highways Bill would have relieved the county of Haldimand to the extent of $100,000, how much would the relief have amounted to in the province of Ontario?

Mr. SPEAKER: I would like to point out that the Highways Bill is not before the House.

Mr. LALOR: As I understood the Bill, it provided for more than $100,000.

Mr. CARVELL: But you said it would have relieved the farmers of the county of Haldimand of one-third of the taxation; that would be $100,000.

Mr. SPEAKER: I think the hon. member should direct his attention to the Bill before the House.

Mr. LALOR: I will try to confine my remarks to that. While I bow to your ruling, Mr. Speaker, this very subject which I am discussing was discussed by hon. gentlemen on the other side during this debate. I am very glad to support this Bill of the Minister of Agriculture because I think it is in the interest of agriculture. I believe it will strengthen the Government in the country, and that, as has been the case with other measures that have been passed in the interest of agriculture, it will increase their popularity with the farmers. I can easily understand hon. gentlemen opposite being uneasy about measures of this kind, which are in favour of the agricultural classes, because they know that if they pass, the popularity of the Government will increase during the next few years as it has increased during the past two years, and that when the next election comes many of them will find themselves outside with those who were left there at the last election.

Hon. RODOLPHE LEMIEUX: I do not intend to follow my hon. friend in the remarks which he has addressed to the House except as to a question of fact which I would like to correct at once. Although the question is not germane to the subject, as you have decided, Mr. Speaker, my hon. friend has said that the Highways Bill——

Mr. SPEAKER: I think the hon. gentleman should direct his attention to the question before the House. What is denied to one member cannot be granted to another.

Mr. LEMIEUX: I bow cheerfully to your ruling, Mr. Speaker. I approve of the legislation that is now occupying the attention of the House. I was glad to see the introduction of the Bill this year, and I listened with great pleasure to the eloquent remarks which were made by my hon. friend the Minister of Agriculture. I take this opportunity of thanking him for what he did last year in implementing a promise his predessor had made to the county which I have the honour to represent, where the finest apples blossom and the best tobacco grows; the county of Rouville. It is essentially a farming community which I represent, and I hope that we shall some day have a visit from the hon. gentleman. When I asked him last year to implement a promise made by the late Administration to assist in the establishment of a co-operative association for the tobacco growers in the county of Rouville, he very cheerfully asquiesced, and the farmers in my county are very grateful to him for it. The legislation now before the House is non-political, and I dare say it will receive the support of members on both sides. Of course, as has been stated, it can be amended in some respects; but I am speaking of the general features of the measure, which is to aid the chief industry of the country. Like other hon. gentlemen who have spoken, I shall take the local point of view, because of course we each represent a constituency, and this is a matter which concerns every locality. Some time ago I put a question on the Order Paper which had been suggested to me by the Council of Agriculture of the province of Quebec. If you will allow me, I would like to place it on 'Hansard' once more, because I believe it represents the views of the Government of Quebec, and especially of the Department of Agriculture in that province, and I would like to have from the hon. minister an expression of opinion as to the possibility of carrying out the suggestions which are embodied in that resolution. The question reads as follows:

1. Has the Minister of Argiculture received the following resolution, adopted on March 19, 1913, of the Council of Agriculture of the province of Quebec.

'Extract of the official report of a sitting of the Council of Agriculture of the province of Quebec, held at the Legislative Buildings, Room No. 4, in the city of Quebec, at 10 a.m., Wednesday, the nineteenth day of March, 1913.

Proposed by Mr. J. B. Carbonneau, seconded by Mr. A. J. Dawes and the Hon. N. Garneau, and resolved: That, whereas the Council highly approves of the employment which has been made by the provincial Government of

the federal subsidy voted for the year 1912-13, in the interest of agriculture;

And whereas the method of employment has given entire satisfaction to the agriculture class and contributed to the improvement of agriculture and the development of several important agricultural industries;

And whereas the subsidies granted out of this subsidy for drainage, fruit arboriculture, the dairy industry, the culture of birds, the growth of pulse, the breeding of cattle, the production of smoked meats, the culture and preparation of tobacco, the manufacture of preserves, and schools of agriculture, have given the best results, and will give still better ones if these grants are continued for several years;

And whereas the method of employment adopted this year in accordance with the contract entered into between the two governments, lends itself with advantage to the different needs of the provinces more than if the subsidy is destined to one sole object, determined by the federal legislature;

The Council prays the federal Government to pass a law to permit the division of the $10,000,000, which it is proposed to grant to the provinces in the interests of agriculture. so as to continue the agriculture policy adopted at the last federal session.

The secretary of the Council is asked to transmit a copy of this resolution to the Hon. Martin Burrell, Minister of Agriculture of the federal Government at Ottawa.

(Signed) Oscar Lessard,
Secretary of the Council of Agriculture.

I ask the following question:

What decision and action does the Government intend to take in this matter?

I think the hon. Minister of Agriculture answered that the question was under consideration. I would like the hon. gentleman, at some time during the committee stage, to tell us if the wishes of the provincial government of Quebec shall be carried out. I notice that the minister has very wide powers under clause 5. By clause 4, it is enacted that $20,000 shall be paid to assist in the work of veterinary colleges established in the provinces, that an annual sum of $20,000 shall be paid to the government of each province and that the remainder shall be paid to the governments of the provinces in proportion to population. Then by clause 5, it is enacted that:

The payments hereinbefore authorized shall, as to each province, be conditional upon agreement between the minister and the Government of the province as to the terms, conditions and purposes, within the meaning of this Act, upon and for which the payments are to be made and applied, and such agreement shall be subject to the approval of the Governor in Council.

I hope that my hon. friend, in any such agreement, will consult the desires and wishes of the local legislature and the Minister of Agriculture of the province of Quebec. It is stated in the resolution I have just read to the House what are the wishes and desires of the Council of Agriculture of Quebec, I hope my hon. friend will see that the moneys are spent in conformity with such desires and wishes. Once more, as representing an agricultural constituency, one of the oldest, the richest and most advanced in the province of Quebec, let me say that I heartily support this measure, subject, however, to some amendments that will be moved when the Bill is committed by the House. I believe it is a progressive measure and one calculated to help that large class of our fellow Canadians who are engaged in the agricultural industry.

Mr. J. W. EDWARDS (Frontenac): Mr. Speaker, I beg your pardon, for occupying a few moments of the time of the House, but I represent a constituency which, I suppose, is as strictly agricultural as any constituency in the Dominion of Canada. I want to express my hearty approval of the Bill which has been placed before the House. A great deal has been done in the province of Ontario, especially in the last few years, in advancing the interests of agriculture by way of giving practical instruction to farmers on their own farms. I have to give my personal thanks, and to convey to my hon. friend the Minister of Agriculture (Mr. Burrell) the thanks of the people of Frontenac, for having acceded to my request to grant to that county a man to conduct cow-testing work. This is very important work and in my constituency, the gentleman who has been appointed has a regular route assigned to him. He goes to the farmers, regardless of their politics, and gives instruction to as many as one man is able to give instruction to. It is very pleasing to be able to state that, out of the great number of farmers who may be regarded as his pupils in that particular, only two discontinued the work of cow-testing in which they engaged at the beginning of last season. I have had a number of requests from other parts of the county, not covered by this man, asking for the appointment of a man to take up similar work. It is an indication that the farmers are desirous of getting instruction and of acting upon the instruction that is given. A great deal of benefit has accrued to the province of Ontario from the appointment of district farmers' representatives. We have one of these men in my county and great good has come from the work which he has done during the few months he has been there. He is available at all times for consultation on farm problems. For instance, he goes to a man who wants to drain his land. He will plan the draining of the farm without any expense to the farmer, providing a plan and giving an estimate of the cost. He also gives instruction in the proper spraying of trees and the spraying of certain weeds which

can be killed by that method. He has, in the few months during which he has been at work in my county, drawn the attention of the people generally to himself and his services are in very great demand. I do not suppose that the people of my county differ very materially from those of other parts of the country and this is another indication that agriculturists generally are willing and anxious to get practical instruction and to avail themselves of it.

I cannot see the point of the objections which some hon. gentlemen have raised to the Bill on the ground that we are making a grant of ten million dollars and spreading that grant over a period of ten years. To my mind that is a very excellent feature of the Bill because it gives to the system a certain amount of permanency. At the end of ten years there will probably be another grant for a further period of ten years and it means that, even if the Government is turned out, which I do not think will happen, whatever Administration is in office will go on with this very important work. By spreading it over a period of ten years the Government, no matter what Government is in power, whether this or a new Government, it will take charge of the work and continue it. Surely no objection can be taken to that. It will be remembered that in the city of Ottawa the late Government made a grant of one million dollars for the purpose of beautifying the city, which grant was spread over a period of ten years, one-tenth being given for this purpose each year. I think that was a much wiser course than to make a grant for each individual year and to depend upon Parliament to continue the grant or not as they saw fit. The idea of spreading the grant over a period of years, instead of being a weakness, is a decided advantage. I am also heartily in accord with the principle laid down in section 8 of the Bill which provides that the minister shall annually lay before Parliament, during the first ten days of the session, a report of the proceedings under the Act. The very fact of laying such a report before Parliament in the early stages of the session means that the minister is desirous of hearing as he no doubt would in the discussion of these reports annually, from the various parts of the Dominion, an expression of opinion as to its working and any suggestion in regard to it that may be made. That is a commendable feature of it which should receive the approval of every member in this House. There are the strongest reasons why aid should be given to agriculture in Canada. Our agriculturists find competitors in most of the countries of the world, and in these days distance from the common market is not measured by miles but by the length of time consumed in transportation. Transportation facilities are better and cheaper now than they were years ago, and Canadian farmers have to meet the competition of the farmers of the Argentine, the United States, Australia, New Zealand, Austria, Russia. It is, therefore, proper that the Government of Canada should take into consideration certain advantages which the agriculturists in these other countries have over our people. In the Argentine the farmers have not to contend with a rigorous winter and they have not to go to the large capital expenditure Canadian farmers have to incur, in providing barns to shelter their cattle. In the same way, the farmers of New Zealand and Australia in the production of certain commodities have decided advantages over the farmers of Canada, and this I mention only by way of illustration. If our farmers are to compete successfully with those of other countries, they must be taught up-to-date methods, but up to the present our expenditure on agriculture has been far behind that of many other countries. Let me remind hon. gentlemen that France and Austria each spend annually $9,200,000 in advancing and promoting the interests of agriculture; Hungary spends $9,400,000; the United States, $10,000,000; Japan, $3,700,000; and Russia, $25,000,000, all of which illustrates that the governments of these countries are alive to the situation in spending these large sums to make their farmers proficient in their industry.

Mr. BELAND: Do these amounts expended by the different countries apply to agricultural instruction alone, or is the expenditure in connection with carrying on a government department of agriculture in each country?

Mr. EDWARDS: As I understand it, these sums are spent by each country on instruction and grants to agricultural colleges and so on, in connection with which I may mention that in France they have experimental farms and branch stations to the number of seventy-one; in Germany eighty; in Austria sixty-one; in the United States sixty; in Russia one hundred and two; in Sweden twenty-six; in Norway twelve; in Italy twenty-two; in Belgium fifteen; in Japan fifteen; and in Canada only six. These figures again indicate the widespread instruction along agricultural lines which is given in these various countries and the deep interest taken by the various governments in the subject. When we compare the expenditure on agriculture in Canada with the expenditure in these other countries, Canada has nothing to be proud of. For the last ten years the expenditure for agricultural purposes in this Dominion has been less than $700,000 per annum, which, when compared with the sums expended by the other countries I have mentioned shows

that we have not been alive to our own interests. Perhaps that is not to be wondered at because we have been opening up virgin soil in the West, and our attention has been withdrawn from extensive farming. However, it all goes to show that there is ample room for good work along the lines of agricultural instruction especially in the older provinces. The census returns show that the agricultural population of Canada, with the exception of course of the newer provinces in the West, is less to-day than it was ten years ago, which is a sad commentary on the conditions which have prevailed during the past decade. True, a number of our farmers from Ontario, Quebec, and the Maritime provinces, have gone to swell the agricultural population of the West, but for my part I believe that if the conditions in the older provinces were properly utilized we would have in the East a better country agriculturally speaking than they have in the West. I am forced to the belief that in the past our statesmen have failed to realize the situation. The Hon. Mr. Fisher, former Minister of Agriculture, referring to the matter of agricultural production said that if the farmers would use one-tenth of the knowledge they possess and carry one-hundredth part of it into their every-day operations, the result would be tens of millions of dollars more of agriculutral produce. Mr. Fisher thought it was the slip-shod methods of Canadian farmers which limited our agricultural production, but Mr. Fisher was sadly mistaken. My observation of the farming community of Canada leads me to the belief that they are industrious and energetic, and represent as intelligent people as are to be found in this or any other country. I believe that our Canadian farmers are anxious to avail themselves of all the knowledge at their command, and I repeat that Mr. Fisher was mistaken in his appreciation of them when he suggested they were slip-shod in their methods, and lacked industry and interest in their work. They have certain disadvantages. One of the great disadvantages confronting the eastern farmer to-day is the lack of labour. That is one of his great drawbacks. It is rather hard for men, who have been born and brought up and have lived all their lives in towns, to understand and appreciate the difficulty of the farmer along this line. I believe that, when the hydro-electric power is made available to the farmers of Ontario, Quebec and the Maritime provinces, as I have no doubt it will be in the comparatively near future, it will to a large extent make up for the scarcity of labour, and will enable the farmers to carry on their operations with greater advantage and greater comfort to themselves.

I do not desire to take up any more time in discussing this matter, but I would feel that I had not done my duty by my constituents if I had not expressed what I believe to be their opinion in regard to this Bill, that is, that they are heartily in accord with it; and if I had not conveyed to the Minister of Agriculture from them their congratulations on the introduction of this Bill. I am glad, Sir, that it has been received by hon. members on the other side of the House in the spirit in which it has been received, speaking generally. There has been a little criticism, a few expressions of doubt as to the purpose of the Bill, and so on. I do not think it is difficult to understand that. I think down in their hearts hon. gentlemen opposite see that this is a good measure and necessarily a popular measure; and therefore, from a purely political standpoint, that might make it a little less popular with hon. gentlemen opposite. The Bill, however, has been well received by hon. gentlemen opposite. I believe that hon. gentlemen in this House, whether they sit to your right or to your left, Mr. Speaker, are anxious to do all that they can to advance the interests of agriculture For myself, I believe this is a very important step in that direction, and I shall be glad to give the Bill my support and endorsation.

Mr. A. K. MACLEAN (Halifax): Any measure which proposes the expenditure of public money for the purpose of aiding agriculture must necessarily receive the cordial support of hon. gentlemen on both sides of the House. I could hardly imagine any hon. gentleman sitting in this Chamber, representing any section of the people of this country, who would not most gladly accord to any Government any support which he possibly could give in working out any agricultural policy which would aid the development of that very important industry of this country. Whatever differences of opinion may arise will relate altogether to the manner and means of expenditure.

So far as the determination of the Government to appropriate a certain amount of money per year for the next ten years is concerned, it has my support in a sense as it has, I know, the support of all hon. gentlemen. It is possibly regrettable that the amount is not even larger. If the statement made by my hon. friend (Mr. Edwards) is correct, as to the amount that has been expended annually during the past few years in Canada upon the great industry of agriculture, and when one considers the buoyant revenues which we have in this country, the very large surpluses which we have had for a number of years, and when one considers the purposes for which

very large sums have been appropriated from year to year, one might very well express regret that the amount provided for in this Bill to be devoted to agricultural education is not even larger than it is.

Hon. gentlemen opposite, however, have unnecessarily provoked from hon. gentlemen upon this side of the House some observations upon the Bill in their efforts to ascribe to the Government and to the Minister of Agriculture some particular and special glory in presenting this Bill to the House. The hon. member for Haldimand (Mr. Lalor) very strongly commended the policy of the Government as set forth in the Bill. There is no policy in the Bill. There is not a line of policy, nor a word of policy, and no hon. gentleman can read this Bill and tell this House that it discloses any policy whatever. It simply discloses a determination on the part of the Government to appropriate annually for a period of ten years a certain sum of money to the several provincial governments for agricultural purposes. It does not require a great deal of reflection or consideration for a government or for an individual to reach a conclusion of that kind, when financially the revenues of the country are in such a buoyant condition. The Bill indicates clearly that the Government have given absolutely no consideration to the question of policy whatever. They have simply concluded that, inasmuch as the finances of the country are in such an excellent condition, they may very well ask Parliament to vote for a period of ten years the sum of $10,000,000, and subsequently conclude how that money shall be spent. The only clause in the Bill that might possibly contain the policy of the Government is section 5, which reads as follows:

> The payments hereinbefore authorized shall, as to each province, be conditional upon agreement between the minister and the Government of the province as to the terms, conditions and purposes, within the meaning of this Act, upon and for which the payments are to be made and applied, and such agreement shall be subject to the approval of the Governor in Council.

Mr. MARCIL: Supposing the provinces do not accept the terms laid down by the minister?

Mr. MACLEAN: Then of course they could not get the money. I am not objecting to the desire of the Government to associate their work with that of the agricultural work carried on by the provinces. It would be unfortunate if they were working along different lines. So far as that is concerned, I am inclined to agree with the purposes of this Bill. What I want to point out is that the Minister of Agriculture is asking Parliament for a vote of $10,000,000 to cover a period of ten years without having considered for what purposes that money shall be expended. That is hardly in accordance with parliamentary practice in this country respecting the expenditure of public money for any purpose. In a word, my objection, if it would be any, to this Bill is that it would be preferable for the Minister of Agricultural to ask for an annual vote from Parliament rather than for the passage of a Bill which includes a vote covering a period of ten years. That policy would have this advantage, that, on the Minister of Agriculture approaching Parliament each session for a renewal of the vote he would be in a position to indicate to Parliament how the money given him in the preceding year had been expended. I concede that it is rather a difficult thing for the Government to determine, what is the best method in which to expend, for agricultural purposes any considerable sum of money as indicated in this Bill. On that subject a variety of opinion prevails in this country and in all countries of the world. This Bill is largely in imitation of legislation along the same lines in the Congress of the United States. Some 58 Bills were introduced in the American Congress last year practically along the same lines, and each promoter urged that his Bill was the best.

As I said at the beginning of my remarks, any expenditure of money asked for from Parliament by the Government for agricultural purposes will receive the cordial endorsation of hon. gentlemen on this side of the House. I do not for one desire to sit in my seat and hear hon. gentlemen opposite say that this Bill discloses an agricultural policy, because it does not and does not pretend to disclose any policy. It simply proposes to ask Parliament for a vote of money. It further proposes that the manner in which this money is to be expended is to be determined hereafter by consultation between the federal Government and the several provincial governments.

Mr. McKAY: Does not section 4 disclose some policy?

Mr. MACLEAN: Section 4 discloses some little matter of policy in reference to the establishment of veterinary colleges. That is the only declaration of policy and that itself can be objected to. I intend to refer to it when we go into committee.

Mr. C. A. GAUVREAU (Temiscouata): (Translation.) Mr. Speaker, I did not intend to address the House on the subject of the Bill which is now under its consideration; but there is one peculiarity about this debate, it is the zeal of hon. gentlemen opposite to discover hidden motives to the very mild criticisms offered by hon. gentle-

men on this side of the House. One might surmise that those hon. gentlemen are anxious that we should oppose that proposed legislation in aid of the agriculture of Canada.

The hon. member for Peel (Mr. Blain) has taken to task my hon. friends from Red Deer (Mr. Clark) and from Oxford (Mr. Nesbitt) because they had the hardihood to think that this Bill is not the very acme of perfection, and the hon. member for Haldimand (Mr. Lalor), in his immense desire to find our friends on this side of the House opposing the Bill, went to the point of putting in their mouths words which they had never uttered.

On this side of the House we are quite able to see the difference between an Act which is introduced in the interest of the country and an Act which would open the door to the theft of public moneys and enable a minister to grant lands worth $100,000 to a political supporter for the petty sum of ten dollars.

One would be apt to think that this legislation is so perfect, considered with such care, that it has become the ark of the covenant of the Minister of Agriculture, and that should humble mortals, as we Liberals are, attempt to touch it ever so gently, we should right away be branded as enemies of the farming class in our constituencies and throughout Canada.

That is child's talk and nothing else; I for one am in favour of that proposal to grant $10,000,000 for the promotion of agriculture throughout Canada and the spread of agricultural education in the various provinces.

I agree with the hon. member for Carleton, (N.B.), (Mr. Carvell), that a little too much emphasis has been laid on that figure of $10,000,000, but it is pardonable weakness. I hope that the Minister of Agriculture will not be so touchy as his friends from Peel and Haldimand, and that he will take kindly to the fair criticism and to the charitable suggestions offered from this side of the House, as well as to the amendments which possibly will be suggested to him by those who have at heart, as he himself has, the interests of agriculture and of the farming community.

Mr. JOSEPH GIRARD (Chicoutimi and Saguenay): (Translation.) Mr. Speaker, the measure which is now under the consideration of the House is of such importance, that, in spite of the lateness of the hour, I think it incumbent on me to make a few remarks, considering especially that I represent an exclusively agricultural constituency.

I see with pleasure that both sides of the House seem to be at one as regards this Bill and approve of its principle. All rejoice at finding that the estimates of the Department of Agriculture are increased by a considerable amount, while a most striking feature of the appropriation from the practical point of view, is its permanent character. The agriculture of the Dominion as a whole will thus receive an unprecedented uplift, through the co-operation of the federal authorities with those of the various provinces of Canada.

That is a special enactment which enables this Government to expend the amount therein specified for purposes which will be designated by the Dominion Government and the various local governments. But that should not prevent the Minister of Agriculture from including in his current estimates large amounts for similar purposes should he think fit, placing thereby the Department of Agriculture on a high level, on a par with the other great spending departments at Ottawa. Heretofore, the Department of Agriculture, as may be seen by a comparison of the various estimates voted from year to year, always had the smallest appropriations, especially if account be taken only of such amounts as were voted each year exclusively for agricultural purposes.

The speakers who preceded me have laid before the House the figures which I had in hand, and which I shall not repeat; they go to show what other countries are doing for the promotion of agriculture, both as regards field work and the teaching of the technique of agriculture. They go to show that a large expenditure has been made by those countries towards maintaining within their territory numerous experimental farms. It would appear that Canada, notwithstanding its extent, has, up to date, expended very little for purposes of agricultural education, and owns six experimental farms only. Hence the duty which clearly devolves on the Minister of Agriculture to have inserted in the estimates of his department for the incoming fiscal year, the amounts requisite to ensure the establishment of further experimental farms, which are in demand in many quarters, especially in the province of Quebec and in the county which I have the honour to represent, owing to its peculiar geographical situation, the exceptional composition of its soil and the climatic difficulties which confront our farming community.

It follows that the minister, according to my suggestions, should combine practical training object lessons with the special teaching which is given in the schools and colleges of agriculture specially referred to in the Bill now laid before the House.

Speaking for the province of Quebec, we have two schools of agriculture for young men which are subsidized by the local government, and several domestic science schools for young girls, the first of which was established at Roberval, while the Hon. Louis Beaubien was Minister of Agriculture for the province of Quebec. These colleges and schools are affiliated to Laval Universi-

ty and are enabled accordingly to grant university degrees in agriculture. However, in spite of that, on looking into official publications, it will be found that unfortunately there are too many strangers occupying important positions in the Department of Agriculture, owing to the fact, apparently, that it is not possible to find competent men among Canadians of the various nationalities. It must be inferred that our agricultural colleges have not heretofore given courses sufficiently complete to enable the young people following them to fill the highest positions and command the highest salaries in the gift of the Government. Now, I say, if the Government is anxious to help agricultural education in the provinces, it is important that the requisite measures should be taken to enable the young people, whether boys or girls, after frequenting such schools, to take up those highest positions to which I have referred.

While the Hon. Mr. Angers was Minister of Agriculture, there appeared a special bulletin under the signature of Professor Robertson, in which it is stated that in Germany and Sweden, there are agricultural colleges for boys and girls, and that, after they are through, the central government selects those who have graduated and sends them at the expense of the state through the country, or even abroad, where they take more extended courses in higher institutions or on model private farms. Thus do they learn about the various methods adopted by the highest institutions and the most successful farmers, they increase their ability and become more capable of occupying important positions or carrying on the struggle for life.

I respectfully submit that the Minister of Agriculture might take up that suggestion, which is not mine, but that of former Minister Angers, who was a prominent man in his time, an idea that he was not able to carry out owing to circumstances which hampered him and made him abandon the idea. But coming as it does from so prominent a man I may be allowed to submit it to the attention of the Government without arousing suspicion as to my motives.

I sincerely believe that the Government might easily enter into some agreement with the various local governments towards establishing the European system which I have just referred to, and supply the required amount towards further equipping, either under the Bill which we are now considering, or through special votes included in the estimates of the department, pupils, whether boys or girls, who graduate from these agcicultural schools.

In the course of the debate, I notice that the Government was being upbraided for having propounded what seemingly is not a permanent policy. Such criticisms do not appear justified to me, as it is certain, in the first place, that for ten years to come a fixed amount is appropriated every year to each province, in proportion to its population, the said amount to be expended for the purposes agreed upon between the various local governments and the Dominion authorities. The Government cannot be expected just now, considering the novelty of the idea, to say exactly in what way those moneys will be applied during that period of ten years, and considering also that the Government agrees, in accordance with the very provisions of the Bill, to make arrangements in this regard with the various local governments. However, when that system has been in existence for a few years, it being known to the public that these grants will be continued during a period of ten years, the various governments which have to do with the expenditure of those amounts will be in a position to come to some permanent arrangement based on the experience acquired in the carrying out of the Act.

But the moneys which we are called upon to appropriate to-day for a period of ten years to come, should, to my mind, considering that they are taken out of the Dominion exchequer, remain under the absolute control of the Dominion Parliament, as represented by the Government, within the lines of the agreement entered into with the provincial governments as regards the policy to be followed in the distribution and paying of the subsidies, and those provinces which refuse to submit being penalized by the privation of the annual grant set aside for their benefit.

Personally I am against the idea that the Dominion Government should delegate its powers in the matter of the division and payment of these moneys. And I am of opinion that as regards the ends towards which these subsidies should be expended, the Dominion Department of Agriculture, considering the superiority of its equipment, both from the practical and scientific point of views, should have precedence over the local departments.

Speaking from my knowledge of things in my own province, I understand that last year the Hon. Minister of Agriculture entered into an agreement with the local government under the Act of 1912, an agreement which bore the mark of the best of good faith on both sides. But I know that there were some regrettable oversights and that, in the working out of the scheme, weak points were discovered and some severe criticism ensued. It is important that, after that year's experience, the hon. minister should find some means of remedying whatever has been found objectionable. Always referring to the province of Quebec, I think I should call the attention of the hon. minister to the desirability of promoting the improvement of dairy cows and beef cattle. Census statistics go to show that the average yield of milch cows in the province of Quebec, as well as in other parts of the

Dominion, is not what it should be. It is absolutely necessary that the Dominion Government should give more attention than in the past to that important matter. And one of the means which to my mind would help us most in securing better results, would be the establishment of cow-testing associations such as they have in Denmark. A few such associations have been established in this country, but I do not think they have received sufficient encouragement from the Dominion Government. By that means, Denmark has rescued its farming class from stagnation, and the Canadian Government should under present conditions take up that question more closely than in the past and spend whatever amount is required, as the Danish government has done, so as to wipe out as rapidly as possible that condition of things which is a source of an enormous loss of revenue to the farming community all over the Dominion. Our country's estimates reach a high enough figure to enable us to tender to the farming class all the encouragement it is entitled to from the Dominion Government.

Another question which we should not lose sight of, is that of soil depletion. Public documents go to show that every year Canada receives thousands and thousands of Yankee settlers who come to take up homesteads on the fertile lands of the Canadian west. Why do those Americans, whose wealth and enterprise are so much talked about, leave their native country to settle in Canada? The reason is known; it is because, through bad cultivation, the western country in the United States, in spite of its original fertility, has become depleted of its plant food. Constant demands have been made on the soil, without anything being returned to it. If the American west, through the use of injudicious methods, has been utterly ruined, is not the Canadian west threatened with the same results owing to similar causes? Notwithstanding all the care taken by farmers in the management of their business in eastern Canada, should not governments exert a close supervision, so as to restrict as much as possible the drainage of fertility which is going on and to maintain the fertility of our older lands and if possible to increase it. I respectfully submit that question to the consideration of the Minister of Agriculture; it should be on his part the object of special and practical consideration. Let an amount be expended sufficient to put an end to that evil; let the best qualified men available as lecturers and practitioners be sent out; let them be selected with the greatest care and distributed throughout the country places to educate our farmers and warn them against the danger with which we are undoubtedly threatened. To my mind the organization of agriculture as it exists in France is possibly the most perfect to be found anywhere in the world, and I would suggest to the hon. minister and to the Government to instruct some prominent official, or some special commission appointed for that purpose, to carry on as promptly as possible a thorough inquiry into the various agricultural organizations of Europe and America, with a view to letting Canada have the benefit of whatever they find of a nature to help us on. And the Minister and Government through whose efforts our farmers received such helpful suggestions would become generally popular. Then again, I trust the hon. Minister of Agriculture will allow me to suggest to him the desirability of popularizing and encouraging agricultural co-operative associations of all kinds. Dairying is in a prosperous mood, but our butter and our cheese are still in need of improvement. The hog-breeding and bacon-producing industries in the province of Quebec are practically non-existent. Poultry keeping, barring a few localities, is practically an unknown industry. Other industries of less importance are still in their infancy. I hope the hon. minister will confer with the representatives from my province before launching out a definite policy for the next year and the others to come. Of course useful information and practical suggestions might be obtained outside the representation of the province of Quebec in this House, but I sincerely believe that the Quebec members sitting in this House and who have the honour to represent agricultural constituencies, should be consulted, as they have information of a practical character, gathered on the spot, and which people who live outside the province cannot procure.

In concluding these remarks, I have pleasure, speaking on behalf of my constituents who are for the most part farmers and settlers, in congratulating the Government on the happy thought they have had of introducing this Bill, which, as I said a moment ago, meets, on the whole, with the approval of hon. gentlemen on both sides of the House. I travel a good deal, I hear farmers conversing, and I am glad to say that this legislation is fully appreciated by the farming class of my province, and I am satisfied that the farmers of other provinces as well think highly of it.

Mr. DAVID HENDERSON (Halton): I understand that the Minister of Agriculture desires to advance this Bill a stage or perhaps put it through to-night, so I do not wish to detain the House for more than a few minutes. But I do wish to express my strong feeling of pleasure at the approbation with which this measure has been received. I do not remember an occasion for a long time when a Bill before this House has had so cordial a reception from both sides of the House, and I think the Minister of Agriculture is to be congratulated on the very sympathetic chord he has struck in

the presentation of this measure. We have been told by the junior member for Halifax that there is no policy embodied in the Bill. I am not particular whether he calls it a policy, a method, a plan, or anything else,—at any rate it is something which seems to meet the approbation of both sides of the House, and we need not quarrel over the name by which it is to be designated. I simply wish to express my hearty approval of this measure. I think it is well conceived; and in the country it will be received with cordial approbation. As I said, I will not detain the House now. Opportunity will be afforded, if we desire it, to discuss the Bill further in committee; but I did not wish the measure to pass even this stage without expressing my hearty endorsation of what the Minister of Agriculture has done. I think that in what he has done he is fairly meeting the feeling and wish of the agricultural community of Canada.

Mr. BURRELL: Before we go into committee, Mr. Speaker, if you will permit me I desire to answer very briefly some of the criticisms which have been made in this debate, especially as these affect the principle of the Bill, and therefore are more properly the subject of remark on the second reading. I have to express my appreciation of the way in which hon. members have discussed the matter. The discussion was begun by our very vigorous friend from Red Deer (Mr. Clark) who was followed by my hon. friend from North Oxford (Mr. Nesbitt). I think I may fairly say that as the discussion proceeded the speeches grew more moderate, more intelligent and more relevant. For I think that of all those who spoke on the measure the hon. member for Red Deer—I am sorry he is not present, for I would rather have said this to his face—showed less relevancy, moderation and intelligence than any other hon. member either on that side or on this. The hon. gentleman is a vigorous enough speaker, but I do not think he ever showed to less advantage in this House than this afternoon when criticising this measure. I am fairly right, I think, in saying that if he gave assent to this Bill it was a grudging and half-hearted assent, and that assent was accompanied with harsh criticism of a great many matters absolutely beside the mark. I am not going into the question, this obsession of his, of reciprocity or free trade, but I would point out that his criticism went far beyond the Bill and was an arraignment of the whole system of education. I took a note of a few of his remarks, and what were they? One of his remarks was to the effect that under such a Bill, if its objects were achieved, the farmers would be worse off than they are without education, because they would produce more and would not know what to do with it. And not only that but he said that they could not expect anything from such a Bill, that it would not do anything for the farmers, that it was only a show-bill—his whole argument, as I say, was an argument against education. No man in this House will dispute that education is good for the rest of the community; will the hon. member for Red Deer, who is supposed to represent the farmers, say that the farmer is the only man in the country who should not be educated? He made the remark that he never knew a university degree to fill an empty stomach. I wonder if that is quite true. The hon. gentleman has told us his own qualifications, he holds a university degree; did it not do something to fill his stomach and the stomachs of those dependent upon him? I say that the arguments of my hon. friend from Red Deer were beside the mark; they were not legitimate criticism; and if they were meant, all I can say is that they pay a very poor tribute to the intelligence of this House and a very shabby compliment to the intelligence of the hon. member himself. very few men could be found to agree with him in this country. In all the correspondence I have had from men associated with agriculture or education in Canada in the three months since the Bill was introduced, not a single man has advanced criticism along the line taken by the hon. member for Red Deer, who poses as a representative of the farmers. In view of their respective attitudes towards this Bill the hon. member for Red Deer might well have said to his friend the member for North Oxford what the Quaker said to his wife: 'The whole world is crazy except thee and me, and I think thee is a little queer, too.'

One of the criticisms offered to this Bill was that it would be better not to have dealt in a statutory way with the amounts concerned, but to place them in the estimates from year to year. This position was taken by the hon. member for Edmonton (Mr. Oliver), the hon. member for North Oxford (Mr. Nesbitt), and the hon. member for Carleton (Mr. Carvell). I can only say in reply that the most careful consideration was given to that point, and we came to the conclusion—and I still contend it is absolutely right—that the universal cry in this matter from the provincial governments in this matter was for a policy of continuity. They represented to us: There is no use in introducing anything of this kind unless we can bank on its being a continuous policy and can shape our plans knowing approximately what we are to do in the future. The hon. member for Edmonton rather argued that if the amounts were put in the estimates they would be assured just as much as though put in this Bill, but I venture to think there is greater stability about a measure in which the whole mat-

ter, especially in regard to the amounts involved, is made statutory than if the money depends upon votes in the estimates. It is here embodied in a form which no Government would care to turn down or alter, except to amend for the better. I venture to say that even if hon. gentlemen opposite came into power before the expiration of the period provided in the Bill, they would not touch the principle of the measure, but would recognize it as a permanent policy and one proposed on fairly sound lines, and if they made any changes, it would be in the way of an improvement. I am satisfied that the provincial governments are better pleased to have it in this form than to have the voting of the money depend upon the estimates.

The hon. member has another criticism—and it is a good thing, I admit, to have these criticisms put forward. He urged that the proposal in regard to these matters should be laid before Parliament in order that Parliament might discuss them before they were embodied in particular arrangements between the governments of the several provinces and this Government, I have only to say in answer to that, that it is diametrically opposed to the opinions placed before the House by other hon. members. For instance, the hon. member for North Oxford argued that the money should be given to the provinces and should not depend upon these agreements. That proposition has been put up to us on several occasions. I would point out to the hon. member for Edmonton that we do not propose to exercise quite the same close supervision in a matter of this kind that we would if we were dealing with it as an ordinary departmental affair. We regard this as a measure devised to assist the various provinces, and we recognize that the provinces should deal with it through their own machinery and in their own way, because they know best what their own conditions are. We believe that it will be better and more practical to deal with the matter in this way than if we were to try to thresh out definite propositions on the floor of the House.

Another criticism, made by my hon. friends from Guysborough (Mr. Sinclair), and Carleton, N.B. (Mr. Carvell), was that if this measure was to be criticized it was because the money to be voted was not enough. The hon. member for Guysborough put in a very poetical way when he said that nobody would get more out of this than the price of two cheap cigars. Well, they did not get a smoke at all under the late Administration, so far as that part of it goes. As to it not being enough, I have only to recall to my hon. friend from Carleton, the statement I made in explaining the Bill, that if the provinces co-operate with us, as we hope and as we have every reason to expect, it is my conviction, considering the magnitude of the task itself and the growth of this country, it will be found, that the appropriation will be unequal to the demand. And, while that may be left for future consideration, I would like to state fairly at this time that the House, I am sure will at no distant day be prepared to supplement this appropriation with still larger amounts. And when that time comes the House will consider it from the same standpoint that I ask it to be considered now, that we provide funds for effectual development along the lines of our greatest national asset. And with this, I am sure the hon. member for Carleton will agree.

The criticism of the junior member for Halifax (Mr. Maclean) was that there was no policy in the Bill and that apparently no consideration had been given by the Government to policy. He will permit me to dissent rather strongly from that view; for, though I admit that there is no policy in the way of marking out certain definite clear-cut lines, there is a broad line of policy laid down that money should be devoted to agricultural education, instruction and demonstration. It is not possible for a Government dealing with nine provincial governments to lay down absolutely explicit lines along which each province can best move in studying its own conditions, and I maintain that the only way we can proceed is to feel our way year by year by thorough consultation with every government in the country, and their educational authorities, and work out between themselves and us a reasonable line of action which will make for continuity and development along the best lines and will be therefore a steadily growing policy, as I believe, of the best kind. I can only say to my hon. friend and to the members of the House that this is a difficult question to deal with—more difficult, perhaps, than they think. As far as I am personally concerned, I have given it and shall give it the most earnest consideration, simply and solely with the idea of working it out on lines that will be satisfactory to the agricultural and educational interests of every province in this country. The hon. member for Rouville (Mr. Lemieux) also made a remark which I think I ought to answer now, and then I would be very glad to have the Bill taken up in committee. The hon. member for Rouville read a letter which had been addressed to me by the Council of Agriculture for the province of Quebec. I do not intend to read the resolution which was submitted, because my hon. friend has placed it on 'Hansard,' but I may say that I wrote to the secretary of the Council of Agriculture in answer to that letter as follows:

Dear Sir,—With further reference to the resolution of the Council of Agriculture, copy of which you forwarded to me a short while ago, and the receipt of which my secretary formally acknowledged, permit me to make one or two observations.

A portion of the resolution reads as follows:

That is what my hon. friend read:

There is perhaps a little misconception on the part of the Council in regard to this matter. It can hardly be said that it is proposed to devote the subsidy in the future to a 'single object' and there is nothing in the terms of the Bill or in my explanatory speech which would prevent assistance being devoted to the various objects mentioned in the first part of this quotation from the resolution, provided the moneys were expended along educational lines.

On page 12 of the speech, a copy of which I believe you have, I explained to the House as follows:—

Help given in an educational direction will not only mean better farming, but better farmers and better and happier men and women. The particular form such assistance may take, may vary with the special needs and conditions in each province. It will embrace the increasing of the efficiency and equipment of our agricultural colleges; the establishment of agricultural schools, of dairying and horticultural schools of short courses in agriculture; the initiation of agricultural teaching in the public schools and work by travelling or located qualified instructors. It might well include the valuable educational work carried on by means of demonstration trains——

This was done in the province of the hon. member for Red Deer, who is so critical of this measure, and the provincial Minister of Agriculture informed me that the greatest good resulted from that work.

—training of teachers in nature study and the invaluable work of domestic science concerned with the women and girls of our communities, whose influence will always constitute one of the most potent forces in solving the problems we are considering.

Morever, the preamble of the Bill specifically states that 'whereas great and permanent benefit will result through education, instruction and demonstration carried on along lines well devised and of a continuous nature, therefore, &c.

I think this can hardly be interpreted as a devotion of this money to a single object. It is true that it was not the intention to include loans or grants to enable farmers to carry on their work, it being considered wiser to demonstrate to the farmers how to make money than to give them money; better to show them how to carry on their work to advantage than to do the work for them, and I am convinced that within the four corners of this Bill there will be found ample powers and full justification for not only educational work in the ordinary sense of that term, but also for educational or demonstration work, which will be of great assistance to the various branches of agriculture which are mentioned in the first part of the resolution which I have quoted.

Mr. BURRELL.

I think that is a fairly full answer to my hon. friend from Rouville. I desire to apologize to the House for having taken up so much time, but I thought it was only fair to answer the criticism which had been made.

Motion agreed to, and Bill read the second time.

House went into Committee on Bill.

On section 3—amounts payable for instruction in agriculture:

Mr. CARVELL: I suggested on the second reading of this Bill that I was not satisfied with the principle of voting the money for a period of ten years in advance. I think this principle is wrong not only as applied to this Bill, but to any other legislation which might be proposed in this House. I believe that in the handling of public money it is the duty of Parliament to retain control over it. Two new parliaments will assemble during this period of ten years, and I think we have no right to attempt to bind our successors in such a manner as is proposed under the present Bill. As all the arguments I have to make on the matter were made on the second reading of the Bill, I beg to move, seconded by Mr. Oliver:

That section 3 be amended by inserting after the word 'fourteen,' in line 22 thereof, the following words:

'Upon appropriations in that behalf from year to year made by Parliament'; and by adding to the end of said section 3 the following words, namely: 'provided the same shall be voted yearly as aforesaid.'

Mr. ARMSTRONG (East Lambton): May I ask the hon. member for Carleton, N.B., to explain how it would be possible for a provincial government to enact any legislation along the lines of general advancement in the province without having some kind of permanent policy that they could depend upon for at least several years.

Mr. CARVELL: I think it is very easily explained. Under section 5 of this Bill, the money remains practically under the control of this Government. This Government can make any kind of arrangement with the local governments which they have a mind to. They can say we are willing this year to devote this money to certain purposes. No man presumes for a moment that this money will be devoted for the same purpose for ten years. My hon. friend does not believe that an agreement made say in 1913 with the Government of the province of Ontario would be continued without change for ten years. He knows there will be changes probably every year, or every two years. That is a sufficient reason why the money should be voted yearly, because as new conditions arise,

new agreements will have to be made, fresh sums of money will be required, and new votes will have to be obtained from Parliament. It seems to me that that is the very strongest reason why the matter should be taken up in that manner.

Mr. BURRELL: I can assure my hon. friend that this matter has been given the very closest attention during the past year, not only by the Government and myself and Dr. James, but by a number of the foremost men in every province, and I am safe in saying that this particular feature is the one that appeals to the whole country. I am putting this regardless of any political considerations whatever. I would also like to point out that the very contention my hon. friend is making now, was the one upon which to a large extent criticism was directed last year in connection with the Good Roads Bill. They objected to the amount put in the estimates in that way, and to the fact that it was not embodied in the statute and put in a more permanent form. The fact that this is put in the statute and in a permanent form, not only guarantees permanence, but there is no conceivable objection that I can see to it, and it will inspire confidence in every provincial government as to the continuity of this policy and enable them to shape their plans which take some years of consideration. I think that could not possibly be done if the suggestion of my hon. friend were carried out and put in the other form. I do not think there is any matter of principle involved, but I think the arrangement as we have it, would be a great convenience and a more satisfactory way of doing it.

Mr. CARVELL: I do not wish to argue the matter with my hon. friend. I just wish to point out that his reference to the Good Roads Bill last year is not very happy, because there was no proposition to vote any specified amount of money whatever. It was simply proposed to take power to devote whatever amount of money the Government saw fit, along such lines as they saw fit. What the Opposition proposed was that whatever the amount of money might be it should be handed over to the provinces, and that they should expend it at a pro rata proportion according to the population which each province bore to the population of Canada as a whole. My hon. friend has now adopted that policy. After taking out say $200,000 or $300,000, the balance is divided according to the population. Therefore he has adopted our ideas, but he has incorporated something else very different from what we suggested in connection with the highways Bill. If my hon. friends bring down the same kind of highways Bill this session, they will find practically the same objections to it, but we will deal with that when the time comes.

Mr. OLIVER: I wish to say that the view expressed by the Minister of Agriculture in regard to the permanence given by the form of this Bill does not hold good. I have pointed out to the committee already that there is no permanence because of the form of the Bill. The Bill as it exists to-day can be amended at the next session of this Parliament. It is merely a formal declaration of the policy of the Government, and as such, has a measure of value. That measure of value is not interfered with by the proposed amendment. The declaration of policy remains in the form of the Bill, and it is proposed by the amendment to bring to the notice of Parliament at each succeeding session the vote of money that will be taken out of the consolidated revenue fund for that year, the intention being, as I have already pointed out, that the minister shall come to the House each year with his proposals for that year for the purpose of receiving suggestions with view to the better carrying out of the policy. As the Bill stands at present, he brings to the House each session a return subsequent to the plan of the previous fiscal year. By the time these events, which are then a year or a year and a half old, are criticised by Parliament, and embodied in the policy of a future year, I submit that the criticism and suggestions have ceased to be of value by reason of the lapse of time. If there are to be any valuable suggestions from Parliament, and surely Parliament is the body to make those suggestions, the best way in regard to an agricultural programme is the best way in regard to any other public expenditure. That is to say, an explanation of policy is made when the vote of money is being asked. That is an elementary principle which for the purpose of this Bill should not be departed from. On the contrary I maintain that the purpose of the Bill will be substantially advanced by continuing that very beneficial line of policy. My hon. friend the minister has said that in section 5, provision is made for the handing over of this money to the provinces. If he would amend section 5, so that it will provide merely for the handing over of the money to the provinces, according to plain terms set forth in the statute, there would be no objection to his proposal. But section 5 does not provide for simply handing over money to the provinces. It provides for handing money over to the provinces on conditions to be arranged between this Government and the governments of the provinces. That arrangement may be of one kind or may be of another, but whatever the nature of the arrangement or its effect, it is an arrangement for which this Parliament is responsible. I maintain that Parliament should retain control where it necessarily has responsibility. My suggestion then to the minister is that he amend section 5 so as to make specific payments to the provinces

under specific conditions set out in the Bill, or else accept the amendment so that the proposals in each year would come under the review of Parliament the same as any other financial proposal ought to come; that being all the more necessary in this case because this is a new principle which remains to be worked out. With all respect to my hon. friend, I think he will agree with me that it is to his advantage and to the advantage of the working of the Bill that he should have the greatest freedom of suggestion from members of Parliament coming from all sections of the country and familiar with the interests and requirements of each section. It is for these reasons that I would ask my hon. friend to either accept the proposed amendment to section 3, or else amend section 5, so as to bring it in accord with the principle that he stated to the House, which principle it is not in accord with at the present time.

The CHAIRMAN: Shall the amendment be adopted?

Mr. OLIVER: Before the amendment is adopted, the acting whip informs me that there was an arrangement that the Bill should not proceed further than the second reading to-night.

Mr. BURRELL: That is news to me. I did not know it.

Mr. ROGERS: There was some arrangement that the Bill would go through, but I do not know whether it was that it should go through committee or pass the second reading. As far as we are concerned if there was no objection, and there was but one amendment, and we could get the Bill through the committee, we would be very glad to do so, but if there is any special objection to the Bill being proceeded with to-night there is no desire on our part to press it.

Mr. OLIVER: It is a very important Bill, this is a very thin House and, while I do not anticipate that there will be any serious amendment to the Bill or any serious delay in its passage, if there has been an understanding, I would like very much that the Bill should be allowed to stand until another day. I would like to have it thoroughly understood that everybody will be given an opportunity to consider and discuss the measure.

Mr. SHARPE (Lisgar): The arrangement between the chief whip of the Liberal party and myself was that this Bill should go through the committee to-night.

Mr. BOYCE: And stand for the third reading?

Mr. SHARPE: Yes, stand for the third reading.

Mr. OLIVER: My hon. friend from Lisgar has stated that it should go through the committee to-night. We will accept his statement and let it go.

Mr. HUGHES (Minister of Militia): Why not adjourn?

Mr. ROGERS: If there is any doubt or misunderstanding, we have no objection.

Mr. OLIVER: We are quite willing to accept the statement of the hon. member for Lisgar.

Mr. HUGHES: The only thing I feel doubtful about is that the hon. member for Pictou (Mr. Macdonald) sent a note across which I showed to my hon. friend the Minister of Public Works, who stated that he understood that as soon as the Bill passed the second reading, the House would adjourn.

Mr OLIVER: That is what I understood.

Mr. HUGHES: I do not know whether my hon. friend the Minister of Public Works understood me or not, but when I handed him the note, he said, 'yes,' and on that understanding the hon. member for Pictou went away.

Mr. CARVELL: Yes, and he informed a number of us that that was the arrangement. A number of other hon. gentlemen left on account of it.

Mr. OLIVER: I want to be understood as absolutely accepting the statement of the hon. gentleman (Mr. Sharpe), and as being willing to carry out that arrangement. But if the leader of the House will agree to allow the House to adjourn now without passing the Bill, until there is further discussion, I would be very glad.

Mr. BURRELL: I hope my hon. friend, or any other hon. member, does not understand that I have the slightest objection to the fullest criticism. I welcome it because I think we all want to come to the same conclusion. I had hoped that it would not prove to be a very contentious measure and that we would be able to make some progress because there are a great many people throughout the country interested in agriculture who are anxious to know that the Bill has passed. But, if it is thought best to adjourn, I do not object. I move that the committee rise, report progress and ask leave to sit again.

Mr. OLIVER: The amendment is not declared lost?

The CHAIRMAN: It is not voted on.

Progress reported.

On motion of Mr. Rogers House adjourned at 11.22 p.m.

HOUSE OF COMMONS.

MONDAY, April 21, 1913.

The SPEAKER took the Chair at three o'clock.

FIRST READINGS.

Bill No. 173, to provide for the incorporation of Railway Companies.—Mr. Barker.

Bill No. 174, to incorporate Beaver Fire Insurance Company.—Mr. Munson.

Bill No. 175, respecting the Manitoba Radial Railway Company.—Mr. Molloy.

Bill No. 176, respecting the Southampton Railway Company.—Mr. Crocket.

Bill No. 177, to incorporate the Athabasca and Grande Prairie Railway Company.—Mr. Green.

Bill No. 178, to incorporate the Pacific and Eastern Mortgage Company.—Mr. Stevens.

ALIEN LABOUR LAW—DISMISSAL OF INSPECTOR.

Mr. ALPHONSE VERVILLE (Maisonneuve, Montreal): Mr. Speaker, I desire, with your permission, to call your attention to a matter relating to organized labour in Hamilton, Ont., and for this purpose would like to read a short newspaper article. I refer to an article in the Hamilton Spectator of the 17th of April, as follows:

> Suspended for Barring Aliens—Now Union Moulders may Complain to Government—Claim Men were being Imported by Westinghouse Company.
>
> A sidelight on the Hamilton moulders' strike, which seriously affects a government officer and may result in the union making a strong protest to the Government, was revealed this morning in a story told by members of the moulders' union.
>
> It was to the effect that the Westinghouse people, of this city, in an effort to replace the striking moulders, recently attempted to bring in non-union men from the United States. H. Sharp, government immigration officer, located at Bridgeburg, who has been known to be a most efficient officer in locating and prosecuting foreigners and others who failed to comply with laws governing the entrance of alien labour to Canada, discovered early last week what he supposed to be a case of smuggling in of alien labourers. He removed from a Buffalo train four men who admitted they were on their way to Hamilton, engaged to work for a firm in this city. The men were deported as having been engaged contrary to Canadian labour laws, and the Westinghouse Company took the matter up direct with the Minister of Immigration at Ottawa, with the result that Mr. Sharp was suspended from duty without having been given an opportunity to explain why or how the case had been dealt with. The matter has come to the knowledge of the Moulders' Union, and it was stated this morning that they would take the case up direct with the department at Ottawa.
>
> 'I do not know Mr. Sharp; in fact, never met the man in my life, but if immigration officers, who, in the faithful discharge of their duties in carrying out the Alien Labour Laws of Canada, are to be dismissed in this manner, without a hearing or chance of explanation, it is high time organized labour of Canada, in whose interests the alien labour laws are put on the statutes and officers appointed to enforce, took the matter up. This we will do in the case of Mr. Sharp,' said an officer of the Moulders' Union this morning.
>
> A Spectator reporter called at the office of H. Sweeney, local immigration agent, this morning, and asked him if he knew of this case, but Mr. Sweeney positively refused to discuss the matter in any way, simply saying it was no affair of his and he had nothing to say.

I desire to ask the Government if there is any truth in this report, and, if so, what they are going to do about it.

Mr. SPEAKER: Before this is answered, as this form of question is becoming more frequent of late, I desire to call attention to the matter. In Peel's Decisions, it is stated:

> Members should not put questions merely upon newspaper authority, but before putting them should institute some inquiry, and make themselves responsible for the statements they contain.

Also:

> A member who puts a question is responsible for the facts alleged therein.

I bring this to the attention of hon. members, that they may endeavour as far as possible, to conform to these requirements.

Hon. T. W. CROTHERS (Minister of Labour): I did not hear the whole of what the hon. member read or said. My attention has not been called to the matter of deportation of any labourers who are attempting to enter Canada at the Niagara border; but complaint was made a few days ago that one of the inspectors had taken from the Michigan Central train, at midnight, a very respectable man who lived at Hamilton, and who had lived there for eight years, and had locked him up until ten o'clock the next day. The inspector's name is Sharp. He was suspended pending an investigation. That investigation is going forward, and we will deal with the report as we think right when it is sent in.

PRIVATE BILL—SECOND READING.

Bill No. 170, respecting certain Patents of the Standard Paint Company of Canada, Limited.—Mr. Sharpe (North Ontario.)

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

QUEBEC HARBOUR COMMISSIONERS.

Mr. LACHANCE:

Who are the persons at present employed in the office of the corporation of the Harbour Commissioners of Quebec, what is the nature of their employment, the dates of their respective appointment, their salaries at the time of entering upon their duties, and those they now receive?

Mr. HAZEN: Raoul Renault, secretary-treasurer, promoted March 14, 1910, at a salary of $1,800; actual salary $2,500.

St. George Boswell, chief engineer and general superintendent, promoted February 11, 1913, at a salary of $6,000; actual salary, same.

W. V. Taylor, assistant engineer, appointed January 31, 1910, at a salary of $1,800; actual salary, $2,100.

A. C. Fellows, assistant engineer, appointed April 11, 1913, at a salary of $2,000; actual salary, same.

C. W. Hoffman, draughtsman, appointed December 24, 1912, at a salary of $1,800; actual salary, same.

J. C. Sullivan, harbour master, appointed June 1, 1895, at a salary of $800; actual salary, $1,750.

Thomas McGough, assistant harbour master, appointed March 30, 1903, at a salary of $600; actual salary, $1,200.

Patrick Flynn, wharfinger, appointed July 11, 1898, at a salary of $780; actual salary, $1,500.

Allyre Letellier, assistant wharfinger, appointed May 6, 1912, at a salary of $800; actual salary, same.

E. H. S. Woodside, accountant, appointed October 29, 1912, at a salary of $1,200; actual salary, same.

O. LeBrun, assistant treasurer, promoted March 14, 1910, at a salary of $1,000; actual salary, $1,200.

John Stain, chief clerk, promoted March 14, 1910, at a salary of $1,200; actual salary, $1,500.

F. D. Woods, clerk, appointed March 14, 1910, at a salary of $500; actual salary, $800.

A. F. Dion, traffic manager, appointed February 7, 1913, at a salary of $2,400; actual salary, same.

G. H. Bourdon, acting purchasing agent, appointed March 14, 1913, at a salary of $900; actual salary, same.

Alph. Roy, messenger, appointed October 31, 1912, at a salary of $480; actual salary, same.

Daisy S. West, stenographer, appointed November 26, 1912, at a salary of $360; actual salary, same.

INDIAN LAND SALES.

Mr. OLIVER:

1. Does the Government take measures to safeguard the rights of Indians to the land of their reserves in British Columbia when sales of such land are being made?

2. Is the Government aware of steps being taken, as alleged, to acquire from the Indians of the Kitsilano reserve, Vancouver, B.C., their rights to the land of the reserve by the provincial Government of British Columbia, or by other parties or interests?

3. Is the Government a party to the proposals of purchase being made by or on behalf of the British Columbia Government?

Mr. CROTHERS:

1. Yes.
2. No.
3. Answered by No. 2.

NEWSPAPER PATRONAGE LIST.

Mr. SINCLAIR:

What newspapers in the province of Nova Scotia are on the patronage list?

Mr. BORDEN: An Order in Council was passed on December 10, 1896, establishing an official patronage list, but since the present Administration came into power, no Order in Council has been passed in this regard. The newspapers in which any particular advertisement is to be inserted are selected by the minister at the head of each department.

CLOCKS FOR PUBLIC WORKS DEPARTMENT.

Mr. LEMIEUX:

1. How many clocks have been ordered by the Department of Public Works since the 1st of November, 1911?

2. Were any tenders invited for same?

Mr. ROGERS:

1. Fifty-four weight clocks and two electric clocks.

2. Yes, tenders were invited for tower clocks from two well-known English firms.

MAIL BAG LOCKS.

*Mr. SINCLAIR:

From how many Ottawa and Quebec firms were offers received for improved padlocks for mail bags?

Mr. PELLETIER: There are no offers on record from any other firm than the Ontario Equipment Company.

*Mr. SINCLAIR:

How many new padlocks and keys for mail bags have been purchased by the Post Office Department since April 1, 1913?

Mr. PELLETIER: The hon. member who puts this question is referred to the numerous answers already given that no new padlocks have as yet been supplied.

*Mr. CARVELL:

1. On or about the 23rd September, 1912, did the Post Office Department give an order for

99,000 checks to improve the padlocks in use for the mail bags?

2. If so, to whom was the order given,

3. What was the price of each of these checks?

4. How many have been delivered to the Department?

5. Was this order cancelled on or about the 2nd April? If so, for what reason?

Mr. PELLETIER: This question is not intelligible as it stands. No checks to improve padlocks have been ordered. If the question is intended to refer to malleable iron bars ordered from Edouard Lapointe, an order was so given for these bars which are manufactured apart from the padlocks. The order has stood for over six months, during which time no acceptable bars were offered and the order was therefore concelled.

*Mr. CARVELL:

Is the Post Office Department aware that Mr. Porter, who is a security for the carrying out of the contract for the new padlocks, is also said to be a stockholder in the Ontario Equipment Company?

Mr. PELLETIER: The information as to the list of stockholders of this company has been given to this House as secured lately from the Ontario Government. When Mr. Porter signed as security, he did so individually, and not as a stockholder of an incorporated company.

*Mr. MACDONALD:

1. What is the exact quantity of padlocks and keys for mail bags used by the Post Office Department in each province?

2. Has the distribution of the new padlocks commenced?

Mr. PELLETIER:

1. The controller of postal stores reports that it is impossible accurately to answer this question. The mail bags are not all stationery in one province, but go from one to the other.

2. No.

*Mr. CARVELL:

Was there any conference between Messrs. Dion, Faucher and Grenier, the first patentees of the new padlocks and the post office authorities, before the signing of the contract with the Ontario Equipment Company? If so, at what date?

Mr. PELLETIER: No.

LA PATRIE PRINTING CONTRACT.

*Mr. CARVELL:

Has the Post Office Department any printing contract with La Patrie of Montreal?

2. If so, to what amount per annum?

3. How much has been paid to La Patrie by the Post Office Department since 1st of November, 1912?

Mr. PELLETIER: All arrangements for outside printing are made by the Department of the Secretary of State to which this question is being referred.

POST OFFICE DEPARTMENT AUTOMOBILE.

*Mr. CARVELL:

Did the Post Office Department purchase an automobile since last session? If so, from whom?

2. What is the purchase price?

3. Is it a second-hand automobile?

Mr. PELLETIER: The question about the purchase of automobiles by this Government and the late one, were fully answered in the House of Commons, on the 16th December, 1912. (See 'Hansard,' No. 17, pages 1190 and 1191.)

ONTARIO EQUIPMENT COMPANY.

*Mr. CARVELL:

At whose request was the Ontario Equipment Company put on the patronage list of the Post Office Department?

Mr. PELLETIER: There is no such request on file.

ST. CHARLES RIFLE RANGE.

*Mr. LEMIEUX:

1. Is it the intention of the Militia Department to transfer the present rifle range at St. Charles, Manitoba, to St. Vital?

2. Have any options been secured? If so, from whom?

Mr. HUGHES (Minister of Militia and Defence): The matter has not been considered.

PURCHASE OF ROSS RIFLE.

*Mr. LEMIEUX:

1. What is the date of the last purchase of Ross Rifles by the Militia Department?

2. How many were purchased, what price was paid, and when were they delivered?

Mr. HUGHES (Minister of Militia and Defence): The latest order for Ross rifles which has been delivered and paid for is that of March 21, 1912, for 3,000 Mk. II** rifles at $25 each, and $1.90 for charger guide and rear aperture sight. Delivered as follows: May 4, 1912, 20; June 20, 1912, 95; August 20, 1912, 12; October 16, 1912, 2,873; total, 3,000.

On a previous order (3rd November, 1911), for 10,000 rifles Mk. III, at $25 each, only 3,000 rifles have been delivered. Progress payments have been made on this order on the certificate of the Government chartered accountant to the extent of seventy-five per cent of the value of the order, viz., $187,500. Dates of deliveries as follows: December 21, 1912, 1,000; February 4, 1913, 1,000; March 29, 1913, 1,000.

Another order which should have been given six months earlier, was given on 9th

April, 1913, in accordance with the terms of the contract, for 10,000 long Ross rifles, Mk. III, without backsight, at $25 each, plus $1.90 for charger guide and rear aperture sight. No deliveries or payments have been made on this order.

PAYMENTS TO MINISTER OF JUSTICE.

*Mr. DELISLE:

1. Since the 21st September, 1911, how much has the hon. Mr. Doherty, Minister of Justice, drawn in salary, or otherwise, out of moneys voted by this Parliament, respectively, as retired judge, as Minister of Justice, as member for the Ste. Anne division of Montreal and for travelling expenses?

2. Has he drawn any other amounts under other titles than those mentioned?

Mr. BORDEN:

1. Hon. Mr. Doherty receives such pension, salary and sessional indemnity as are payable to him under the statutes of Canada, to which statutes the hon. member is referred. For travelling expenses he has received $2,549.35, which includes the expenses of his private secretary.

2. No.

FISHERIES REGULATIONS.

*Mr. LEMIEUX:

1. Has the Government received the following resolution, adopted by la Chambre de Commerce Française, of Montreal:—

Whereas the Bill No. 35, recently presented to the federal Parliament at Ottawa and adopted by it on the second reading, would have the effect of preventing the users of drag-nets from obtaining at Canadian ports, where they have been accustomed to come to get their supply provisions, bait and coal;

That the provisions of this Bill are apposed to those of the Franco-Canadian Treaty of 1907, (Art. 10-11), by which the two countries bind themselves not to establish, the one towards the other, any prohibition or restriction of importation, exportation, or transit, which would not be at the same time applicable to other countries granting reciprocity the treatment of the most favoured nations in all which concerns importation, exportation, re-exportation, transit, warehousing, bonding, transhipment, the completion and execution of the customs formalities, and generally everything which relates to the carrying on of commerce and industry;

That on the other hand these users of drag-nets operate only abroad on the Grand Banks of Newfoundland, and have not consequently caused Canadian fishermen to suffer the least damage, attributed generally by them to the drag-net fishing.

That a conference was held last year at Washington for the preparation of an agreement between the United States, Newfoundland and Canada, with the view of making general this measure on the shores of the three countries; that this conference was to be resumed this year, but that it could not validly come to decision which would be prejudicial to other countries without hearing them.

May it please the Canadian Government to give to this question the greatest consideration, as much from the point of view of international rights, and especially to that of its engagement by its treaty towards France.

That all the countries interested, and especially the latter, be appealed to, to participate in the work of the next conference at Washington.

2. If so, what decision has the Government arrived at?

Mr. HAZEN:

1. The Department of Marine and Fisheries has received from La Chambre de Commerce, of Montreal, Canada, a resolution purporting to have been passed by said Chambre on April 10, which is, in substance, the same as set out in this question.

2. The matter is under consideration.

AYLMER POSTMASTER.

Mr. DEVLIN:

1. Who is postmaster at Aylmer, county of Wright?

2. What was the date of his appointment?

3. Have any complaints been received by the Postmaster General's Department against the said postmaster?

4. Has an audit been made of the books of said postmaster?

5. What was the result of said audit?

6. Has the postmaster at Aylmer resigned? If so, has his resignation been accepted by the Postmaster General?

Mr. PELLETIER:

1. Mr. Leon Chartier.

2. 28th of May, 1912.

3. No.

4. Yes.

5. It was found that the postmaster had not been depositing his surplus post office funds as closely as the regulations required. He has, however, made good.

6. He has tendered his resignation, and the matter is under consideration.

FLORENCEVILLE-UPPER WICKLOW MAIL SERVICE.

Mr. CARVELL:

1. Who was the contractor for the rural mail service from Florenceville, N.B., to Upper Wicklow, Summerfield, and return, prior to March 1, 1913?

2. What was the annual amount paid for the service prior to said date?

3. Who were the respective tenderers for each of the routes into which the service has been divided, and what was the amount of each tender?

Mr. PELLETIER:

1. The estate of T. Kilcollins.

2. $407.27 per annum and 75 cents per box per annum for each rural mail box on the route. The frequency of service was four trips per week and the length of the route sixteen miles.

3. (a) Florenceville rural route No. 1.—frequency, four trips per week; length of

route, fourteen miles. Tenders received. John D. Oliver, $300 per annum; W. A. Taylor, $325.75 per annum; E. D. Jewett, $450 per annum; T. A. McCaw, $478 per annum. The lowest tender was accepted.

(b) Bath rural route No. 1.—frequency, four trips per week; length of route, fifteen miles. Tenders received: John N. Drost, $425 per annum, reduced to $332.80 per annum, at which amount the contract was awarded.

In addition to the contract price in each case, 75 cents per box per annum is paid for each rural mail box on these routes.

QUEBEC WEIGHTS AND MEASURES INSPECTOR.

Mr. MARCIL:

1. Have any charges been made to the Minister of Inland Revenue against Arthur B. Caldwell, assistant inspector, Weights and Measures, in the Quebec district?

2. If so, what was the nature of these charges, by whom were they made, and has any action been taken thereon? If so, what was that action?

Mr. NANTEL:

1. Yes.

2. Political partisanship. By reliable persons from the riding. No action has been taken yet. The question is under consideration.

CARLETON CENTRE MAIL SERVICE.

Mr. MARCIL:

1. Did Napoleon LeBlanc, contractor for mail service between Carleton Centre, Quebec, Carleton and Carleton railway station, whose contract expired on March 31 last, offer to the department to renew his contract at the same figure?

2. If so, when was this offer made, and why was it not accepted?

3. Did the department give an answer to the offer?

4. Were any charges made against the said LeBlanc regarding his service? If so, when and of what nature?

5. Were tenders called for this new contract? If so, what tenders were received?

6. If not, why were tenders not asked for?

7. Was Clovis Leclerc, one of the tenderers? If not, who recommended that the contract be transferred to him?

8. Was there a clause in LeBlanc's contract providing for its termination on three month's notice being given by the department to the said LeBlanc? If so, was such notice given?

Mr. PELLETIER:

1. Yes.

2. (a) In a letter dated 22nd of March, 1913. (b) The department had made other arrangements.

3. The receipt of his letter was acknowledged.

4. No.

5. No.

6. The statute provides that contracts under $200 per annum may be arranged without calling for tenders.

7. (a) Answered by Nos. 5 and 6. (b) By decision of the Postmaster General.

8. (a) Yes. (b) Such notice is only necessary when a contract is terminated before the end of the stipulated period. This contract was for four years and the time expired on 31st of March, 1913.

PAYMENTS TO H. P. DUCHEMIN.

Mr. SINCLAIR:

With reference to the reply given by the Government of April 16 to the effect that Mr. Duchemin was paid $69.55 for expenses, including witness fees, &c., in connection with the investigations in the cases of James M. Webber, H. L. Tory and J. W. Davis, how much of said sum was paid Mr. Duchemin for attendance, how much for travelling and how much for witness fees and other expenses, if any?

Mr. HAZEN: Attendance, $45; living allowance, $9; witness fees, $8.40; stenographer, $6.60; stationery, 30 cents; postage, 25 cents, total, $69.55.

ALDERSHOT STORES.

Mr. KYTE:

1. Why was the officer commanding No. 8 Company A.S.C. relieved of payment of Government stores in his charge alleged to have been taken from the butchery at Aldershot camp during the summer of 1912?

2. Did said officer ever ask for a board in reference to Government stores alleged to have been taken from the butchery at Aldershot camp during the summer of 1912?

3. Was such a board ever granted? If not, why not?

Mr. HUGHES:

1. Because they were stolen from the butchery in which they were stored at Aldershot.

2. No.

3. The O. C. division, having satisfied himself that the articles had been stolen, did not consider a board necessary.

ALDERSHOT CAMP SUPPLIES.

Mr. KYTE:

1. Did the Minister of Militia and Defence send or authorize to be sent, a telegram on or before March 15, 1913, to an officer of the active militia at Kentville, N.S., in reference to any matter pertaining to supplies at Aldershot camp?

2. If so, what are the words of such telegram?

Mr. HUGHES:

1. Yes.

2. As follows:

Ottawa, 15-3-13.

To Captain Wickwire,
Kentville, N.S.

Do not meddle in ice matter. It does not concern you.

(Sgd.) Sam. Hughes,
Minister of Militia and Defence.

INTERCOLONIAL RAILWAY—SUNDAY OBSERVANCE.

*Mr. GAUVREAU:

1. Is the minister, or the Department of Railways and Canals, aware that Sunday is said to be not at all observed in the yards of the Intercolonial railway at Rivière du Loup, or where the employees are said to be ordered to work the trains, to place the cars on the sidings, and to do other work which could be done on any other day of the week?
2. If so, does the department or the minister intend to put an end to this state of things?

Mr. COCHRANE:

1. The department is not aware of any unnecessary work being done at Rivière du Loup by the employees of the Intercolonial railway.
2. Answered by No. 1.

OPTION ON PROPERTY AT DISRAELI.

Mr. TOBIN:

1. Has the Department of Public Works taken an option on the land and buildings of Messrs. Champoux Brothers at Disraeli, Quebec, county of Wolfe?
2. If so, what is the length of time covered by the said option?
3. What is the amount offered in the matter of the said option for the said land and buildings?
4. Is it the intention of the department to hold the option as valid, and to purchase the said lands and buildings?
5. Who recommended the purchase of the land in question?
6. Who estimated the value of the said properties?

Mr. ROGERS:

1. Yes.
2. No limit contained in the option.
3. Offered for sale at $5,500.
4. Under consideration.

5 and 6. Mr. A. R. Shehyn, an officer of the department.

RIGAUD POST OFFICE.

Mr. BOYER:

1. On what date did the Government accept the post office at Rigaud from the contractor, M. T. Belanger?
2. What duty did Napoleon Vallée perform at the post office at Rigaud?

Mr. ROGERS:

1. November 18, 1912.
2. Napoleon Vallée is unknown in the Department of Public Works.

EMPLOYMENT OF GUTELIUS.

Mr. EMMERSON:

1. Is Mr. F. P. Gutelius, C.E., employed by the Department of Railways and Canals in connection with the management of the Government System of Railways? If so, in what capacity, and what is the salary or remuneration paid or to be paid to him?
2. Is the said F. P. Gutelius, C.E., in any capacity in connection with the National Transcontinental Railway Commission? If so, in what, and what salary or remuneration is paid or agreed to be paid him?

Mr. HUGHES (Victoria).

Mr. COCHRANE:

1. No.
2. No.

SUBLETTING PUBLIC BUILDINGS.

Mr. MARTIN (Regina):

Does the Government permit caretakers of public buildings to sublet parts of such buildings for their own private gain?

Mr. ROGERS: No.

MILITIA DEPARTMENT AUTOMOBILES.

*Mr. LAFORTUNE:

1. How many automobiles have been purchased by the Militia Department since 1st November, 1911?
2. What was the price paid for each automobile, and from what firm were they purchased?
3. Where were said automobiles used during the months of May, June, July, August and September of 1912?

Mr. HUGHES:

1. Answered last session (see unrevised 'Hansard,' page 4117).
2. Answered last session (see unrevised 'Hansard,' page 4117).
3. Militia Headquarters, Ottawa, 2; Headquarters, First Division, London, Ont., 1; Headquarters, Second Division, Toronto, 1; Headquarters, Third Division, Kingston, 1; Headquarters, Fourth Division, Montreal, 1; Headquarters, Fifth Division, Quebec, 1; Headquarters, Sixth Division, Halifax, 2; Headquarters, Militia District No. 10, Winnipeg, 1; Headquarters, Militia District No. 11, Victoria, 1; Headquarters, Militia District No. 13, Calgary, 1. Total, 12.

THE POLICE GAZETTE.

*Mr. LEMIEUX:

Does the Police Gazette of New York enjoy the postal privileges? If so, since when?

Mr. PELLETIER: No.

DISMISSALS.

Mr. GRAHAM:

1. Has John Morrow been dismissed from the position of sub-collector of customs at Colborne?
2. If so, on what date did such dismissal take place?
3. Why was he dismissed, and how many days notice did he receive of the intended action of the Government?
4. Who was appointed in his place?

Mr. REID:

1. Yes.
2. Notice of dismissal was delivered to him on the 12th April, 1913.

3. He was dismissed on account of political partisanship, and notified when relieved from duty on the 12th April, 1913.
4. Harry LeRoy Chapin.

Mr. MARCIL:

1. Has Joseph Edouard Landry, keeper of the light and wharfinger of St. Omer wharf, Quebec, been dismissed? If so, why?
2. If charges were made against him, was an investigation held, or was he otherwise given a chance of answering the charges made against him?
3. Who made the charges, if any, and what was their nature?
4. Who has been appointed in his stead, on whose recommendation, and at what salary?

Mr. HAZEN:

1. Lightkeeper Landry was dismissed for political partisanship.
2. The affidavits in support of the charges were so conclusive, that it was not considered necessary to hold further investigation.
3. Mr. J. A. Mousseau, Mr. A. Godbout, Mr. J. Beaudin.
4. (a) Mr. Hubert Godbout. (b) Mr. J. A. Mousseau, Mr. D. Champoux. (c) $80 per annum with annual increment of $5 to a maximum of $100.

Mr. SINCLAIR:

1. Has Wm. E. Ehler, lightkeeper, Queensport, Nova Scotia, been dismissed? If so, why?
2. If for political partisanship, what are the specific acts of partisanship?
3. Who has been appointed to take his place?
3. What is the gross amount of expenses connected with said dismissal, and the commissioners fees, travelling expenses and witness fees, respectively?
5. Where was the trial held?

Mr. HAZEN:

1. (a) Yes. (b) Political partisanship.
2. See attached statement.
3. Mr. Thomas O'Leary.
4. Allowance, $52.50; living allowance, $10.50; travelling expenses, $9.50; Subpœnas, $1.20; stenography, $5.10; stationery and postage, 20 cents. Gross amount of expense, $79.
5. Queensport, N.S.

UNOPPOSED AND UNDISCUSSED MOTIONS.

For a copy of all correspondence, telegrams, complaints, affidavits, reports, recommendations, requests, certificates and other documents, relating to the dismissal of Mademoiselle Paul Hus, as postmistress of the parish Ste. Victoire, county of Richelieu, and the appointment of Mr. Paul Bardier, of the same place, as postmaster.—Mr. Cardin.

For a copy of all documents, petitions, correspondence, messages, inquiries, reports, &c., relating to the dismissal of S. Lapointe, postmaster of St. Eloi, county of Temiscouata, and to the appointment of his successor.—Mr. Gauvreau.

For a copy of all correspondence, complaints, reports, recommendations, petitions, certificates and other documents relating to the dismissal of Mr. Edmond Lacroix, as postmaster of the parish of St. Joseph du Lac, county of Two Mountains, and the appointment of Rodrigue Larocque, of the same place as postmaster.—Mr. Ethier.

For a copy of the evidence and report in the investigation held by Mr. W. A. E. Flynn, in the case of P. D. Bourdages, keeper of the lighthouse at Bonaventure Point, Quebec, and of the charges made against the said Bourdages by Ovide Bourdages, Raymond Bourdages, Pierre Henry, J. A. Mousseau and D. Champoux.—Mr. Marcil.

For a copy of the charges made by Messrs. W. S. Montgomery, J. I. Boudreau, N. Bourg, J. A. Mousseau, N. Boudreau and W. Boudreau, against Louis Bujold, keeper of the lighthouse at Carleton Point, Quebec.—Mr. Marcil.

For a copy of the charges made against Alexis Bourque, storm signal agent at Bonaventure, on which he was dismissed by the Minister of Marine and Fisheries, and a copy of all letters and other documents bearing on the appointment of his successor.—Mr. Marcil.

For a copy of the charges made against Alex. Labillois, postmaster of Miguasha, on which his dismissal took place, and of all letters and documents regarding the appointment of John Caissy in his place.—Mr. Marcil.

For a copy of all letters and other documents containing evidence or charges against Madame Z. Marcotte, postmistress of Nouvelle West, Bonaventure county, on which the Postmaster General acted in removing her from office, and also of letters and other documents regarding the appointment of Mr. Lazare Fallu in her stead.—Mr. Marcil.

For a copy of all notices tenders, contracts and correspondence relating to the supplying of ice for the military camp of Aldershot, N.S., for 1913, and of all correspondence relating to the source of such ice supply.—Mr. Kyte.

For a copy of all complaints, charges, evidence and reports in connection with the investigation held at Aldershot, N.S., in September, 1912, relating to the alleged thefts of property from the militia camp.—Mr. Kyte.

For a copy of all correspondence, telegrams, complaints affidavits, reports recommendations, requests, certificates, contracts and other documents relating to the cancelled contract of M. E. Bougie, for carrying the mails between the post office and railway station at Bromptonville, Quebec.—Mr. Tobin.

For a copy of all letters, telegrams, petitions, complaints, evidence, reports and other documents relating to the dismissal of William E. Ehler, lightkeeper, Queensport, N.S., also a detailed statement of the expenses connected with the investigation, distinguishing the allowance paid the commissioner from travelling expenses and witness fees; and of all papers connected with the appointment of Mr. Ehler's successor.—Mr. Sinclair.

For a return showing all leases of water powers granted on the Winnipeg river, the dates of such leases, to whom granted, and the location of the water powers covered by each; together with a copy of all correspondence passing between the Government, or any member thereof and any person or per-

sons, with respect to such leases.—Mr. Martin (Regina).

GOVERNMENT RAILWAYS PROVIDENT FUND.

Hon. FRANK COCHRANE (Minister of Railways and Canals) moved second reading of Bill No. 25, to amend the Intercolonial and Prince Edward Island Railways Employees Provident Fund Act.

Mr. GRAHAM: What is the purport of this Bill? On one or two occasions, particularly on one, a proposition was made to amend the Provident Fund Act and a deputation waited on the then Government from the men who were interested in this fund. Certain propositions were made and an investigation was had by an actuary, I think, as to what the effect of these changes might be. It was thought at the time that we had not sufficient information to make any radical change in the Act and that it might affect the old employees to a greater extent than some of the gentlemen interested thought. I do not know what the purport of this Bill is.

Mr. COCHRANE: The amendment now proposed to the Act is to comply with the request made last year that those men who were dismissed for political partisanship should get back the money that they had paid into the Provident Fund. The Bill is to enable us to return this money. I did not know last session that we required an amendment for this purpose, but I obtained the opinion of the Department of Justice and they advised us that such an amendment was necessary. With reference to what my hon. friend (Mr. Graham) has just said, I might say that there was no actuary appointed before he went out of office; at least, there is no report upon the subject and I am quite sure that there was no such appointment. The auditor tells me in a memorandum that he gave me that before the proposed changes could be made it would be necessary to have an actuary appointed, and he feels that would be very heavy on the men and very heavy on the railway as well. He figures it at about two and one-half per cent. This Bill is simply to enable the Government to pay back what the men have paid in.

Mr. GRAHAM: If my memory serves me right, there was a man appointed who made a report of some kind; at least, he was engaged to make a report. He was from Montreal.

Mr. COCHRANE: Mr. Bell is my authority for the statement that no such appointment was made.

Mr. GRAHAM: If he will look up the matter more carefully he will find that there was a gentleman appointed. My memory does not serve me as to whether or not a report was made. It would be interesting to know how much money this will involve.

Mr. COCHRANE: Somewhere between $2,000 and $3,000.

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

On section 1—repayment out of fund to discharged employees:

Mr. MACDONALD: Do I understand that the minister has a statement of the number of men who would be affected by these proposals up to date?

Mr. COCHRANE: I have not it here but I will furnish it to-morrow.

Mr. MACDONALD: Will the hon. gentleman undertake to give it to us before the Bill goes through, together with the names?

Mr. COCHRANE: Yes, I will agree to lay it on the table.

Mr. GRAHAM: I see that there is nothing in the Bill with reference to activity in municipal elections. I suppose that was left out designedly and I would suggest not unwisely. I have expressed my opinion once or twice in the House on the question of partisanship, or citizenship, in regard to railway employees both while I was a member of the Government and since. I think that the lines that we are apt to draw sometimes with reference to municipal elections are too strict in relation to men employed on the railway. In a good many towns and cities which are railway centres—not Government railway centres but railway centres of the Canadian Pacific railway, the Grand Trunk railway and the Canadian Northern—railway employees are to be found amongst the most progressive and ablest members of the municipal bodies. You will find in these towns that the very best citizens are those employed in connection with railways. No private railway company has ever endeavoured to prevent any of its employees from acting on school boards, for example, or in the municipal councils. And why should they? The railway employee pays his taxes; he has built a home for himself in the town and no one of the citizens is more interested than he in the proper conduct of municipal affairs. He is a taxpayer and should have the same right as any other taxpayer, and the railway companies concede that. Why should a man be robbed of that right because he happens to work for a government railway, if he gives the government railway

good service. Take a town like St. John, N.B. and other towns where the Government railway operates as well as private railways and the Government railway employee will find his next door neighbour who works for the Canadian Pacific railway permitted to take part in municipal affairs and give the best service he can outside of working hours for the welfare of the community, while he, the Government railwey employee, is debarred. I am glad to see the minister has left out any reference to municipal elections in this clause; from my point of view no employee should be dismissed for taking part in municipal elections. There is a possibility of our going too far in curtailing the rights of citizens merely because they happen to be earning their salary on a government railway, and that we should endeavour to guard against.

Mr. MACDONALD: I called the attention of the minister some time ago to the case of a young man who last year was dismissed from his position as car checker on the Intercolonial railway and in whose place was appointed a young man named Patterson, whose hand was unfortunately maimed, and who, under the rules of the Intercolonial railway, should not for that reason have been employed at all. This young man was not in the employ of the railway long when he displayed activity of a political character, by taking a very great interest in the preparation of the electoral lists. I understood that the minister was going to investigate the case. Has he done so? Does he believe such conduct on the part of an official should be the cause for his dismissal?

Mr. COCHRANE: I made inquiry as to whether the young man was capable and able to do his work as car checker and the report to me was that the fact that he could only use one hand did not prevent him checking up cars, and that he was discharging his duty satisfactorily. I do not remember that the hon. gentleman made any other charge in connection with this case, but if any other charge is made I shall investigate it.

Mr. MACDONALD: Would the minister consider activity on the part of an employee, in the preparation of electoral lists, sufficient reason for that employee's dismissal?

Mr. COCHRANE: Shortly after I took charge of the department, I made it a rule that any complaint of a political nature, made against any official of the Intercolonial, should be investigated as provided for under the rules of the Provident Fund and under agreement with the board. If a complaint is made, I will have it investigated.

Mr. MACDONALD: If, on investigation, an official was found guilty of having displayed activity in the preparation of the electoral lists, would the minister regard that as sufficient interference in politics to cause that officer's removal?

Mr. COCHRANE: I do not want to convict a man until he is found guilty.

Mr. MACDONALD: The minister is now proposing legislation, which has hitherto not been found on our statute-books, providing for what would occur as to the dismissal of officials for political interference. The language of the Bill is: that employees would be dismissed for engaging in partisan work in connection with any provincial or Dominion election. My point is, that the language of the Bill may not cover political activity in such a case as the preparation of voters' lists, and I wish to know from the minister, if, such a charge being proved against an official, he would consider it reason for his dismissal?

Mr. COCHRANE: That would depend on the facts as to what the man had done.

Mr. MACDONALD: Would the minister confine political activity to interference merely during an election campaign?

Mr. COCHRANE: I could not give any decision until the case came up.

Mr. MACDONALD: The minister has exercised his judgment a great many times in regard to dismissals of men in his department, and notwithstanding that the investigator appointed did some pretty queer investigating, and adopted most peculiar methods of conducting hearings, I am bound to say that the Minister of Railways has dealt with his employees a good deal better than have some of the other ministers. I have in mind cases where men have been dismissed without any evidence of their having taken part in provincial or Dominion elections; I have in mind a case in which the only evidence against the man who was recommended to be dismissed by Mr. Duchemin was that in a provincial election in 1904,—not in the election even but in connection with the making up of the electoral lists of that year, he had interested himself in adding certain names to the lists. Unless this Bill is amended, when it becomes law the law clerk of the Department of Justice may advise my hon. friend's officials that these gentlemen, having been dismissed for something which was not directly partisan interference in either a Dominion or a provincial election, are not covered by this statute.

Mr. COCHRANE: It certainly would cover those cases.

Mr. MACDONALD: My hon. friend will remember that last year this question was discussed very fully and, with all due deference to the Department of Justice, it was agreed by everyone that the Act was not sufficiently broad to warrant the minister directing the proper officials to make the repayments.

Mr. COCHRANE: We have to take our law from the Department of Justice.

Mr. MACDONALD: I quite agree with that; but the minister assured my hon. friend from Westmorland (Mr. Emmerson), who was very anxious to have the matter settled, that he would see that these gentlemen got the money.

Mr. COCHRANE: I am going to see to it.

Mr. MACDONALD: I am anxious to see that that is done. The Bill which my hon. friend has introduced and which I presume he wants to crystallize into a statute without amendment, only provides for such cases as men being dismissed for partisan interference in a Dominion or provincial election. According to the strict interpretation of this language, an opinion could be given that, where a man was dismissed, not for partisan interference in a Dominion or a provincial election, but because he had taken part in the compilation of electoral lists some nine or ten years ago, which act was considered sufficient for his dismissal, that would not bring him within the statute. My hon. friend would have to bring in an amendment in order to mete out tardy justice to these gentlemen. The matter is of sufficient importance that I am satisfied that my hon. friend ought to make clear what his attitude is in regard to it. The language of the Bill clearly covers cases where men go out and take part in election contests. It is not intended to cover cases where no election is or where something may be said or done which may create the antagonism of his political opponents who may make a charge to the minister. I have called my hon. friend's attention just now to a case that occurred. I wrote the minister about a month ago pointing out that an employee of the road had taken part in a partisan way in regard to the revision of the lists in Nova Scotia. I understand that the minister tells me that he will have an investigation. I want to know whether he regards that as being partisanship sufficient to warrant a dismissal? If he does so, I want him to put it in this Bill so that the man who was dismissed before on that ground will get his money back. I think that is only a fair request.

Mr. BORDEN: My hon. friend is mistaken in supposing that there has been no legislation of this character on the statute-book, or no statute in connection with which the same expression is used. Section 43 of the Civil Service Act of 1908 contains this provision:

> No officer, clerk or employee in the Civil Service shall be debarred from voting at any Dominion or provincial election if under the law governing the said election he has the right to vote; but no such officer, clerk or employee shall engage in partisan work in connection with any such election.

Apparently the language in this Bill has been taken from that which is to be found in the section which I have alluded to.

Mr. MACDONALD: The right hon. the Premier will see that this Bill goes further and deals with a case of partisan interference in a provincial election which is not dealt with by the Civil Service Act.

Mr. BORDEN: Yes, it is.

Sir WILFRID LAURIER: That would include preparation of the lists, as that is political work.

Mr. BORDEN: I would think so.

Mr. MACDONALD: Does the Premier think this language sufficiently clear to cover work between elections?

Mr. BORDEN: With all deference to my hon. friend, if one section covers it, I think the others would.

Sir WILFRID LAURIER: I do not know about that. My hon. friend from Pictou (Mr. Macdonald) asked what I thought was a very fair question, whether or not a civil servant, or anybody in the employ of the Government who has taken part in an election and has been dismissed, is to be repaid what he has paid into the fund. He asked if an officer who worked on the preparation of the lists would also be entitled, according to the provision in the Bill. If anybody has been dismissed for political partisanship, it does not matter whether it is on the polling day or the day before, or in the preparation of the lists, he has put his head in the basket and I have no fault to find with his dismissal. The Bill is not so clear as it might be on this point. While we are on this subject, I should have been better pleased if my hon. friend the Minister of Railways had brought here the lists of those to whom the Act is intended to apply. This is rather a painful subject, but one which I am afraid must come up from time to time. Every government which comes into office will be subjected to a good deal of pressure for dismissals. There is only one way in which this can be overcome and properly dealt with. There are in every election men who are tempted to forget that they are civil servants and who take part in the election.

I believe on both sides of the House we are agreed that when a man enters the service of the state he should from that moment cease to be a political partisan. He should give his whole time to the state which pays him. If he had been a partisan before, as was his right, from the moment he accepts the public money, he should cease to be a political partisan. His case, however, is entitled to full investigation. I have no fault to find with the department of my hon. friend (Mr. Cochrane), but in other departments men have been dismissed without proper investigation. The rule which we laid down in the last Administration was that the man who was charged with offensive partisanship was entitled to retain his office until he had been convicted after proper investigation. We have endeavoured to live up to that rule. The only exception which we admitted was that, if a charge was made by a member of Parliament sitting in this House, who made the charge of his own knowledge, that was evidence enough, because a member of this House giving his word to the minister that so-and-so to his knowledge was guilty of offensive partisanship ought to have his word accepted as evidence, as if his statement was challenged he could defend himself and give the evidence. Apart from that I believe no man should be discharged from office without proper investigation. The moment he has been dismissed for political partisanship, whether it is in connection with an election or in the preparation of lists or anything of the kind, it seems to me he ought to have the benefit of this Bill.

Mr. BORDEN: Whatever construction should be put upon the Act of 1908 which I have quoted would be put upon this. Exactly the same language is used:

No such officer, clerk or employee shall engage in partisan work in connection with any such election.

The words of this Bill are:

In the case of any employee discharged from the service on or after the first day of April, one thousand nine hundred and seven, for or on account of having been engaged in partisan work in connection with any Dominion or provincial election.

Exactly the same form of expression is used. I should be disposed to agree with the construction my hon. friend has put upon it. I do not think you will find all political work done after the writ for the election is issued, or in the heat of an election campaign. It seems to me it would include all work in connection with the election.

Mr. MACDONALD: If the minister will state that in the operation of this Act he will give such construction to it as will enable the employees dismissed for cause other than acts alleged to have been committed during an election, it may be that the result that I desire to attain will be met without any amendment to the statute.

Mr. COCHRANE: I am glad to say to the House now that if a man has been dismissed for political partisanship this Bill covers his case and is intended to cover it. I have a list of dismissals up to the 11th of October. I do not know whether there have been any other dismissals since. I can lay this list on the table, and if there have been dismissals since, I shall be glad to give the names. I can safely say that on the whole system we have not dismissed as many as were dismissed in Prince Edward Island alone after 1897.

Mr. MACDONALD: Will the hon. minister put that list on 'Hansard'?

Mr. COCHRANE: I shall be very glad to do so.

List of persons who have been dismissed from the service of the Intercolonial and Prince Edward Island railways, from October 1, 1911, to date, for political partisanship, and the amount contributed by each to the Provident Fund.

Name.	Occupation.	Residence.	Amount Contributed.
E. Talbot	Freight tracer	Lévis	$73 81
J. S. Leighton, jr	Claims agent	Moncton, N.S.	80 45
A. Talbot	Sectionman	St. Pierre, Que.	10 36
Joseph Gagnon	Carpenter	L'Islet, Que.	6 46
A. Michaud	Brakeman	Ste. Flavie, Que.	56 78
E. St. Pierre	Sectionman	St. Jean Port Joli, Que.	37 44
Jos. Laferte	"	Amqui, Que.	45 40
Wm. Roy	"	"	34 46
Jos. Poirier	"	"	35 18
Théophile Thibault	"	"	38 41
F. Dionne	"	Ste. Flavie, Que.	26 07
John McDonald	Car checker	Sydney Mines, N.S.	40 91
Calvin McKenzie	B. maker	Stellarton, N.S.	51 60
Wm. Ruland	Sec. foreman	Sussex, N.B.	45 35
Jos. Desrosiers	Ashpitman	Ste. Flavie, Que	35 14
Laurent Fortin	B. maker	Rivière du Loup, Que.	64 57
F. Morin	Coal foreman	" "	22 38
E. Lapointe	Craneman	" "	52 02
Nap. Levesque	Sec. foreman	Isle Verte, Que.	63 68
Edgar Holmes	Sectionman	Truro, N.S.	38 74
W. N. Mills	Clerk	"	15 47
A. T. Gannon	Car inspector	North Sydney, N.S.	54 70
John P. Meagher	Quartermaster	Mulgrave, N.S.	39 97
J. H. Pelletier	Engineman	Rivière du Loup, Que.	94 78
A.McInnis	Car inspector	Mulgrave, N.S.	53 06
Joseph Leclerc	Porter	Ste. Anne, Que.	31 01
J. B. Trepanier	Car inspector	Ste. Flavie, Que.	63 75
Alphonse Madore	Car repairer	"	46 68
A. J. Kinny	Sectionman	Linwood, N.S.	7 43
Charles Landry	"	Pomquet, N.S.	38 20
Hubert Myette	"	Tracadie, N.S.	40 75
Jas. Armstrong	"	Heatherton, N.S.	31 00
Arch. Chisholm	Station agent	"	50 79
William Landry	Sectionman	Pomquet, N.S.	50 89
Neil A. Ross	Trackman	West River, N.S.	38 13
Jos. Venoit	Checker	Pictou, N.S.	47 17
John Connolly	Fuel inspector	New Glasgow, N.S.	52 19
Robt. Leithead	Trackman	Lyon's Brook, N.S.	36 11
J. W. Matheson	Sec. foreman	Meadowville, N.S.	45 97
Wm. Fougère	Trackman	Frankville, N.S.	40 32
Achille Berger	"	St. Moïse, Que.	43 77
Hiram H. Sartories	Sec. foreman	Pugwash, N.S.	43 60
John Melanson	Trackman	Heatherton, N.S.	37 26
Daniel J. McDougall	Sec. foreman	Christmas Island	48 40
Archibald McKenzie	Trackman	" "	40 60
Colin McDonald	"	James River, N.S.	39 41
Ernest Charest	"	Ste. Luce, Que.	40 15
A. Desrosiers	Sec. foreman	"	53 48
Jos. Couture	Trackman	Causapscal, Que.	45 55
Ludger Côté	Sec. foreman	Nicolet, Que.	47 12
David Damour	Trackman	Cedar Hall, Que.	44 55
Gonzague Côté	"	Rimouski, Que.	42 87
Joseph Bérubé	Sec. foreman	Ste, Anne, Que.	48 93
Louis Anctil	Porter	Rivière Ouelle Jct., Que.	35 99
Thomas Légacé	"	St. Paschal, Que.	31 67
Philip Ryan	Fuelman	Mulgrave, N.S.	37 59
Alex. Wilkinson	Janitor	Pirate Harbour	40 58
Heber W. Ryan	Pumpman	Petitcodiac, N.B.	3 86
John Logue	Coal inspector	Joggins Mines	56 06
Alfred Thiboutot	Sectionman	St. Paschal, Que.	14 27
Fidèle Lajoie	Sec. foreman	Ste. Hélène, Que.	38 93
Jos. Lizotte	Trackman	Rivière Ouelle, Que.	37 15
		Total	$2,609 37

Mr. GAUVREAU: I would like to know if there is any regulation at the present time to prevent an employee of the Intercolonial railway from accepting a position as municipal councillor or school commissioner. We have some able men on the Intercolonial railway whose services are sought on public bodies, but when they were asked their answer was that they could not run for such an office without the permission of Parliament. I desire to know if there is any such rule.

Mr. COCHRANE: I do not know of any rule of that kind. I do not go so far as the member for South Renfrew (Mr. Graham) does in this respect. I think the Intercolonial railway employees ought to have a perfect right to take part in municipal affairs because their property is directly affected. If there has been a rule it has been winked at for I know a number of men along the line who occupy positions either as school trustees or as municipal councillors. But the very men who are the most likely to run for municipal office are in important positions in which their services to the public are in demand, and they cannot be in two places at the same time. I have been asked, I think, three times, since I accepted office, with regard to cases of this kind, and I have said 'no' each time. But I have never yet told a man when he had accepted without permission that he must get out.

Mr. EMMERSON: I congratulate the minister on introducing this Bill. I called his attention to the subject last session and also earlier in the present session. I was then under the impression, and still hold the view, that it was within the power of the minister under the Act to return contributions in these cases. However, he was advised to the contrary. I think it is right that the money should be paid back. I do not think, however, that a man should be dismissed for taking part in a provincial election, for the reason that provincial matters are akin to those of municipal administration. It is true that federal politics are sometimes brought into provincial elections, but still I do not think that dismissal for taking part in a provincial election is right. However, that has been done, and having been done, it seems fair that these men should be recouped the amount they had paid into the fund. It must be seen, however, that this may involve danger to the stability of the fund. That fund was based upon a careful actuarial calculation and report. The employees are called upon to contribute a certain percentage, and for every dollar they contribute the Government adds another dollar. Now, the security of the fund is menaced by these constant dismissals. In the list furnished by the minister, there are the names of sixty men.

Mr. COCHRANE: A very small proportion of the men on the system.

Mr. EMMERSON: I give my hon. friend credit, so far as the county of Westmorland is concerned, at least, for having used the knife very carefully. But since the date of this list there may have been many dismissals. If the number of dismissals were large, it might be enough to affect the stability of this provident fund as a security for the protection of the employees. I am glad the minister has introduced this Bill.

Mr. CHISHOLM (Antigonish): I do not think the Minister of Railways is quite entitled to all the encomiums heaped upon him because of his so-called fairness and generosity in his treatment of the employees of the Intercolonial railway. My experience of the minister and the the department has been of an entirely different character. In the county I represent, he has dismissed two out of three of the section men. In each case, there was a so-called investigation. The expense was about $400 or $500 outside of the disbursements of the commissioner, but the investigations were a farce as anybody can ascertain who will take the trouble to read the evidence. But I do not desire to discuss the investigations but to refer to the Bill now before us. Take a case of this kind which I had the honour to call to the attention of the minister last year. There was a section foreman who was degraded to the position of under-man. This necessitated travelling down to the end of the section and back to the middle of it to his work before beginning his day's work at seven o'clock. He had unfortunately met with an accident the year before, resulting in the breaking of his leg. This made him subject to rheumatism, so that he was hardly in a position to do this extra walking forced on him. He saw that his degration was but a means to an end and that end was to get him out of the service.

Mr. COCHRANE: Was he degraded for political partisanship?

Mr. CHISHOLM: That is the only reason we know of.

Mr. COCHRANE: No man was degraded for political partisanship. If an employee was found guilty, he was dismissed.

Mr. CHISHOLM: There was no investigation in this case. The man had been fourteen years in the employ of the railway, and had been section foreman for eight or nine years, his work being satisfactory until the change of government. After September 21—some time in October, I think—he received notice that he was no longer to act as foreman. He was placed in a sub-

ordinate position—the man under him was appointed foreman in his stead—the duties of which necessitated his walking to the end of the section every morning and walking back again to wherever they happened to be at work that day, before seven o'clock. The man had rheumatism and was unable to do this, and he accordingly tendered his resignation in the hope that he might be enabled to participate in the fund. When he made application, however, he was met with the objection that he had voluntarily resigned. He at once placed the department in possession of the facts, showing that whilst the form of his resignation was voluntary, he was, as a matter of fact, obliged to resign. The declaration of this man, setting forth the circumstances under which he tendered his resignation and presenting a certificate from the medical officer stating that the man was unable to walk to the end of the section each morning and do the work required of him after his degradation, was sent to the department, and I think the minister was disposed to treat his case with favour. although he said that under the Act no allowance could be made.

Mr. COCHRANE: That would be a matter entirely for the Provident Fund Board; the same board now exists as existed under the old regime.

Mr. CHISHOLM: I think the evidence that was sent to the department satisfied them that the resignation in this case was not voluntary. I make these remarks for the purpose of asking the minister to consider whether or not this man may be permitted to share in the fund. I would call his attention to the fact that under section 12 of the Provident Fund Act, it is provided that the following classes of persons shall be entitled to participate in the fund:

Class B. Those who, after being fifteen years in the service, become physically or mentally incapacitated from following their usual occupation in the service;

Class C. Those who have attained the age of sixty years after being fifteen years in the service, and request to be retired from the service;

Class D. Those who are permanently disabled from following their usual occupation in the service as a result of injuries received while on duty and actually at work in the service.

I think representations were made by employees from Prince Edward Island suggesting an amendment to clause D. I am familiar with the case of a man who is suffering from locomotor ataxia in its incipient stages. He is an elderly man, has been fifteen years in the service, and his work has been satisfactory. The officials are satisfied, however, that he is not doing his work as well as a younger and more vigorous man would do it, but the circumstances are such that they kept him on. If this man had sustained an injury while actually in the service, he would be entitled to participate in the Provident Fund, but if the trouble came on gradually, through exposure or through the various circumstances connected with his work, and he thus became incapacitated, he would not be entitled to participate in the fund. I think the representations made by the Intercolonial railway employees in Prince Edward Island was to the effect that those who became physically incapacitated while in the service should be entitled to participate, notwithstanding the fact that their incapacity was not due to accident or injury sustained in the course of their employment. Under the Act, if a person becomes physically incapacitated, the result of an accident, he is entitled to participate in the fund, but if there is no accident, and his disability results from over-exposure or from the ordinary pursuit of his occupation, he cannot participate. It is in such a case that I think participation in the fund ought to be allowed, and I would ask the Minister if he can see his way clear to give effect to the representations in this regard made by the employees from Prince Edward Island?

Mr. McKENZIE: Have any changes been made in the composition of the board since it was organized in 1907?

Mr. COCHRANE: There has been no change, to my knowledge, since the present Government came into power.

Mr. McKENZIE: Under section 13 of the Act of 1907, the general manager is chairman ex-officio of this board, and that there has been a change in the personnel of the management since the passing of the Act of 1907.

Mr. COCHRANE: I think Mr. Pottinger is still chairman of the board.

Mr. McKENZIE: The word 'may' is used in this amendment. I would call the attention of the minister and his legal advisers to the interpretation which they propose to put on the word 'may' in this section. In acts dealing with Government business, the word 'may' is usually used instead of the word 'shall,' which is employed in acts dealing with company laws. It is important to those who shall come to apply to this board for their rights under this amendment to know what interpretation the minister proposes to put on the word 'may' in this section. Does it mean that the board shall pay the candidate this money if he be dismissed for any political reason? If 'may' is used in the ordinary meaning of the word, discretionary power is given to the board; they may

say: This man was dismissed for political partisanship, and we will not pay him; against that condition the man has no remedy. He could not go into the courts and enforce his rights, he would have no power to sue the board. Therefore, I would like to have an interpretation by some legal authority representing the Government as to whether the word 'may' in this case means 'shall.' We would then know what was intended.

Mr. LANCASTER: In all matters where the King's revenue is directed to be paid the word 'may' is used. We do not say in any statute regarding the King's revenue that the King 'shall' do anything. In the case of a private individual or of a company, treated as a subject, the word 'shall' would be used.

Mr. McKENZIE: I am pleased to be confirmed in the view I took by my hon. friend from Lincoln. He says just what I have been saying. Has the minister any procedure in his mind by which the money shall be paid out? How are the applicants to satisfy the board that they are entitled to the money?

Mr. COCHRANE: I think it would be beneath the dignity of any minister to bring in a Bill in which the word 'may' is used and then quibble because the word is not 'shall.' I feel that I would not be worthy to occupy the position I hold if I did any such thing. In answer to the other question, here is a list in our office and I suppose also in Moncton, and when this Bill becomes law it will be the duty of the management to see that a cheque is sent to each individual who has been dismissed for political reasons.

Sir WILFRID LAURIER: I suppose we may take it for granted, as the minister says, that there will be no discrimination, but that every man who has been dismissed for political reasons shall be entitled to a refund. With regard to the amount of money to be refunded the clause reads:

> The board may pay out of the fund the whole or any portion of such employee's contribution to the fund, but without interest.

What is the reason for that wording: 'the whole or any portion' of it?

Mr. COCHRANE: I would not object to that going out; in fact, I would move that 'or any portion' be struck out.

Mr. CHISHOLM (Antigonish): Is the list produced by the minister of those who would be entitled to a refund a final and complete list? If others were found entitled to participate, would they be included?

Mr. COCHRANE: I did not give that as a complete list. I said it had been made out up to that time. If anyone has been dismissed whose name is not included in that list, he certainly will participate.

Mr. CHISHOLM: The case I had in mind was that of this man, John Girouard, section 166, Tracadie. I took the matter up with the officials of the department and also the officials at Moncton last year and they seemed to think that while, on the face of it, this appeared to be voluntary resignation on the part of Girouard, it was in fact, a compulsory retirement or could be construed as that. Under the Act a person who voluntarily resigns is not entitled to participate but one who has been dismissed for political reasons will be when the proposed amendment passes. He was not actually dismissed but he was able to see that he was going to be.

Mr. COCHRANE: I think you are wrong.

Mr. CHISHOLM: And others did go; two out of every three on the sections in the county of Antigonish went. I do not know how it was in other counties and on other portions of the Intercolonial railway, perhaps in these cases there was more magnanimity and bigger men on the patronage committees than are found in control of patronage in Antigonish. As a matter of fact there was a good deal of a scramble about the patronage there; the defeated candidate, a respectable and honourable man, was not allowed to have the patronage and the party in the various districts got together and formed committees who made representations and prepared the victims for decapitation. Even the postmasters in that county went by the score, a thing never before known there. If the minister were satisfied that the man to whom I have referred, although not discharged, resigned under such circumstances as I have indicated would the minister not think he should be permitted to share in the fund?

Mr. COCHRANE: In this case I do not think there is anything in the story that the man was degraded for political reasons. Any complaint about an official which was not in reference to political matters was sent to the management, and they dealt with it. For political complaints I had a special man investigate, and I do not think that the board would degrade a man for political reasons without consulting the department. At every investigation a representative of the sectionmen was present. In fact, in some cases the investigations were repeated in order to have such a representative present to see that the men got fair play. If this case was not political, then it would be a case with which the provident board should deal, not the minister. The provident board have means of getting at the facts, and whatever recommendations they would make would be carried out.

Mr. MACDONALD: The men who have been dismissed have been dismissed as the result of an investigation. Will the minister be good enough to see, if there are any other cases to be dealt with, that

the investigator is instructed to permit a man being investigated to be represented by somebody acting in his behalf? Take, for instance the case of a sectionman; the sectionmen work probably at the lowest wage paid to any men on the road and as a rule they are not the kind of men who are accustomed to defend themselves before tribunals. It is a year and a half since the last general election and I am sure that the minister feels that by this time the taste for blood has been assuaged, but if he is going to have any more investigations, I hope he will see that the men who are investigated are given a fair chance.

Mr. COCHRANE: The agreement with the organizations says that the men shall be represented by anyone they appoint. Mr. Low has been at most of the investigations, or somebody whom they authorized to be there. I think that Mr. Low has given proof that so far the investigations have been fair. He has admitted the guilt of the men.

Mr. MACDONALD: I am speaking more particularly of the men who are not in any organization, because those who are in an organization will have somebody to represent them. But, take a sectionman who lives on a piece of the road that is isolated. The organization of the sectionmen does not extend all over the Intercolonial railway. I know in eastern Nova Scotia a great many men who do not belong to it. All I would ask is that, where a man is handicapped by not belonging to an organization, if any charge is made against him, the investigator shall allow him to have somebody to present his case. By reason of these men not belonging to the order there is all the more necessity, from the standpoint of justice and fair-play, why they should have somebody to represent them. The men who belong to the order are accustomed to look after their own rights, while the men who did not belong let things go or take things for granted. I understand the minister to assure me that he will see that this is done?

Mr. COCHRANE: Yes.

Mr. MACDONALD: With regard to the other matter to which I have called attention, I propose to write to my hon. friend and lay the facts before him. I hope he will deal with it.

Mr. SINCLAIR: The minister has just said that he thinks these investigations were fair. I have had men write me complaining very bitterly that they were not fair and some of them appear to be men whose names I see on this list; for example, Mr. Phillip Ryan, who figures on this list for $37.59, and Mr. Alexander McInnis, of Mulgrave, who is down for $53.06. Both of these men complained very bitterly of the character of the investigations under which they were dismissed.

Mr. COCHRANE: What positions did they hold?

Mr. SINCLAIR: Mr. McInnis was car inspector and Mr. Ryan was fuel man. They were both employed at Mulgrave. People who have attended these investigations do not regard them as having been fairly conducted. They are looked upon, to a certain extent, as a farce. I suppose the minister is quite aware that the investigator in eastern Nova Scotia, time and again, refused to allow the person complained against to be represented by counsel. I do not think that any counsel was present in these two cases I am referring to now, but there were other cases in which counsel appeared and was refused the right to ask questions. The commissioner admits that himself in his report. I can produce reports of Commissioner Duchemin in which he says that he did refuse to permit counsel to take part in these investigations. The minister is, of course, aware that under the Investigation Act the person accused is entitled to be represented by counsel.

Mr. COCHRANE: Under the agreement with the employees they are represented by one organization.

Mr. SINCLAIR: Does the minister say that the Investigation Act does not apply to the Intercolonial railway?

Mr. COCHRANE: I am speaking of the agreement with the men themselves.

Mr. SINCLAIR: I am referring to the Investigation Act under which I understand the investigations have been conducted and, if I am correct, an amendment was made to this Act at the last session of Parliament, under which any person accused, and being investigated under the Act, has the right to be represented by counsel. Am I correct in that?

Mr. COCHRANE: I do not know.

Mr. SINCLAIR: I think you will find, if you look at the Investigation Act, under which these investigations are being carried on, that that point is very clear and if a commissioner refuses to allow counsel to act he is violating the law. Yet this gentleman has done it on various occasions in Nova Scotia. The chapter to which I refer is chapter 28 of the Act of 1912:

The commissioners may allow any person whose conduct is being investigated under this Act, and shall allow any person against whom any charge is made in the course of

such investigation, to be represented by counsel.

This is as clear as it can be; he shall allow counsel to represent the accused. He does not do it but he admits that he has refused to do it over and over again.

Mr. BORDEN: Since the Act was passed?

Mr. SINCLAIR: Yes, certainly. I trust the minister will put his commissioner right and draw his attention to the fact that there is a statute with regard to that matter. In the case of Alex. McInnis, he is one of the men that complained and, in writing him, I told him it was necessary for him to give me some proof that he had not received fair play.

Mr. COCHRANE: Is he the one who drove around canvassing with you?

Mr. SINCLAIR: No. He never drove around with me. That statement, if made, is not true.

Mr. COCHRANE: Was not that sufficient evidence?

Mr. SINCLAIR: He sends me a declaration in which he states that he was very summarily used in connection with this investigation. I wish to read this to the minister:

Declaration

Dominion of Canada, County of Guysborough.

In the matter of the conduct of H. P. Duchemin at an investigation in the case of Alexander McInnis, held at Mulgrave, February, 1912.

I, Alexander McInnis of Mulgrave, in the county of Guysborough, N.S., do solemnly declare that, at the said investigation, Mr. H. P. Duchemin prevented me from asking questions of Toussaint Beshang who was giving evidence against me, which was false in every particular, and that H. P. Duchemin told me the case was finished and that I could depart. After I had left the room, Allan McAskill a witness against me, told me he was taken back into the room and examined in my absence. He had previously been examined and signed the evidence before I went out.

And I make this solemn declaration conscientiously believing the same to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Alexander McInnis.

Declared before me at Mulgrave in the county of Guysborough, province of Nova Scotia, this 14th day of December, A.D., 1912.

W. S. Wylde,

A Justice of the Peace in and for the county of Guysborough.

The statement is, that a witness named Beshang was being examined and was making statements which McInnis says were false and McInnis asked on his own behalf to be allowed to cross-examine this man and he was refused the right by Mr. Duchemin. A witness named McAskill gave evidence against McInnis and after his evidence was completed and signed and Mr. McInnis had left the room, McAskill was called back and further examined, which everybody will admit was not a proper and fair way of conducting a trial. This is the declaration of McAskill with respect to that:

Declaration:

Dominion of Canada, County of Guysborough.

In the matter of the conduct of H. P. Duchemin, at an investigation in the case of Alexander McInnis, held at Mulgrave, February, 1912.

I, Allan McAskill, of Aulds Cove, in the county of Antigonish, Nova Scotia, do solemnly declare, that I gave a true statement before Mr. H. P. Duchemin, first time called, when Mr. Alex. McInnis was present, after which I was told to go out until I call you again; after a while he called me a second time and that the answers I gave did not suit it appeared and he told me to go out again, after which I was called a third time and he questioned me a few times and threw his pen down and said that will do, go out.

And I make this solemn declaration conscientiously believing the same to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

his
Allan x McAskill.
Mark

Declared before me at Mulgrave, in the county of Guysborough, province of Nova Scotia, this 14th day of December, A.D., 1912.

Wm. S. Wylde,

A Justice of the Peace in and for the county of———

Mr. COCHRANE: Was it McInnis who was accused of driving you around canvassing?

Mr. SINCLAIR: I do not think so. There was some evidence of that kind against a Mr. Meagher; it was not said that he drove me but that he was in the same carriage with me and it is quite true that he did ride with me in the same carriage for some distance on one of those roads shortly before the election.

Mr. COCHRANE: Was it not his own carriage?

Mr. SINCLAIR: No. As a matter of fact the carriage belonged to Mr. Torey, the local member for the constituency, and he was driving around the Strait of Canso and he had room for two or three and he took this man along and he happened to be met by these people on the road. That was the evidence in regard to Mr. Meagher, but I am referring now to the case of Mr. Alexander McInnis. It appears that Mr. Duchemin refused Mr. McInnis the right to cross-examine the witnessess called against him, and that after Mr. McInnis had left the room Mr.

Duchemin called in witnesses and further examined them in Mr. McInnis' absence. Mr Philip H. Ryan also complains that he was not fairly treated. The principal witness against him was Whitman Byers, who stated that Ryan had canvassed him at the last local election and Mr. Ryan very positively denied that he had ever canvassed this man Byers. The oaths of these two men were directly against each other, and Mr. Duchemin received the statement made by Mr. Byers in preference to the statement made by Mr. Ryan. In the report of Mr. Duchemin to the minister he says:

I reported that I accepted Byers statement in preference to that of Mr. Ryan; that from the conduct of the two witnesses, their demeanor when cross-examined, and their manner of answering questions, I was convinced that reliance was to be placed in Mr. Byers' story, rather than Mr. Ryan's. I have now additional reasons for concluding that Mr. Byers was telling the truth; shortly after this inquiry, Ryan caused an information for perjury to be laid against Byers, and the matter went before the grand jury, at Guysborough, on Tuesday last, October 1. I was present as a witness. The grand jury refused to uphold the indictment against Mr. Byers and found 'no Bill' against him, thus manifestly accepting his statement, in preference to that of Mr. Ryan.

That is true to a certain extent, but Mr. Duchemin does not tell the whole truth. It is true that the grand jury did not find a bill against Mr. Byers, but the evidence against him was so clear that the judge took exception to the conduct of the grand jury. I am told this was looked upon as a political case and while I have no reflections to make on the grand jury I mention that the judge who tried the case, Justice Meagher, took exception to the conduct of the jury in not finding a bill against Mr. Byers and directed the Crown Attorney not to release Byers but to bring the matter up again at the next session of the Supreme Court. The Supreme Court will meet in two or three weeks and Mr. Byers will be tried again for the offence. He was not discharged owing to the judge not being satisfied with the conduct of the grand jury. Mr. Duchemin, who reported the fact that the grand jury threw out the bill, does not tell us anything of the subsequent facts at all and from his report one would assume that nothing else had happened after no bill had been found by the grand jury. Mr. Ryan has sent me the following certificate from the clerk of the court at Guysborough, stating what did happen in connection with that trial:

I, Thomas Davis, clerk of the Crown, in and for the county of Guysborough, hereby certify, that at the October sitting of the Supreme Court, 1912, an indictment was preferred against Whitman Byers for perjury. The jury found no bill. A motion was made for the discharge of the said Whitman Byers but the presiding judge refused the motion.

Dated Guysborough, N.S., April 3, 1913.

Thomas Davis,
Clerk of the Crown.

This shows pretty clearly to my mind that Mr. Duchemin is not disposed to give the minister a fair statement of what does take place, because if he were he would have informed the minister that the verdict of the grand jury was not accepted by the judge, and that Mr. Whitman Byers is still held before the court for trial. The minister will see that the allegations which these people make concerning Mr. Duchemin are not at all creditable to him as a commissioner, if it is true he is refusing the right to cross-examine witnesses and that he is examining witnesses in the absence of the accused. Certainly, with regard to the case of Byers, he did not tell the minister the whole truth, and I should think that Mr. Duchemin's conduct ought to be investigated. I think it would be necessary, if we are going to do justice in these cases, to look after Mr. Duchemin.

Mr. GRAHAM: Might I ask the minister if the board itself is in favour of this Bill?

Mr. COCHRANE: Yes.

Mr. GRAHAM: Have any representations been made by the men themselves?

Mr. COCHRANE: There were some individual cases.

Mr. GRAHAM: Did the men object to the Bill?

Mr. COCHRANE: No, I have not had any objections.

Mr. GRAHAM: The difficulty, as was pointed out by my hon. friend from Westmorland (Mr. Emmerson), is that this may encroach upon the stability of the fund. The number of beneficiaries at the present time may be small. If I understand the Bill rightly, it will apply to any who may be dismissed in the future as well. There might come a deluge of dismissals under this Bill, and every man who was dismissed for partisan purposes—perhaps that is the proper term, though dismissed for partisan reasons would read better—would be entitled to a refund, and the stability of this provident fund would be shattered. Reading the history of the provident fund, I believe it is a difficult matter to arrive at a proper basis. The former Administration, of which the hon. member for Westmorland was a member, provided that an employee on the Intercolonial would be in as good a position as an employee on a company-owned railway, aand if possible a little better. It provided a scheme by

which the men were to pay a certain amount and the Government was to supplement that amount. A board was to be formed upon which the men would be represented and the Government also. Both contributors to the fund were thus represented. When any case comes up, it is not so much a matter of the minister as this board that has to be dealt with. Sometimes cases arise which could be worked out by the minister were it not for the statute under which this board is formed. The men are protected from encroachment on their fund by the statute as well as by the board and also by the minister at times. It was pressed upon me very strongly in representation from the men when I was head of the department that any act of this kind opens the door to a change of the basis upon which the men think they have security in this fund. This door has been opened slightly—about $3,000, my hon. friend says. That might be increased to $6,000 or $7,000. In this Bill there is no provision at all where it shall stop. If for some reason or even without reason a large number of dismissals were made, under this Bill the men dismissed could claim the right to have the money which they had paid in refunded. That would have a double effect—in the first place, of taking out of the fund, the money which they had paid in, and, secondly, of depriving the fund of so many contributors. Every man who retires or who is dismissed makes one contributor less to the fund unless he is replaced. I want to warn the minister again that a danger lurks in any measure of this kind, that it may open a door for an encroachment upon this fund which may be detrimental to the contributors, and which may impair the security which they now have. The only way to overcome that should it arise, would be to increase the money paid in by the Government.

There is another question to which I want to call the attention of the minister. We are perhaps more particular, and especially under the provident fund, as to appointments to positions on government railways than company-owned railways are. In company railways, they have some way of looking after, to a certain degree at least, the men who are injured in their employ. On the Grand Trunk, you will find men who have lost their hands in an accident attending the gates and those who have been injured in some small way engaged in some other employment on the railway. If we were to adhere strictly to the law of the Provident Fund Act on the Intercolonial, perhaps we would not be able to look after these men as well as we might. My own view is that the Government ought to look after, as far as possible, men who are injured in its employ by providing them with some other employment that they can perform. This has been done in some instances, but I am afraid in government ownership hearts are not as tender as they are in railways managed by companies. That was impressed upon me when I was looking over the government lines in Germany. The railways of Germany are not owned by the federal authorities, as some people believe, but are owned by the various states, just as if our railways were owned by the various provinces. There is a provision there that the retired soldier, for instance, after long years of service, or perhaps after having been injured, is given employment on the government railways. As I understand it from the management of these railways, so many places are retained every year for old soldiers or for those who are disabled. Of course, we have no reason for going as far as that in this country. I think we ought to protect men who are injured on government railways by giving them some employment in which they can be independent to a certain extent and not feel that they are really receiving charity, because most of these men would rather have some employment at slight remuneration than go on the provident fund.

Mr. CHISHOLM (Antigonish): Mr. Chairman, there is a case to which I should like to refer, namely, the dismissal of one John McDonnell, who was a sectionman at Afton, Antigonish county. He had been in the employment of the Intercolonial railway for about thirteen years or so; at all events he had only a short time to remain in that employment until he would be entiled to participate in this fund, under its retirement provisions. It seems that somebody wanted his job, and that he had to be got out of the way. A charge of partisanship was preferred against him on March 21. The gentleman who had charge of the patronage writes as follows:

> I am writing to recommend the dismissal of John McDonnell and Herbert Myette, sectionmen at Afton and Tracadie, in the county of Antigonish. The specific charges against these men are, that they actively canvassed for the Liberal candidates, were members of and attended Liberal committee meetings in the polling district of Tracadie.

When this charge was preferred first, it was a charge of partisanship only; no misconduct was alleged on the part of Mr. McDonnell. It would appear, however, that after inquiry was had as to the evidence that could be elicited, the parties who sought the job discovered that it might not be so easy to supply the evidence, so they looked around for something else, and what do you suppose they found? They found that on the 28th of January preceding this man McDonnell had been guilty of taking a drink. The

circumstances were these: He walked the whole section on Sunday, starting out at twelve o'clock and finishing some time in the afternoon. On his way home and after he was through with his work he met a friend and had some drinks with him. It will be observed that he did not have a drink while on duty. I find on the file the letter of Mr. Burpee, dated April 16, addressed to Mr. Brady, general superintendent:

Dear Sir,—I am herewith enclosing to you a file of papers in connection with John McDonnell, trackman on section No. 166, Afton, being under the influence of liquor after walking the track on Sunday the 28th of January last.

Will you please let me know what had better be done in this case. McDonnell was suspended as soon as the trackmaster found out about the case and he is off still. It would seem as if he had never been in the habit of using liquor while on duty. Possibly it might be better to give him another chance.

That was the effect of the evidence—that Mr. McDonnell had never been known to have used liquor while on duty. Corroborative testimony is that of John Melanson, who made a solemn declaration in which is stated:

I have worked with John McDonnell for the last six or seven years as trackman. I never saw him under the influence of liquor on duty.

The evidence of the foreman, Mr. Alexander McLeod, is as follows:

Q. Did you ever know of John McDonnell being under the influence of liquor before?

A. I never knew of him taking liquor on the work.

Q. Did you consider John McDonnell sober when you took him to his home from Tom Gorman's on the night of the 28th January 1912?

A. He had some liquor in him, I do not know how much.

Here is the evidence of the foreman, Mr. McLeod, and of Mr. McDonnell's associate, who knew him for several years, and they state that they never saw him under the influence of liquor while on duty, never knew him even to drink while on duty. But after hours, after he had got through his work, after he walked the track and found everything right, he happened to take a drink. Surely, that was not a sufficiently serious offence to justify his dismissal.

Mr. COCHRANE: I do all the drinking for the road.

Mr. CHISHOLM: I do not know that the management or even the minister has the right to control the actions of an employee after hours. Of course, the minister is allowed to require of a man that he shall be sober and capable of attending to his duties. If a man drinks even the night before he goes on duty, he may not be in a good condition to go to work. In that case it would be quite right to discipline him, and, if he persists in breaking the rules, to dismiss him. But this man on Sunday evening had taken a few drinks. There was no evidence that he was not capable of attending to his work the next morning just as before. It is evident that the management did not consider this a very serious offence, because it took place on the 28th of January, and, if there had been anything wrong in it, surely they would have found it out before the 21st of March when the charge of partisanship was preferred. If Mr. McDonnell had conducted himself in a way that was improper as section man it would have been found out by the man in charge of the patronage, and he would not have made a charge of partisanship, but would have asked that he be removed for cause. But even on the 21st of March, when they sought to decapitate him, there was no suggestion that he was not competent or that he had not conducted himself properly.

Mr. DAVIDSON: Is Mr. John McDonnell the official who the hon. gentleman stated was investigated before Mr. Duchemin for offensive partisanship?

Mr. CHISHOLM: I did not state any such thing.

Mr. DAVIDSON: I think that the hon. gentleman stated in the speech he made in the House before Christmas that among the instances of persons investigated by Mr. Duchemin was Mr. John McDonnell, and he was not allowed——

Mr. CHISHOLM: The hon. gentleman had better read what I did say. He is not stating it correctly.

Mr. DAVIDSON: Did not the hon. gentleman make the statement?

Mr. CHISHOLM: I have mentioned Mr. McDonnell's name as one whom Mr. Duchemin had investigated; and Mr. Duchemin got paid for it. Mr. Duchemin went down to investigate, but Mr. McDonnell was not in attendance. Mr. Duchemin reported that the man was dismissed some days before. But Mr. Duchemin was paid just as if a long investigation had been carried on. I gave a list of those who came under the attention of Mr. Duchemin and no doubt Mr. McDonnell's name was among them. But that is not what I am getting at. This man McDonnell had no charge against him so far as his work was concerned, and all the evidence goes to show that while he was in the employ of the road he discharged his duties faithfully. Let me direct your attention further to the fact that on the 27th April, the

clergyman of the place addressed Mr. Pottinger the following letter:

I wrote you on Wednesday last in behalf of Mr. McDonnell. He is now going to lay his case before you. I repeat here what I wrote you and that is that I consider the investigation and report which caused the dismissal of Mr. McDonnell to have been exaggerated if not biased and prejudiced. However, Mr. McDonnell can state his case and will abide by your dicision.

Everybody down there knew as a matter of fact that this charge of drinking after hours, a charge based on the occurrences of two months before the charge of partisanship had been preferred against Mr. McDonnell by the man who is in charge of the patronage, was a charge trumped up for the occasion. It is true that Mr. McDonnell did take a drink after hours. But is that any reason why he should be debarred from participating in this fund? He had contributed to the fund——

An hon. MEMBER: Too bad.

Mr. CHISHOLM: An hon. friend says 'too bad.' Mr. McDonnell is a comparatively poor man, and he needs the money that he should get out of this fund. He does not have as much money to blow in as my hon. friend opposite. This money is fairly his, and he ought to receive it. It would be a case of rank injustice to Mr. McDonnell if he should be deprived of this money on the ground that he had taken a few drinks on a certain Sunday evening when he was not on duty. If such a rule as that was enforced generally, I am afraid the minister would find his road tied up; he would not have crews to run his trains or gangs to look after sections. I understand that there must be strict rules with regard to drinking. Where life and property is in the hands of men as in the case of railway employees, the rule making sobriety obligatory is most important. But the management should not have one rule for a man because he happens to be a Grit and exercises his God-given right to vote as he thinks proper, and a different rule for a man who happens to be a Tory. Toryism is the principal qualification of many of those who have been employed in the place of those dismissed, and to-day they are active partisans, and no doubt many of them who have been appointed will take a glass of liquor on occasion,—I do not say they will abuse it in any way; I am not insinuating anything of the kind. I only say that the men who have replaced those who were dismissed are no better in this respect than the others. It is not fair that Mr. McDonnell should be made to suffer for this trivial offence of having taken a drink when off duty. I think the minister should take his case into consideration and be governed by the suggestion of Mr. Burpee that the man be given another trial if it is evident that he had not been in the habit of drinking to excess while on duty.

Mr. McKENZIE: I am sorry that I am obliged to call the attention of the minister once more to the question of dismissals, which is germane to the matter now before the Chair.

The CHAIRMAN: I think I have allowed this discussion to go a little too far. The Bill under consideration provides for the payment of certain funds to men who have been dismissed, but it has nothing to do with the manner of their dismissal.

Mr. McKENZIE: I wish to direct the attention of the minister to the fact that his court of inquiry is to-day a very important one. The Inquiries Act was not satisfactory to the present Government. They thought, to their credit, that the man who was charged with a fault of any kind did not have sufficient opportunity of dealing properly with his case. The minister knows that a charge of this character, depriving a man of his employment and striking his name off the payroll of the Intercolonial, involves a quasi criminal offence; if sustained it deprives the accused of certain civil rights, and he is entitled to be in a position to answer the charge as fully and as adequately as possible. The first session my hon. friends opposite were in power they found it necessary and proper to amend the Inquires Act to such an extent as to give the accused a fairer trial and a better opportunity to defend himself than he had before. On March 12, 1912, they passed this Act, of which I shall read only two or three sections:

The commissioners may allow any person whose conduct is being investigated under this Act, and shall allow any person against whom any charge is made in the course of such investigation, to be represented by counsel.

He has the unquestionable right of being represented by counsel. The last section reads:

No report shall be made against any person until reasonable notice shall have been given to him of the charge of misconduct alleged against him, and he shall have been allowed full opportunity to be heard in person or by counsel.

In view of that provision of the law, I submit that no report should be acted upon by the minister until it is shown by the investigation that the charges were put in the hands of the party whose conduct is to be investigated, and that a proper inquiry took place. It is not necessary for me to point out to the minister that such was not the manner of conducting investigations in our part of the country. I had thought that the fever for dismissals had passed off, and that in the quiet and peace-

loving county of Cape Breton good-will prevailed, but I find that a man by the name of Archibald Macdonald, an excellent railway man, has been dismissed—I do not know why. Another section forman, located a short distance below the Grand Narrows, and an exemplary young man, who has been on the road for fifteen or sixteen years, has been dismissed. I do not know why he was discharged, but he writes me to that effect, and I take it for granted that he was dismissed for political partisanship. I wish to call the attention of the minister to a case that has been before him—that of a namesake, but not a relation of mine, Archibald McKenzie. Some kind of an investigation was held, but Mr. McKenzie was not satisfied with it. My hon. friend the Minister of Railways is quite familiar with the fact that there are two languages in this country. He is quite familiar with the railway men who speak French and with those who speak English, and he would not consider that a charge against a French-speaking employee was properly investigated by a tribunal presided over by a gentleman who did not understand the language of the party accused, and of whose language the accused had no knowledge. This man McKenzie is a Gaelic-speaking gentleman, a Hielander of the Hielands, and comes from that excellent Scotch district of the Grand Narrows where the people still pray and sing and speak in this language. His case, as I say, was investigated by a man who did not know his language, nor could Mr. McKenzie understand his. In secluded sections of the country, they are not accustomed to tribunals of that kind. A man direct from the plough and the scythe who has never been in a court of law, if told there that he is charged with some offence and must defend himself, will be quite helpless. When Mr. McKenzie understood that his case was really tried and that he had not an opportunity of saying a word, which was practically the case, because he did not understand the situation —he was a Gaelic-speaking man who had never been in a court in his life—then, after he had an opportunity of discussing his case with officers of the road higher than himself, he made application for another trial, through the man at the head of the brotherhood; but no such trial was granted. We are only looking for a square deal, and I would urge on the minister to have this case again investigated. Affidavits are on file from McKenzie stating that the charges made against him are absolutely without foundation, and that he wants to be given an opportunity of answering them in a proper way.

Mr. DAVIDSON: All through this session hon. gentlemen opposite representing Nova Scotia constituencies have found a great deal of fault with Commissioner Duchemin because at his investigations he has not allowed parties to be represented by counsel. Hon. gentlemen opposite have stated that the Act passed last session provides that the commissioners must allow the parties concerned to be represented by counsel. I do not so interpret the wording of the Act, which is as follows:

> The commissioners may allow any person whose conduct is being investigated under this Act, and shall allow any person against whom a charge is made in the course of such investigation, to be represented by counsel.

There are two cases clearly distinguished: the case of an officer whose conduct is being investigated under this Act, and the case of a person charged in the course of such investigation, an absolutely different case. In the first case counsel is permissive, in the second case it is obligatory. Too much importance should not be attached to the statements of hon. gentlemen opposite on these cases. In saying this I do not want to be understood as intimating that they would wilfully mislead this House, but I think I can show that they have very grievously misinformed the House in connection with this matter in the past. Early in the session the hon. member for Antigonish (Mr. Chisholm), in a burst of frenzied eloquence, denounced Commissioner Duchemin for unfairness in not allowing certain persons whose conduct had ben complained about to be represented by counsel, and he stated emphatically that in the case of one man, John McDonnell, Mr. Duchemin had refused to allow him to be represented by counsel.

Mr. CHISHOLM: Will the hon. gentleman please give the page on 'Hansard' where I said that? If that is there, I have been misreported.

Mr. DAVIDSON: The hon. gentleman has already admitted it.

Mr. CHISHOLM: John McDonnell was not investigated at all, so how could he be represented by counsel?

Mr. DAVIDSON: Yes, the hon. gentleman said to-day, only a few moments ago, that he might have said that McDonnell was refused counsel.

Mr. CHISHOLM: I rise to a point of order. The hon. gentleman is putting words in my mouth that I did not use. He is misrepresenting what I said; I did not intimate anything of the kind, and I ask him to quote the words and support his statement.

Mr. DAVIDSON: Will the hon. gentleman state that he did not say in this House that John McDonnell, whose conduct was being investigated before Mr. Duchemin, was denied counsel?

Mr. CHISHOLM: Quote my words to that effect.

Mr DAVIDSON: Any day this session.

Mr. CHISHOLM: I make the statement that I did not say that of John McDonnell, because John McDonnell was not investigated and did not ask that privilege. Other McDonnells down there were refused counsel. Quote the words if you can.

Mr. DAVIDSON: I am bound to accept the hon. gentleman's words, as I have not the 'Hansard' under my hand, but I hope before the end of the session to be able to refresh his memory in that regard, and to make a few observations on the subject. The hon. gentleman from Antigonish, referring to the conduct of the hon. member for Guysborough (Mr. Sinclair) complaining of these investigations, said that the hon. member for Guysborough was playing the game of politics. He admitted that in this House.

Mr. CHISHOLM: I did not admit that. I rise to a point of order. Perhaps I may have said in a joke to Commissioner Duchemin: Oh, he was playing the part of politics.

Mr. DAVIDSON: I would like the hon. member for Guysborough to express an opinion of the kind of politics that my hon. friend played when he made speeches of this kind. We have heard something from the hon. member for North Cape Breton (Mr. McKenzie) and the hon. member for Guysborough in criticism of the action of the Government in making certain dismissals. Hon. gentlemen arose very gallantly to the defence of their officials in Nova Scotia. These hon. gentlemen have very good reason to rise to the defence of their officials. If it had not been for the work of government officials in North Cape Breton the hon. gentleman who now represents that constituency would not be in this House to-day. The same is true of the hon. member for Guysborough.

Mr. McKENZIE: I rise to a point of order. I would like the hon. gentleman to name anything that any railway official ever did for me in any position whatever, either politically or otherwise, in the county of Cape Breton.

Mr. DAVIDSON: I do not think that is a point of order. I am not going to confine myself absolutely to railway officials. The hon. gentleman will not deny that the fishery officials in his constituency, employed by this Government and appointed on his recommendation, were absolutely and directly responsible for his election in 1908?

Mr. McKENZIE: I absolutely deny it. There is absolutely no justification for the statement of the hon. gentleman and I defy him to produce the slightest scintilla of evidence to substantiate it.

Mr. DAVIDSON: I will give the hon. gentleman all the evidence he cares for before I resume my seat. I said that these hon. gentlemen are here because of the services rendered by government officials. I will say furthermore that hon. gentlemen opposite actually encouraged their officials to work for them and that officials worked in their presence. Let me give you an instance. At the investigation held by Commissioner Duchemin the evidence of Walter Radick was heard and this is the evidence that he gave:

I live at Fort Mill. I am a voter in the Mulgrave district. I am well acquainted with John P. Meagher. Just before the Dominion election, I met him on the Guysborough road, on the highway. He was with J. H. Sinclair, the Liberal candidate for this county. They were driving. John P. Meagher introduced me to Mr. Sinclair. I shook hands with him. Mr. Sinclair asked for my support. After a few seconds this man Meagher asked again, if I would give Sinclair my support, saying that I had boys knocking around, and it was a pity to see them without work. There was no particular job offered. He said if I would give Mr. Sinclair my support the boys would get labour. After leaving me drove off together.

Here is an hon. member of this House, knowing very well that it is illegal for officials of this Government to take an active part in politics, knowing very well that if an official engages in party work he is taking his political life in his hands, who allows an official to engage in corrupt practices in his presence and does not rebuke him. I think that hon. gentleman might well rise to the defence of men whom he has encouraged to resign their positions in the service of the Government and, if these officials are disturbed at the present time, they have not the Conservative party to thank for their dismissal but they have the members for whom they so zealously worked and who expect them to take the risks attendant upon such a course. The hon. member for North Cape Breton stated that his election was not influenced at all by the work of government officials.

Mr. McKENZIE: It was not.

Mr. DAVIDSON: I understand my hon. friend to confirm that statement?

Mr. McKENZIE: I do.

Mr. DAVIDSON: Perhaps my hon. friend will also concur in the statement which I make when I say that one Dr. Rhindress a resident of his constituency, was quarantine officer at North Sydney during the last election and an officer of this Government?

Mr. McKENZIE: I am proud to acknowledge my acquitance with Dr. Rhin-

dress. He was an official of this Government.

Mr. DAVIDSON: We will look into the conduct of Dr. Rhindress. A charge of offensive partisanship was preferred against him and his conduct was investigated. In the report of the investigation the following evidence of John J. Pallen, manager of the Bedford Hotel, appears:

I reside in North Sydney. Am manager of the Belmont Hotel. I remember the elections of 1911. I was proprietor of the Hotel at that time. I had no conversation with Dr. Rhindress during the elections. I received no money from Dr. Rhindress or anyone on his behalf. I got paid in December for liquors and meals supplied during the elections of 1911. N. A. McMillan authorized me to furnish liquors and meals during the elections and Dr. Rhindress paid the bill. It was somewhere in the vicinity of a couple of hundred dollars. He paid me in cash. Some of the persons supplied with meals and liquors were electors.

Who was Mr. McMillan? This man, McMillan, was the law partner of the hon. member for North Cape Breton.

Mr. McKENZIE: Was he a government official?

Mr. DAVIDSON: If he was not a government official it was simply because there were not enough jobs to go around. Every possible job was obtained for my hon. friend's friends in that constituency. But Dr. Rhindress was in a position under the Government and although the hon. member did not go to this hotelkeeper, he did send his partner, or his partner went and engaged this hotelkeeper to distribute liquor and meals.

Mr. McKENZIE: I rise to a point of order. I did say to the hon. member for Annapolis a few years ago that it was impossible for him to approach the truth at the right angle. I say now that there is not the slightest approach to any angle of the truth whatever.

Mr. DAVIDSON: If my hon. friend has any explanation to offer for his surprising conduct I am sure the committee will be glad to hear it. I may say that his conduct is not rehearsed with any degree of pleasure by a member representing a Nova Scotia constituency.

Mr. McKENZIE: There is nothing said on the other side.

Mr. DAVIDSON: Does my hon. friend think that he has nothing to say in regard to this matter?

Mr. McKENZIE: That is not what I said. I do not recognize the party as responsible or worthy of a reply.

Mr. DAVIDSON: I find that the hon. member was at this investigation when this evidence was given. He was counsel. On that occasion I was not present, and yet the hon. gentleman did not have a word to say in palliation. He attempted to cross-examine a little, and I will read his cross-examination:

Cross-examined by Mr. McKenzie:

I never saw any person who was a candidate on the Liberal side bring anyone in for meals or liquor. It was practically all liquor that I supplied. It was given by me sometimes by order and sometimes without order.

And the only palliation the hon. gentleman (Mr. McKenzie) offers to-day for this is: I was the candidate, I did not order this liquor, it was merely my law partner and bosom friend who did it and paid for it afterwards. No, he did not go so far as to say who paid.

Mr. McKENZIE: That is very different from the practice of my hon. friend. I understand he does not pay his bills.

Mr. DAVIDSON: That is a very clever remark for the hon. member to make. I did not quite catch it, but I understand he said I did not pay my bills.

Mr. McKENZIE: Election bills.

Mr. DAVIDSON: I want to say that I do not pay election bills incurred for whiskey, because there are no such bills incurred either by me or by anyone else on my behalf. I wish to say further that I do not pay any election expenses of that kind, because there are no election expenses to be paid in my county for improper purposes. I can get elected in the county of Annapolis without the expenditure of money for such purposes.

Mr. McKENZIE: What was your majority at the last election?

Mr. DAVIDSON: My majority at the last election was considerably larger than the majority of the hon. gentleman in the election of 1908. In the election of 1908 my hon. friend was elected by a minority; there is no doubt about it in the world. And he sat in this House afterwards by virtue of the action of the county court judge who threw out an application for a recount. Under these circumstances, I do not think the hon. gentleman has any license to discuss the question of majorities at elections.

Mr. McKENZIE: You will not tell us what your majority was last election?

Mr. DAVIDSON: I have no objection to tell the hon. gentleman what my majority was in the last election; it was thirteen. I venture to say that next election my majority will be 1,300 on account of the good government we have had since the Conservatives came into power and on account of the tactics of the Opposition in this House. If the hon. gentleman thinks my majority was small and that he can procure

a larger majority in his constituency, then I will make him a sporting offer: I will resign my seat to-morrow and run an election in Annapolis county if he will undertake to resign his seat for North Cape Breton and run an election in that county. Then we will have an opportunity of comparing majorities.

Mr. McKENZIE: What rules will we adopt?

Mr. W. F. MACLEAN (South York): Catch-as-catch-can.

Mr. McKENZIE: Will it be Macdonald election rules?

Mr. DAVIDSON: We will fight it out on the ordinary rules that govern honest elections, if the hon. gentleman is satisfied with that. Furthermore, I am quite willing that my hon. friend shall pursue the same devices he pursued at the last election, and if he wants to employ liquor sellers to distribute booze throughout his constituency to aid him to get elected he can even do that.

Mr. McKENZIE: I thought my hon. friend was going to be a sport; I thought he would come down to my county and run there; that is the usual way for such a challenge.

Mr. DAVIDSON: I do not know about that; I am not very well acquainted with the electors of Cape Breton North, and, considering the kind of representative they have sent here for the last six or seven years, I am afraid I would not suit them; I flatter myself that I would not be the kind of man they want. However, if my hon. friend would like to come to Annapolis, we will give him a warm reception. Be that as it may, Mr. Chairman, I think I have succeeded in showing that the statements made by the hon. member in reference to investigations that take place in Nova Scotia must be taken with a very considerable grain of salt, and I think if the Minister of Railways will rely, as I believe he will, on the report of his officials and not on the unsupported word of hon. gentlemen opposite, he will find that the more satisfactory way of proceeding.

Mr. McKENZIE: Mr. Chairman, you have given considerable latitude to the hon. gentleman, and allowed him to indulge in tirades of abuse on hon. gentlemen on this side of the House. I call attention to the fact that when I discussed the provisions of this Bill and the Intercolonial railway I found no fault whatever with the Minister of Railways. I said nothing at all except that a gentleman friend of mine who was a Gaelic-speaking man, was examined in a court where he did not understand the evidence, and I asked that he be given a fair opportunity to understand the language used before the tribunal On account of that the hon. gentleman from Annapolis (Mr. Davidson) who represents a majority of thirteen, found it necessary to come back at me with a tirade of abuse to state that I was elected on the votes of some officers of the Marine and Fisheries Department. I am speaking in the presence of the head of that department, and I say the records of the department for the last eight or ten years since I have been a member are on file, and I challenge investigation now by a committee of this House. In the presence of the minister and of the hon. member for Annapolis, I defy him, from the day I came to this House and before I came to this House and down to the present moment, to put his finger on one single act or tittle of evidence that would in any way be dishonourable to me in connection with the Department of Marine and Fisheries or any other department of the Government. I am not immune from slander any more than any person else, and I know it has been said of me in the Tory papers in Victoria county that I appointed too many fishery wardens. That is all they have had to say against me. I challenge them to show that I added one man to the list of wardens. I took the list as I found it and I appointed men to occupy the positions which were created before I became a member of this House.

Mr. CARVELL: Have they reduced any of them since they came to power?

Mr. McKENZIE: I am not aware that they reduced the number since they came to power, but they are adding two officers in different parts of the country in other ways. They are professing to be reducing the number but they are appointing others in the place of these removed. I am not now criticising the department in that regard, I am simply standing up for my own reputation. The hon. member for Annapolis has traversed my county several times; he has been all around the county and I defy him or any other man to point to a single weak spot, so far as I am concerned, whether I was supporting the Government or in Opposition. I do not think a man should say anything about his own character or about his own conduct, I do not like it and I am not going to do it, so I simply defy the member for Annapolis to go to my county or to any part of the province of Nova Scotia, or to ransack through the thirteen or fourteen departments of Government, or to inquire from any minister in office to-day or any minister who has ever been in office, and having done all that I defy him to put his finger on the slightest spot on my reputation in connection with the discharge of my public duties since I have become a member of this Parliament. It ill becomes a thirteener to talk about what majority an-

other member of this House had. My hon. friend has travelled all over the province of Nova Scoia from Dan to Beersheba; he was a candidate several times.

Mr. DAVIDSON: Will my hon. friend tell me what majority——

Mr. McKENZIE: The hon. member even undertakes to say that I was here from 1908 to 1911 by reason of the decision of a county court judge.

Some hon. MEMBERS: Hear, hear.

Mr. McKENZIE: Hon. gentlemen say, 'Hear, hear.' There are men in this House who are quite familiar with the reputation and standing as a lawyer and as a judge of Sir Charles Townshend, the Chief Justice of the Supreme Court of Nova Scotia. They know that he sat in this House supporting the Government of Sir John Macdonald, a good strong Tory. They know that he retired in 1887 to make room for Sir Charles Tupper in this House, and that he was appointed to the bench in Nova Scotia by the Government of Sir John Macdonald, and that he has been for the last twenty-two or twenty-three years a judge of the Supreme Court of Nova Scotia. The county court judge of whom they speak gave a decision that the investigation could not go on because the papers were irregular, and that they did not take the proper steps. The Election Act provides for an appeal to a judge of the Supreme Court. An appeal was taken from Judge MacGillivray—I have no reason to conceal his name—to the Supreme Court, and the case was tried before Sir Charles Townshend, the Chief Justice of Nova Scotia, a Tory of the Tories, who confirmed the decision of Judge MacGillivray and threw out the investigation. The decision of Judge MacGillivray, confirmed by the Chief Justice of Nova Scotia, is regarded in all courts from the Atlantic to the Pacific as the law on that point and it has been followed since then in every province.

Mr. CURRIE: How much of a majority had the hon. member at the subsequent election? What was the decision then?

Mr. McKENZIE: That was no decision at all. The decision was that of the returning officer. That majority was, I am not ashamed to state, a majority of seventeen. When I got a fair and square deal at the next election in the county—I am not going into an explanation of the other—the same man ran against me as at the former election, and I had six hundred and fifteen of a majority. If my hon. friends on the other side are anxious for an election in that county, I shall be glad any day to meet the best man they can produce.

At six o'clock House resumed, and then took recess.

After Recess.

House resumed at eight o'clock, and again went into Committee. (Mr. Deputy Speaker in the Chair.)

Mr. McKENZIE: At six o'clock I was replying to the hon. member for Annapolis. It is true that hon. gentleman's observation had little or nothing to do with the Bill before the committee, but consisted of personal reflections upon certain gentlemen in the county I have the honour to represent. I do not propose to allow the hon. gentleman to get away with observations of that kind which are absolutely unprovoked, uncalled for and wholly apart from the question. Inadvertently, of course, on the part of the Chairman, hon. gentlemen have been allowed to drift away from the question, but it is only fair that they should be replied to. I should not have had anything to say about the hon. gentleman's observations had they been directed only at myself. I do not attach much importance to what the hon. gentleman may say about me. But when he attacks gentlemen outside this House, gentlemen who have no opportunity of defending themselves, I think it is obligatory upon me to reply to those attacks. The hon. gentleman thought it necessary to bring the name of Dr. Rhindress before the House. Dr. Rhindress is a gentleman of the highest possible standing personally and as a professional man. He is a medical doctor and is carrying on practice in the town of Sydney, a gentleman against whom, either in his personal capacity or as a professional man, nothing derogatory can honestly be said. He is a member of one of the first families of Nova Scotia, a brother of the Prime Minister of the province. That alone, of course, would be nothing, but when he is in every other way respectable, it is a matter of pride that he should be a brother of the Hon. G. H. Murray, Prime Minister of Nova Scotia and one of the first public men of Canada. What is the ground for this attack upon Dr. Rhindress? It turns out that during the last election, a comparatively small bill happened to be run at a hotel in North Sydney—less than a total of $200. After the election was over, and everything settled and done, it appears the cheque of my committee—I do not know who was looking after it—was handed in to the hotel proprietor by Dr. Rhindress. He was the family doctor of the hotelkeeper, and while there, on a professional call, he passed his cheque. That is all the hon. gentleman could say about Dr. Rhindress. He is welcome to it. I defy him to produce the second word as to Dr. Rhindress or any member of his family. There is nothing in this matter to be ashamed of but the hon. gen-

tleman thought he could in some way convey the idea that Dr. Rhindress was guilty of something awful. It was all they had against him, and for that they dismissed him. Let me tell the minister and the hon. member for Annapolis that if they are looking for cases of dismissal in North Sydney, I can tell them of one. I refer to the case of Dr. J. W. McLean. Dr. McLean was connected with the Department of the Interior which formerly was presided over by the present Minister of Public Works (Mr. Rogers). He was dismissed without an investigation or a single word or charge against him, and for no reason except that they wanted to make room for a party heeler. They could not bring anything against him; he never was a politician or a party man, but he was beheaded without even knowing that a charge had been made against him. That was the kind of treatment that is meted out to professional men by the Government in my town. I had not intended to refer to these matters, I was quietly and respectfully putting my case to the Minister of Railways whom I respect and who deserves the respect I give him; nor do I single him out more than other ministers; but I always endeavoured to put my case to the ministers in a respectful way. But there are people with ground instincts, people who must be digging in the dirt. As I have said, I do not care what the hon. member for Annapolis says about me, but when he attacks others in my constituency it is my duty to reply. The hon. member for Annapolis, who is a lawyer, was trying to put a construction upon this Investigation Act. The hon. gentleman tries to make it appear that sections 12 and 13 of this chapter 28 of the statutes of 1913, do not convey the meaning that in an investigation before commissioners the person against whom a change is made has the right to be represented by counsel. I submit that these sections, particularly when taken together, cannot bear any such interpretation. The Bill was before Parliament last session, and the hon. gentleman ought to know having been a member of Parliament when the Bill was passed, what was the intention of the House in passing it. If this had been law when this Government came into power they might have doubted the construction of it, but it is their own legislation and is new and fresh and we all know what is meant by it. We have only to read these sections to make it clearly understood what is intended:

> The commissioners may allow any person whose conduct is being investigated under this Act, and shall allow any person against whom any charge is made in the course of such investigation, to be represented by counsel.

I do not see any possible construction for it but the one given. But if there were any doubt it is wholly cleared up by the last section, No. 13:

> No report shall be made against any person until reasonable notice shall have been given to him of the charge of misconduct alleged against him and he shall have been allowed full opportunity to be heard in person or by counsel.

If there is any doubt about the interpretation of the first section, all doubt is removed by considering the two sections together. I submit, therefore, that an investigation in which no notice is given to the party accused and he has no opportunity of knowing the nature of the charge or of being represented by counsel, is not in conformity with the Act. In the case of Archibald McKenzie these conditions were not complied with, and, for the reasons I have given I trust the minister will see his way clear to give that gentleman an opportunity of once more telling his story to the commissioner. I should not say once more, for he has not already told it, and was unable, under the circumstances, to do so. I was merely asking the minister this question when I stirred up the hornets' nest in which the hon. member for Annapolis (Mr. Davidson) conspicuously figured. It was entirely unprovoked and unlooked for, and I assure the hon. minister that anything that has been said which might appear to be in the nature of fault-finding was not brought about through any intention of mine, nor did I intend my remarks to be so construed.

Mr. DAVIDSON: I do not propose to answer at length the remarks of the hon. gentleman, because I conceive that that would merely be obstructing very important legislation, but there are one or two words which I desire to say in reference to his observations. When the House is in Committee of Supply I think I shall perhaps be in a position, without obstructing unduly the business of this House, to reply at length to the arguments he has made as to the interpretation of the statute, and his reference to the gentleman who, he claims, has been dismissed without a cause. I have had no notice that he intended to bring this matter up; I do not know the facts, but I have no doubt that when the facts are known it will be found that there was just as much reason for dismissing this official as there has been for dismissing other officials the charges against whom have been investigated in the usual manner. I was much interested to learn from the hon. gentleman's remarks that he considered this $200 to be a very moderate figure to pay for whisky for elections. I was also very much surprised to learn that he did not regard it as an act

of offensive partisanship that a government official should pay an election bill incurred by the purchase of whisky with which to corrupt the electorate. I must admit that if this is the current opinion existing in his constituency, the political ideals of the people of north Cape Breton differ very widely from those of the members of my constituency. When I referred to this matter, the hon. gentleman rose and said he differed from me in that I did not pay my election bills, implying that he did pay his. We are bound to assume, therefore, that this $200 was actually expended by him—paid out by the hon. member for North Cape Breton. I would remind the hon. gentleman of the motion for which he voted some weeks ago, when the conduct of the hon. Secretary of State was in question, and had the House decided that that was a fit and proper matter to be submitted to the Committee on Privileges and Elections, I would think this also might be a case that might very properly be inquired into, with a view to ascertaining the propriety of an hon. member of this House actually paying a bill incurred in the purchase of intoxicating liquor. I rose, Mr. Chairman, merely to accede to a request which was made before dinner by the hon. member for Antigonish (Mr. Chisholm), who asked me to quote from 'Hansard' the passage wherein he is reported as having stated that the case of John McDonnell was investigated by Commissioner Duchemin. I made the assertion that the hon. gentleman, wittingly or unwittingly, misinformed the House in respect to this matter; he challenged my statement, and asked me to quote from 'Hansard the passage to which I referred. It is found on page 778 of the unrevised 'Hansard' of December 6, 1912, and is as follows:

> The next section above Tracadie is Afton. There two-thirds of the men were dismissed. They were John McDonnell and J. W. Melanson. The case of McDonnell was investigated in his absence and Melanson's investigation was a farce.

He says very plainly and clearly that the case of John McDonnell was investigated by Commissioner Duchemin, which was in effect the statement I made. On page 772 I find these words:

> I have had an idea I should not be permitted to take part in the investigation, because I had heard of the conduct of Mr. Duchemin and knew of the way he had conducted an investigation at Tracadie. My hon. friend from Cumberland (Mr. Rhodes) asked my hon. friend from Pictou (Mr. Macdonald) if he knew of cases where sifficient notice was not given. I can name one case which took place in Aspen, the accused being Mr. John McDonnell. Mr. McDonnell was investigated in his absence by Mr. Duchemin.

My hon. friend will therefore agree that I was perfectly right.

Mr. DAVIDSON.

Mr CHISHOLM (Antigonish): The hon. member for Annapolis (Mr. Davidson) said that the case of Mr. McDonnell was investigated, and, if I understood him aright, he intimated that it was one of the cases in which counsel for the accused was not permitted. The facts are that Mr. Duchemin received notice to investigate a charge preferred against Mr. McDonnell. I had not the papers before me on December 6, as they did not come down until January 17. In December, however, I knew that a charge of political partisanship had been preferred against Mr. McDonnell, and that Mr. Duchemin went down to investigate it. I naturally assumed that an investigation was held; to-day I stated that no investigation was held. To explain why I made this statement, I shall quote from the report of Mr. Duchemin himself. I desire to say that, so far as I was concerned, I did not desire to mislead the House in any way, nor did I suggest anything that was untrue. On the contrary, it is my ingenious friend with the pettifogging mental capacities who is endeavouring to misconstrue my remarks in the matter.

Mr. DAVIDSON: I think the hon. member has no right to make such a statement in reference to myself.

The CHAIRMAN: I do not think the hon. member should impute motives.

Mr. CHISHOLM: I am not imputing motives; I am referring to the hon. member's pettifogging mental capacity, and, as to my remarks, I leave it to any hon. member who reads 'Hansard' to come to a conclusion as to whether or not I was amply justified in making them. If, however, the word pettifogging is not parliamentary, I will withdraw it, with the understanding that I sought to express in parliamentary language the idea which I thought I could convey by means of the word I used. On May 10, 1912, Mr. Duchemin made a report, which says:

> I duly notified Mr. John McDonnell, sectionman at Afton, N.S., that I would conduct an inquiry into his case, at the station at Tracadie, at three o'clock on the afternoon of the 3rd instant.
>
> Mr. McDonnell did not appear and there was no evidence submitted against him. The names of some witnesses were given to me, but I did not go to the expense of enforcing the attendance of these, as I was informed that Mr. McDonnell had been dismissed for drunkenness, and had left the district.

I knew he went there some time in May for the purpose of conducting an investigation, and I took it for granted that he had actually made the inquiry. When I made these remarks on December 6, I stated that he had conducted an investiga-

tion in the absence of Mr. McDonnell; when the papers came down I found that no further investigation had been held for the reason that Mr. McDonnell was not present, and Mr. Duchemin was informed that Mr. McDonnell had been dismissed. My hon. friend referred to page 772 of 'Hansard,' and quoted the words:

I can name one case which took place in Aspen, the accused being Mr. John McDonnell. Mr. McDonnell was investigated in his absence by Mr. Duchemin.

Any hon. gentleman reading the remarks I made on that occasion will observe that I was referring to the fact that sufficient notice had not been given. I have authority for that. As a matter of fact, Mr. McDonnell did not get his notice. He was in Moncton seeking redress there, and did not receive the notice until some days after the investigation. My reference at page 772 was not to the investigation, but to the notice; and as for my hon. friend thinking that he had succeeded in putting me in a false light and himself in a better light than before he spoke, I am satisfied to leave that to the judgment of the House—to let 'Hansard' be read to-morrow in the light of the explanation I have made.

Mr. DAVIDSON: My hon. friend—I will be considerate of his feelings sufficiently to say that he does not do it intentionally—has certainly misinterpreted this matter. The point which I was making before dinner was that the minister and the House should not attach too great credence to remarks made by hon. gentlemen in reference to these charges. I particularly stated that I was not saying that hon. gentlemen were wilfully misinforming the House; but I could say absolutely by their previous statements that they had misinformed the House. As an instance I cited the case where the hon. member for Antigonish (Mr. Chisholm) had said that this man was investigated improperly by Commissioner Duchemin, when, as a matter of fact, his case was not investigated by Mr. Duchemin, and the hon. member for Antigonish challenged my statements and challenged me to show from 'Hansard' that what I said was correct. He said he had never made any statement that this man had been investigated and he would not admit stating that he was investigated by Mr. Duchemin; that he was investigated by the board of the Intercolonial management. I challenged that statement and said that later on that I would be able to quote him from 'Hansard' on the point, and I have done so.

Mr. SINCLAIR: The hon. gentleman has referred to Mr. John T. Meagher. I would not think it worth while making any further reference to anything that the hon. gentleman says about myself, as I do not think my reputation will suffer where I am known by anything that this hon. gentleman can say. But he made a reference to a dismissed official named Meagher, who, I understand, is a member of a brotherhood that has asked for his reinstatement; and in order that the statement of my hon. friend may not do Mr. Meagher any injury, I wish to point out that it is not supported by evidence. The only evidence that there is in support of the statement that Meagher canvassed this man Reddick is the statement of Reddick himself, a worthless coloured man at Mulgrave, who for fifty cents could be got to say almost anything you wanted him to say. Against that is the positive statement of Meagher himself, a man known all over Eastern Nova Scotia as a very reliable man, whose word would be taken anywhere, I think just as quickly and more readily than the word of my hon. friend among people who know him. Meagher contradicts the statement that he canvassed Reddick, and as I was present I am able to corroborate what Meagher says. It is not true that Meagher canvassed Reddick or promised any work to his boys if he worked for the Liberal party. These statements are incorrect and if my hon. friend will look over the records he will find that they are disproved. You will see how reckless my hon. friend is when he comes to the House with a discredited statement made by a coloured witness contradicted by two men whose words ought to be as good as his and he says nothing about the contradiction but tries to induce the House to believe that the statements of Reddick are true. I would say that was not a fair way of placing the matter before the House.

My hon. friend is championing his friend Mr. Duchemin, and I do not blame him for that, but when he says that hon. gentlemen on this side of the House are not to be relied on or have exaggerated these matters, I submit he has no right to make this statement. The statements which I venture to make to this House I proved by sworn affidavits. I made two statements. One was that this man Duchemin refused a man who was being investigated the right to ask questions or to cross-examine witnesses. The other statement was that he had received evidence and examined witnesses in the absence of the man who was being prosecuted. He finished the case of McInnis and asked him to retire from the room and then called a witness and received his evidence and even took him back the second time in the absence of the accused. I submit that this is not a fair way of running a trial. I do not know what views my hon. friend entertains about a fair trial being conducted but he has the proof, the sworn evidence of these men that this was the way the

trial was conducted. I do not blame the minister for it, I think the minister is disposed to be fair, I will give him every credit for a disposition to be fair in regard to these dismissals. I have not a word to say against the minister; my criticism is against his commissioner and against hon. gentlemen like the hon. member for Annapolis, who back up the commissioner when he refuses to give a man under accusation the right to which he is entitled under the law, that is the right to be represented by counsel or to cross-examine witnesses himself if he chooses to do so.

I wish to correct an error I unwittingly made before six o'clock in replying to a question of the Prime Minister whom I would be very sorry to mislead in any way. He asked me if the case of McInnis was tried before the passing of the amendment to the Investigation Act, and I told him I did not think it was. I find it was tried before that date, and I had no right in that case to criticise Mr. Duchemin so severely as in subsequent cases dealt with after the passing of the Act. I do not think that there is another lawyer in the House who will construe the Act as the hon. member for Annapolis construes it. It seems to me to be absolutely clear that it was intended to cover every case where an accusation was made against an official and I feel certain that the Prime Minister looked at it in that way because in the discussion at the time the Act was passed I find that he said:

> I agree that every person who is under investigation should have an opportunity of being represented by counsel and of cross-examining witnesses if he desires it.

I think that the hon. member ought to take the construction put upon the Act by his leader at the time the Act was passed, instead of trying to discover some quibbling method by which he could exonerate his star chamber friend who is carrying on these investigations in Nova Scotia. I made two accusations against Mr. Duchemin and I am not saying a word against him that I cannot prove. I submit to the minister that in future investigations he should see that this commissioner is instructed to give accused people fair play, to allow them to be represented by counsel and not to bring in witnesses to make accusations against men in their absence.

Mr. MACDONALD: I would ask the minister whether the last words of this section, 'but without interest,' are necessary.

Mr. COCHRANE: I do not think we should pay interest.

Mr. MACDONALD: There is no implication that any person is entitled to receive the payment of interest. It is only a case of drafting, but it seems to me there is no question at all that, without these words being there, the Act, as amended at the suggestion of my right hon. friend, would provide for the whole fund being paid to the parties entitled to it.

Mr. COCHRANE: I have amended it, and I do not think the presence of these words will do any harm.

Mr. MACDONALD: It is only a question of legal interpretation. There does not seem to be any necessity for the statute saying that a person is entitled to receive so much money, without saying anything about interest, and then to go on and negative the right to get interest.

Mr. COCHRANE: It says that he shall only receive what has been paid in.

Mr. MACDONALD: That is all he would get. Why put these words in? I want to say one word more. I asked the minister at an earlier period of this discussion to see if Mr. Duchemin is to be engaged in any further investigations—and I hope he will not be—because I assume that all those head-hunters ought to be pretty well satisfied with the efforts of this instrument of the law up to date—

Mr. COCHRANE: You ought to be well versed in regard to head-hunters.

Mr. MACDONALD: Well, I know one when I see him. The minister should call the attention of Mr. Duchemin to the absolute nature of the law as it has stood since 1912. I am surprised at the hon. member for Annapolis (Mr. Davidson), who claims to be a member of the legal profession, venturing to assert in the House, in view of sections 12 and 13 of the Act passed last year, that it is not the bounden duty of the commissioner to permit counsel where charges are made against any person. The statute says that:

> The commissioners may allow any person whose conduct is being investigated under this Act——

—to be represented by counsel. Where you have a general investigation going on in any department with regard to the conduct of any public officer and no charges are made against that person, it is in the discretion of the commissioners whether counsel shall be permitted. But the same section also says that the commissioners——

> —shall allow any person against whom any charge is made in the course of such investigation, to be represented by counsel.

—shall allow any person against whom any charge is made in the course of such investigation, to be represented by counsel.

The moment you have an official against whom any definite allegation is made,

upon which he is called to make a defence and an answer, that moment, under the interpretation of the statute, he is absolutely entitled to counsel. With all due deference to my hon. friend from Annapolis, I venture to say that he will find it difficult for any hon. gentleman on this side of the House to attempt to reason along the lines upon which he has undertaken to discuss this matter. If that is the correct view, then the next section of the statute is prohibitive in its character. Section 13 says that:

> No report shall be made against any person until reasonable notice shall have been given to him of the charge of misconduct alleged against him.

He must have notice before a report can be made, and he must be allowed a full opportunity to be heard in person or by counsel. Anybody who is accustomed to construe statutes knows that the interpretation of this language with reference to a person being heard by counsel is so well defined that there can be no argument about it. It says that a person against whom a charge is made has the right to be represented by counsel. I repeat, that section 13 is prohibitive in its character. Not only is it clear that the person must have counsel but the law has gone so far that it declares that the minister has no right to receive the report unless the person against whom the charge has been made has had an opportunity of having counsel, or has declined to avail himself of that opportunity. If the minister accepted and acted upon a report made by a commissioner where a person had been refused the advantage of counsel, I see no reason, unless it might be that some technical objection might be raised on account of the minister being a minister of the Crown, why an action at law would not lie against him for any wrong that was done as the result of a report being received by him where the full privileges of the law were not allowed to the person charged. That this person who has been engaged in conducting these investigations has insisted upon people being tried without permitting them counsel there can be no manner of doubt. That they have not been permitted the advantage of counsel as provided by this section of the law there can be no manner of doubt. I hope that the minister will see that, in ordinary fairness and common justice, every man, and more particularly those men in his department whose rights in the fund may be affected materially to their disadvantage by an adjudication made where they had not the full opportunity of presenting their defence, will be accorded the rights to which, under the law, they are entitled. That is all I have to say in that connection but I do suggest to the minister that the proper drafting of that section would exclude these last words.

Mr. SINCLAIR: Why should interest not be paid? These men have paid their money into the fund and I presume that their money was in the bank, or somewhere, earning interest during those years. When the change of Government took place in 1896 a number of lighthouse-keepers were dismissed, an Act was passed to enable the Government to pay back money which they had paid into the fund and, if I recollect rightly, they were paid interest at the rate of five per cent. I would like to have some reason why these parties should not be paid the interest as well as the principal. It is their money and, if it has earned any interest, it should be paid back to them. There is no good reason why they should not receive the interest as well as the principal.

Mr. COCHRANE: They have had the benefit of the protection of the fund during the time that they have been paying into it and in that way they have received more than interest.

Mr. MACDONALD: Does the Prime Minister think that these words are of any value?

Bill reported, and amendments concurred in.

Mr. COCHRANE moved the third reading of the Bill.

Mr. BORDEN: My hon. friend from Pictou (Mr. Macdonald) addressed a question to me, and I suppose that it would be well for me to answer it, so that there may be no question raised about it. Probably the effect would be very much the same if the words were not there, but it is desirable to have it perfectly clear. In reply to some observations made by my hon. friend from Guysborough (Mr. Sinclair), I stated last year, before the Act was passed, that I thought any man who was investigated ought to have the right to be heard by counsel if he so desired. I still think that to be the case, whether any such Act is in force or not. It was my understanding that the commissioners would be so instructed. If they were not so instructed there must have been some inadvertence about it.

Mr. SINCLAIR: They were instructed directly the opposite, according to Mr. Duchemin's report, by some of the ministers.

Mr. BORDEN: I have not so understood. I said distinctly in the House more than a year ago that I thought that any man against whom a charge was made ought to be represented by counsel if he desired it. I do not see any reason why he should not be so represented. So far as I am concerned, I shall endeavour to see that that it carried out.

Some hon. MEMBERS: Hear, hear.

Motion agreed to, and Bill read the third time and passed.

IMPROVEMENT OF HIGHWAYS.

Hon. FRANK COCHRANE (Minister of Railways and Canals) moved the second reading of Bill No. 32, to encourage and assist the Improvement of Highways.

Sir WILFRID LAURIER: Will the minister give us some explanation of this?

Mr. COCHRANE: This is the same Bill that was introduced in this House a year ago and that the Senate in its wisdom saw fit to throw out; I think under a misapprehension.

Mr. GRAHAM: The Senate did not throw it out.

Mr. GAUVREAU: They amended it.

Mr. COCHRANE: Well, the Senate practically threw it out; I will not argue that point now. This Bill is introduced with the same intention as that which has actuated the Government in promoting the rural mail delivery service and in introducing the Bill to aid agriculture throughout the Dominion, namely, to make the lot of the farmer and the settler more contented and happy. The right hon. the leader of the Opposition, in his remarks last year, expressed the opinion, that we ought to provide for the upkeep of these highways after they have been constructed, but I fear it is a little soon for us to assume that obligation. In my opinion, the necessity for getting the roads into good shape is much more important than is attending to their upkeep afterwards, which will no doubt be provided for in some other way. It is much easier for a township or a county to maintain a road after it is once properly built than to undertake the original construction. I hope to be able to make arrangements with the different provinces, as to what roads we should undertake to construct, and to agree on specifications covering the construction of these roads. Of course, the same specifications could not apply in all cases, because some highways will need different treatment from others, on account of the nature of the soil, the necessity for drainage, and so on. Once we have agreed with the provinces as to the nature of the road to be constructed, I believe tenders should be advertised for and the contracts let. I should expect that the different provinces, in co-operation with the federal authorities, would see that the money was properly expended and the roads well constructed. I feel that the criticism of this Bill last year was not directed to its merits, but that other considerations were allowed to prevail. So far as I know, only the province of Saskatchewan has criticised this measure. I may say that there is no intention to interfere in the slightest degree with provincial jurisdiction. I believe that the Government of the Dominion and the governments of the provinces can work in harmony on this Bill for the betterment of the condition of the whole people of the Dominion. If in certain quarters they will forget their politics for a little while and this Bill becomes law, it will prove of great benefit not only to the farmers and settlers, but to everybody who has occasion to travel on the highways of Canada.

Sir WILFRID LAURIER: There is no point of difference between us as to the merits of this Bill and its usefulness to the general community, provided it is passed on proper lines. But the same difference of opinion which showed itself last year prevails again to-day, and it has reference to the manner in which the appropriation of the money for the different provinces should be made. When the Minister of Railways moved the first reading of the Bill last year, he stated that the intention of the Government was to apply this money on the same basis as the provincial subsidies.

Mr. COCHRANE: What I thought I said was that we would divide the money in that way. I said the money would be divided pro rata between the different provinces.

Sir WILFRID LAURIER: Yes, but last year the hon. gentleman refused to incorporate that principle in the Bill, just as he does now, and he proposed to keep the distribution of the money within his own discretion. I think my hon. friend will agree that that is not the proper way to do business. I cannot conceive for what reason he refused to incorporate in the Bill the principle which he said would guide him in the distribution of the money. The hon. gentleman has stated to-night that this Bill was killed last year in another branch of the legislature; but that is not what occurred. The Bill was not rejected by the other branch of the legislature; it was simply amended to incorporate in it the principle as to the distribution of the money which the minister himself stated would guide him; but rather than have that included in the Bill the hon. gentleman chose to kill the Bill by not accepting the amendment. If the amendment made by the Senate had been accepted, the hon. gentleman would simply be complying with what he himself said would be his guiding rule; but apparently he wanted to have the distribution of the money left in his own discretion. I do not dispute the good intentions of the Minister of Railways, but he must know that if we have laws it is because we are human and because we cannot trust the good intentions of human beings. It is much better to have a principle incorporated in a law than to leave it

merely to be understood. As the Bill is now drafted there is no rule at all in it to guide the Government as to the expenditure of the money, and the minister can expend it in one way or another, just as he pleases. It would be within his power to give to Ontario and to refuse to Quebec, or to refuse to Quebec and to give to Ontario. My hon. friend shakes his head. That would not be his intention.

Mr. COCHRANE: The money would be voted separately in the estimates for the provinces.

Sir WILFRID LAURIER: As the Bill is, the money might be voted in bulk. What is the object of this Bill if it is not to guide the Government? My hon. friend says that he has no intention—I am sure he has none at the present time—of making any discrimination between province and province. This is not a matter of conjecture. My hon. friend smiled a moment ago when I said he had no intention of discriminating; but he cannot be ignorant of or cannot have forgotten the fact that it was suggested to him by his own followers that he should discriminate, and should apply this money, not equitably among the provinces according to population, but according to what might be his own view of what are the needs of one province as against another. We had last year a prominent member sitting on the other side, who is no more in this Chamber, a man of power and authority and influence in this body, who deliberately suggested to my hon. friend that the Government should distribute that money, not according to the populations of the provinces, but according to what would be in the view of the Government the needs of one province as against another. I shall quote the words to which I refer which were spoken last year by the member for one of the Simcoes, now Mr. Justice Lennox, who deliberately took the view which I have just expressed. His words, which will be found in 'Hansard' of last year, at page 3653, are as follows:

> My right hon. friend the leader of the Opposition thinks that this should be an expenditure in proportion to population, and he is so concerned about that that he would give this Bill a black eye in order that he would be able to say that he has brought in something new in connection with this scheme. My right hon. friend the leader of the House (Mr. Borden) has pointed out that already the desire of my right hon. friend the leader of the Opposition has been gratified. But, if there is anything on which I would be disposed to express a regret and a hope at the same time it is that it has been announced that this money, or this initial vote and the inauguration of this system, will be upon the basis of population or some analogous principle. I want to be distinct upon this point. Whilst I congratulate the Government most heartily upon this great advance in the development of Canada—and it is one of the most important steps in the advancement of Canada that has been taken for a long time—yet I would have been a great deal better pleased if this really generous appropriation of money was not to be spent exactly upon that basis. This is a progressive Government and I cannot believe that they will not come to my view some time. I am quite sure that if they believe it is right they will. That is the difference between this side and that. I would be glad if we had been allowed more latitude and probably we will take more latitude later on in this respect in the appropriation of this money and shall say that not the question of population alone shall govern us, but that we shall be guided by the question of the need of the various provinces and localities.
>
> I believe that in the future in some instances it will be advisable to give even larger than a fair proportion according to population, to some provinces, in order to develop their highways, and for the reason that the more sparse the population the greater the need of assistance is, I trust that in time the principle will be recognized by the Government that the need of localities throughout the Dominion shall be the guiding rule in expenditures on highways from time to time. On behalf of the people whom I have the honour to represent, the farmers of the great riding of North Simcoe, typical of the farmers of Canada, I congratulate the Government most heartily upon this great advance in progressive legislation.

So my hon. friend sees that the views which he holds to-day were not unanimously held on his side of the House. His intention last year was, and this year again is, that this money which is to be voted by Parliament from time to time should be apportioned between the different provinces according to population; but he heard the suggestion of one of his own prominent followers that this should not be the rule, but that the rule should be according to the needs of each section of the country. To-day my hon. friend says that he does not admit that rule, that he sticks to the rule that the money should be divided and allotted according to population. If that be so, why does he not put it in the Bill? He is after all, human like all of us and is liable to temptation like all of us. Somebody may rise immediately behind him, as my hon. friend, the present Mr. Justice Lennox did, who will tell him: You are following a wrong principle, do not allow that money according to population, but consider that the needs of this section are greater than those of that. Under this Bill, what is to prevent my hon. friend from carrying out that suggestion? The principle that is suggested to him is wrong. Why did he not state his intention in the Bill of last year, and why does he not do so in this Bill? My hon. friend has stated that this is a measure calculated to improve the condition of the farmers and that its principle is the same as that of the Agricultural Bill. If that is the principle which

he wants to follow, why does he not do as was done in the case of the Bill for aid to agriculture? That Bill was under discussion here a day or two ago. There was no opposition to it on this side of the House. The Bill was allowed to proceed to its second reading without a word of dissension from this side, because its object was stated in the proper way. If my hon. friend followed the example of the Minister of Agriculture, and would do so through and through, there would not be a word of criticism of his measure. The Bill for aid to agriculture provides that a sum of so many million dollars shall be voted, to be distributed over a certain number of years, and there is this clause in it to which I call the attention of my hon. friend:

4. The moneys appropriated for each year shall be apportioned and paid as follows:—
(a) An amount not exceeding twenty thousand dollars shall be paid in each year to assist in the work of veterinary colleges established in the provinces, the said annual amount to be distributed among the colleges qualified and legally authorized to grant degrees in veterinary science in proportion to the number of students enrolled at the said colleges respectively for the previous year and in accordance with such regulations and conditions as may be prescribed by the minister;
(b) The sum of twenty thousand dollars shall be paid in each year to the Government of each province.

That is without regard to population, whether the big province of Ontario or the small province of Prince Edward Island; but then comes subsection (c):

The remainder of the appropriation for such year shall be allotted and paid to the governments of the respective provinces in proportion to the populations of the said provinces respectively as determined by the latest decennial census.

It is the same idea which my hon. friend says is going to guide him. The difference is that in this case we have to rely upon his good-will, whereas in the case of the Agricultural Bill the idea is put in so many words in the Bill, and will become law. In the one case we are left to the discretion of the minister; in the other the appropriation is made by the letter of the law itself, and is to be done according to population. This view taken by the Minister of Agriculture is not at all in consonance with the view taken by the former member for Simcoe, Mr. Lennox; but it is in accordance with what I believe to be fair and just between province and province. My hon. friend does not condemn it; but he must realize that it would be extremely unfair if any other principle than that of population were to be accepted for the distribution of this money. It is true there may be differences of locality, but after all the only basis on which provincial subsidies should be given for the carrying on of civil government in the provinces, their local expenditures and so on, which is fair and equitable, is that of population.

It is thought advisable in this new age that we should assist the provinces in their development of highways. We find no fault with that; on the contrary, we altogether commend the idea. The problem of transportation is becoming more and more acute as civilization advances, and in a new country like Canada highways are of the greatest possible importance to the people. The more highways there are the wealthier the country must be. Therefore we commend the motive that animates my hon. friend; but the only thing I call attention to is this question of distribution. The hon. gentleman, I understand, agrees that this money should be distributed to the provinces according to their population, but he has not agreed that this should form part of the Bill. Last year I suggested this, but I am sorry to say we were not successful in convincing my hon. friend. We shall try again this year, with the hope that we may be more fortunate than before. Let me assure my hon. friend that we do not approach this measure in any captious spirit; we are willing to give the measure our support; but if the principle of distribution is as he himself explains it, there is no reason why it should not be inserted in the Bill. I shall move an amendment, simply to the effect that the same principle should be adopted as that adopted by the Minister of Agriculture in relation to his Bill for the promotion of agricultural education. This amendment is taken word for word from the Bill of the Minister of Agriculture:

That the Bill be not now read the second time, but that it be resolved: That this House, whilst recognizing the importance of assisting out of the federal treasury in the matter of highways, is of opinion that all appropriations for that object should be allotted and paid to the governments of the respective provinces in proportion to the population of said provinces respectively, as determined by the latest decennial census.

Right Hon. R. L. BORDEN (Prime Minister): One would have supposed that if the right hon. gentleman (Sir Wilfrid Laurier) were really desirous of promoting the passage of a measure by which the highways of this Dominion might be very materially improved in the early future, he would have permitted the second reading of the Bill to pass which would recognize that principle as a good principle, and that he would have waited until the Bill had gone in committee to move any such amendment as he now thinks desirable. My right hon. friend has not taken that course. He has proposed an amendment which would defeat the second reading of the Bill for the time being, and would make it necessary to have the Bill

reinstated on the Order Paper for the purpose of having the second reading moved on some other occasion. Whatever may be his intention in the matter—I am not disposed to question his intentions in that regard—certainly that intention would have been fulfilled much better by a different mode of procedure. The right hon. gentleman is taking the same course which he took last year, that of proposing a motion which would prevent, if it should be carried, the second reading of the Bill for the present. Now he advances nothing that was not advanced by him last year, except in one respect. He has adduced the example of the Bill which was presented to the House by the Minister of Agriculture. Surely the right hon. gentleman sees, without my pointing it out, the distinction between the two cases. In the case of the Bill for the aid of agriculture, it is proposed to grant a specific sum of money, $10,000,000, and it was necessary that the Bill should provide how the division of that money should be made between the provinces. Even that Bill does not absolutely provide that the money shall be divided as the subsidies are apportioned to the provinces, because an absolute amount, $20,000 a year, if I remember correctly, is granted to every province in the first instance, in order that the sums given to some of the smaller provinces may not be so diminished as to prevent any real results from the grant. But, in the case of the present Bill, as I pointed out to my right hon. friend last year, there is absolutely no provision whatever for the spending of any sum of money except such sum as may from time to time be voted by Parliament. The Bill of itself does not enable the Government or the Minister of Railways and Canals to expend one single dollar unless that dollar shall have been first voted by Parliament. We pledged ourselves to the right hon. gentleman last year that when the estimates were brought down, it would be found that the money to be voted would be apportioned to the different provinces exactly upon the same basis as the provincial subsidies. So it turned out: the estimates amounted to $1,000,000, I think, for themselves in that regard. So the argument of my right hon. friend fell to the ground. When we bring down an estimate for any sum of money to be expended for the purposes of this Bill, which is only an enabling Bill, every argument that he advances now and that he advanced last year will be open to hon. gentlemen on the other side if we do not carry out the undertaking we made last year. That undertaking, I understand, is in exact consonance with what he proposes this year. So, my right hon. friend is merely beating the air; he is tilting at windmills; he is doing nothing except obstructing the passage of a measure which if it is carried out would seem to be greatly to the advantage of every province in placing at the disposal of the provinces under proper safeguards which will be devised and agreed upon between the several provinces and the federal Government, a sum of money for each province to bring about better communications between farm and factory and between every part of the country and the great transportation lines. I regret that the right hon. gentleman did not see fit to let the second reading of this Bill pass without the same vain and unnecessary discussion which took place on that point last year, because when we once have the Bill in committee it will be possible for the right hon. gentleman to propose any such amendment as would fulfil the contention which he has made. But, as I have said, even when we come to that stage of the Bill, it does not seem to me that the amendment would be necessary, because every point and suggestion the right hon. gentleman has urged will be entirely open to hon. gentlemen on the other side if we bring down estimates which do not divide the money among the provinces of Canada upon the same basis as the subsidies are apportioned to the maritime provinces.

I would have thought that a proposal such as this would have so commended itself to my right hon. friend that he would have foreborne precipitating a discussion of the character which we had last year, especially in view of the fact that, by his experience at that time, he must have realized that his apprehensions then expressed were entirely vain and unnecessary. The people of Canada, considering the conditions of development and the resources of the country, have expended enormous sums of money in providing railway transportation in this great country of ours, embracing nearly half of this continent; but that expenditure has been upon only a portion of the chain of transportation which is necessary to give the farmers and the manufacturers of this country an opportunity of transporting their products to market. It is, of course, an immense advantage to have great lines of railway transportation and great waterway routes in this country; but you need something more than that; you need good roads, by which the farmers can bring to the railway station or the steamship wharf their productions at perhaps one-fourth the cost which devolves upon them to-day under the system of bad roads which prevails throughout nearly the whole of this country. It is for the purpose of endeavouring to assist in meeting this great and pressing want that the Government are submitting to Parliament, as they did

last year, a proposal which, seems to me, eminently fair.

We do not by this measure infringe in any way upon provincial rights, because this money will either be spent by the provincial governments themselves, under proper safeguards agreed upon between them and this Government, or it will, under one clause of the Bill—if it is the same as last year, and I think it is—be expended by the Dominion Government, but only with the authority of the provincial legislatures, and with the consent of the provincial executives. The rights of every province in Canada therefore, are absolutely maintained and safeguarded by the provisions of this Bill. With this safeguard of their rights, it is proposed to place at the disposal of the provincial governments, or to spend with the authority and consent of the provincial legislatures and executives, a sum of money in every province of Canada which ought to be, and I believe will be, a very marked assistance indeed in providing those modern lines of transportation which are as necessary and essential as the great lines of railway transportation to which I have alluded. Under the circumstances, and knowing that the people of Canada are thoroughly awakened to the necessity for better roads and for a better system of highways in every province of the Dominion, I can only express my regret that my right hon. friend did not see fit to assent at once to the second reading of this Bill, and to hail with satisfaction, as I think the people of the country will, the proposals of the Government to proceed upon the lines which were laid down last year, and to do something that is real and tangible and immediate for the purpose of establishing a better system of highways in this great country of ours.

Mr. CLARK (Red Deer): Would my right hon. friend the Prime Minister explain how the acceptance of this amendment would in any way interfere with the object which the Government have in view in their Bill?

Mr. BORDEN: It is entirely unnecessary, and it is a vain and unnecessary discussion upon which we are about to embark. My hon. friend will remember that last year we brought down an estimate of, I think, one million dollars, for this purpose. That sum was divided exactly in proportion to the apportionment of subsidies among the different provinces. And so we say this year that this is merely an enabling Act to provide for the supervision by the Minister of Railways and Canals of any moneys that shall hereafter be voted by parliament for this purpose. In that way it differs in a marked and definite manner from the Bill which was cited by my right hon. friend the leader of the Opposition. As the measure stands at present, therefore, coupled with the necessity of bringing down an estimate to this House afterwards, it provides every possible safeguard that could be afforded by any such amendment as the right hon. gentleman proposes.

Mr. D. B. NEELY (Humboldt): When a similar Bill was before the House last year, I did not have an opportunity of addressing the House in support of the objections I took on behalf of the people of my province to the form in which the Bill was then presented to the House. It seems to me a matter of regret that the Government did not learn something from the discussion that took place on this measure during the last session of Parliament. The Prime Minister tells us that the rights of the provinces are absolutely safeguarded by the fact that the money is to be voted by this Parliament, and when the vote is called for we shall be at liberty to give directions as to the expenditure of the money. The Prime Minister did not, to my mind, satisfactorily answer the question asked by the hon. member for Red Deer (Mr. Clark), because, if what the Prime Minister says is true, what possible objection can he have to the incorporation in the measure of the amendment proposed by my right hon. leader? It is not a popular action to oppose the expenditure of public money for such a useful and necessary purpose as the improvement of the highways of this country, and I assure you, Mr. Speaker, that coming from one of the newer provinces of this country, where the improvement of roads is to the people a consideration of the greatest importance, I hesitate to offer opposition to the Bill now before the House. But, Sir, when I find that the principle involved in this Bill, and the method by which the money is to be expended, constitutes a duplication of the methods proposed in the Bill of last year—which were then found to be and which still are objectionable, not only to the members of the Opposition in this House, but to the great majority of the people of my own province—I find it necessary to offer some objection to the measure now presented for our consideration.

To my mind it is a strange thing that the legislatures of the various provinces are not to be entrusted with the management of their own local affairs. The subsidies that have been granted by this Parliament to the various provinces of Canada since Confederation have been absolutely under the control of the local legislatures, and I think the Prime Minister and Minister of Railways can find no serious objection to the method by which those moneys have been expended in days gone by. Surely the authorities which are in a proper position to deal with the improve-

ment of highways are the local legislatures and executive authorities of the various provinces themselves. While the present measure pretends to allow the local legislatures to retain their authority so far as the expenditure of this increased amount is concerned, I think the terms of the Bill constitute a menace to the rights and authorities of the local legislatures of this country. The Bill provides that the moneys to be voted by this Parliament for the improvement of highways are to be expended under conditions agreed on between the federal government and the executive powers of the various provinces. Supposing that the executive power of any province does not consent to the conditions laid down by the Minister of Railways or by Order in Council of this Government, what is the alternative? The alternative certainly is that the money will not be given to that province. While it appears to be by agreement that this money is to be granted to the various provinces, it actually becomes a matter of compulsion and so far as this feature of the Bill is concerned, while it appears to maintain the rights and authority of the executives of the various provinces, I think it is a menace to these rights and that authority. It would be a most unpopular move for any local government to resist or refuse the acceptance of a sum of money to be devoted to such an excellent purpose as the improvement of our roads and highways, and no government, unless it were an exceedingly strong-minded government, would be in a position to refuse to accept the terms and conditions laid down by the federal authorities. If one province should accept the terms laid down and another province refuse them, then the Government of the province refusing to accept would be in a most unpopular position and it might come about that every province, by the pressure of public opinion, even although the Government of that province had to practically give up their autonomy, their powers of local self-government, might be compelled to accept the conditions of this Government, to accept the money and spend it in the way prescribed by the federal Government. That seems to me to be a very serious objection to this Bill. The amendment as proposed will still permit this Parliament to vote the money, to allot it to the various provinces; but it will permit these provinces to enjoy the same privileges as they have heretofore enjoyed. Does the Minister of Railways actually think he knows more about local conditions than the local governments? Dealing with highways, I understand, has always been recognized as a local matter, and our highways have been hitherto exclusively under the control of the local legislature. It seems to me they should be allowed to continue to have responsibility and authority to deal with these questions. This measure might result in such harm to the right and authorities of local self-government that ultimately the benefit would be offset. This Bill is a double-edged affair; there are two propositions in it. One proposition is to hand over certain sums of money to the various provinces to be expended on terms and conditions agreed on between this Government and the various local governments; but it also provides that this Government, by consent of the local legislature of any province, may itself step in and undertake the work of constructing highways in any province. In my judgment that feature of the Bill is malicious and absolutely objectionable. Why should this Government step in and ask this Parliament to vote money so that they may go into the various provinces and deal with the highways which are under the control and authority of the local legislatures? Why should they ask this Parliament to give them such power as that, or to enter upon these local undertakings, such as building bridges and improving highways, which since Confederation have been under the jurisdiction of the various local legislatures? As I have said, although a local legislature might be absolutely opposed to the federal Government stepping in and undertaking these local works, it might be forced by public opinion to accept a bad principle in order to avoid political annihilation. This Government proposes to step into the various provinces, to go upon the roadways in those provinces and to expend public moneys. Why is that necessary? Why does this Government consider it necessary? Is it that we cannot trust the various local legislatures?

An hon. MEMBER: Maybe.

Mr. NEELY: Maybe? Well, that is not very complimentary to the political party that has, up to the present time, boasted of being the champion of provincial rights in this country. I think that the answer of my hon. friend throws a side light on the question which may give us the true reason why this Government are undertaking to put through this resolution. Personally, I view this proposal with a great deal of suspicion. I would be inclined to think that there will be certain years in which the highways in Canada will receive a great deal more attention than on other occasions although there might be no great alteration of conditions from time to time so far as the state of the highways is concerned. I can quite conceive my hon. friend the Minister of Railways, who represents a constituency in northern Ontario, finding it very greatly to his advantage, on the approach of a general election, to be able to put his hand into the treasury of this country and spend very

considerable sums in a part of Ontario which we know does require great things in the matter of the improvement and construction of highways.

But I say that this is one feature of the situation that I consider to be absolutely objectionable. If the Government want the roads improved let them vote this money. The people of Canada pay it. It is obtained by taxation. This Government came into office a little over a year ago and found a splendid surplus in the treasury. If they have more money than they know what to do with and consider that they could spend part of the surplus to advantage in improving the highways, then let them accept the amendment of my hon. leader (Sir Wilfrid Laurier), let them distribute the money, that they propose to apportion for the improvement of highways, among the various provinces under the terms of this amendment and surely the result they desire to accomplish will be far better accomplished than if the Government, already overworked, already overburdened, undertake the prosecution of this work which can be done so much better by the local authorities. I do not view with any great amount of pleasure the prospect of one of the minister's road gangs planting itself in the heart of my constituency just preceding a general election.

Mr. COCHRANE: No danger.

Mr. NEELY: If the money voted were limited in amount, one would naturally expect that the minister's constituency would receive a great deal more consideration than mine. I think the method of direct contribution would come in there. That this matter is being considered very seriously and is objected to very strongly by some of the local authorities in this country is proven by the fact that at the recent session of the Saskatchewan legislature the question was dealt with by a resolution which passed that House on the 17th December last. At that time this Parliament was in session, or had been in session, in the Speech from the Throne, the re-introduction of this highways measure was forecasted. The legislature, of course, had no knowledge that the Bill would follow the lines of the measure that was introduced in the House of Commons last year, but taking it for granted that the measure would be similar in character, the legislature was moved to pass the following resolution, which I shall take the opportunity of placing on the pages of 'Hansard' as a protest against the passing of this Bill in its present form coming into this Parliament on behalf of the people of Saskatchewan:

Whereas at the last session of the Parliament of Canada a Bill was introduced by the Dominion Government providing for the expenditure by the said Government of certain sums of money in the construction and improvement of highways in the various provinces of Canada;

And whereas it is reported to be the intention of the Dominion Government to introduce similar legislation at the present session of the Parliament of Canada;

And whereas according to the true intent and interpretation of the Canadian constitution the control of highways and of all subjects pertaining to the building and improving of highways within a province are matters of provincial concern;

And whereas as a consequence it would seem that any action taken by the Parliament of Canada assuming to vest the control of such matters in the Government of Canada and to provide for the expenditure thereon of moneys taken from the revenue of Canada, constitutes:

1. An attempt to usurp the jurisdiction of the provincial legislatures in a matter of purely provincial concern;

2. An assumption that expenditures should be made upon the construction and improvement of highways in the various provinces in addition to the amounts which the said provinces are in a financial position to make and consequently that the subsidies granted the several provinces under the terms of Confederation are inadequate for the proper carrying on of important works of provincial responsibility;

Therefore, be it resolved that this House deems it to be its duty to direct the attention of the federal and provincial governments of Canada to the constitutional question involved in the contemplated action of the Federal Government with respect to the improvement and construction of highways;

And be it further resolved that in the opinion of this House it is desirable, before any further action is taken by the federal authorities in the direction of providing for highway construction and improvement in the several provinces of Canada, that the governments of the said provinces should be called together in conference with the federal authorities for the following purposes, namely:

(a) The consideration of the constitutional question involved in the said proposed action of the Dominion Government;

(b) The consideration of the advisability of so increasing the annual grants and subsidies payable to the several provinces to enable them to make proper provision for any additional expenditure that may be necessary for highway construction and improvement.

Those are the terms of the resolution passed on the 17th of December of last year by the legislature of Saskatchewan in protest against the passing by this Parliament of legislation dealing with highways similar to that which was brought into this House last year and which the Government refused to place on the statute-book because of certain amendments that had been made thereto by the Senate. I think that position taken by the legislature of the province of Saskatchewan is a perfectly fair one. They say to this Government If you propose to spend money on the roads of our province or of the other provinces, why do you not consult the authorities of the different provinces of Canada? Why have you not called together the

premiers and other members of the governments of the various provinces in order that we together may work out some scheme that will be acceptable to the authorities of all the provinces of this Dominion? That seems to be a very fair and reasonable proposal. This Government have taken a good deal on their shoulders in undertaking to interfere in this way with the expenditure of money on highways, hitherto recognized as the right of the provincial authorities, without any consultation whatever with those authorities as to the working out of a scheme under which this money can be expended.

Mr. COCHRANE: We do not propose to spend one cent without the consent of the provinces.

Mr. NEELY: I have already pointed out my objection to the method by which that consent is to be obtained. It is to be obtained individually. If the various premiers of the different provinces had been called together in consultation with this Government and some scheme had been worked out absolutely satisfactory to all the provinces, there could then have been no objection to the granting of money by this Parliament for the purposes mentioned in this Bill. My hon. friend and this Government, however say to the province of Saskatchewan, to the province of Ontario or to the province of Quebec: We propose to grant a certain sum of money to you for the improvement of highways in your province under terms and conditions to be agreed upon between us—but who is dictating these terms and conditions?

Mr. GRAHAM: The man who has the money.

Mr. NEELY: Certainly the man who has the money is the man who will lay down the terms and conditions. As I have already pointed out, there is involved in that an absolute disregard of the right of the provinces to deal with their local questions in their own way, and to expend the money in the way which seems best to them. This Government apparently distrust the local authorities. They do not feel that, if they turn this money over to the various provinces on the basis of population, these provinces can be entrusted with the responsibility of spending it to the best possible advantage. I am not one of those who lack faith in our provincial legislatures. I believe they are quite capable of spending their money to the best possible advantage. I think the Minister of Public Works in the province of Saskatchewan knows a great deal better where money should be spent in that province in the improvement of highways and probably knows just as well as if not better how it should be spent than does the Minister of Railways. I fail to see where any advantage is going to come through the proposal in this Bill that this Government will take to themselves the power to go into the various provinces and to usurp the authority that hitherto has been recognized as belonging to the provinces themselves. It is a matter of satisfaction that the different provinces are to receive the aid. It is a matter of satisfaction that the Government of this country find themselves in this position that they can give aid to the different provinces of Canada for this very worthy purpose. Where is the Government's argument in favour of dealing with this increased subsidy? Why should it not be handed over to the provincial governments in exactly the same way as the other subsidies by which they are able to carry on local civil government? There is no reason whatever why this subsidy should be treated in a different way. Why does the Minister of Railways, if he finds himself with a surplus and if the Government are able to give money for the improvement of highways, not call together the premiers of the different provinces and adjust the question of subsidies with them? The province of British Columbia, for instance, has been raising strong objection from time to time because it considers it is not receiving the aid which it should receive from this Government. Every one of the provinces will be glad to have its subsidy increased. It is the people who pay the taxes who give us the amount of revenue which we have to-day. Let the provincial authorities be called together in consultation with this Government; and, if this Government have decided to increase the subsidies to the provinces, let it be settled on an equitable basis and leave the question, as it has been left hitherto, of the expenditure of these moneys to the local authorities who I am sure can spend and distribute it in a much more satisfactory manner than if it were done by this federal Government. It is on behalf of the people of my province that I strongly object to the form in which this Bill is being presented to the House.

Mr. Speaker, this Government undertook to defend their action in dropping this measure last year by having their newspapers spread broadcast throughout the country the impression that the Senate of Canada had killed the Highways Bill. That was absolute misrepresentation on the part of newspapers supporting this Government, because everybody knows perfectly well that all that the Senate of Canada did to the Highways Bill last year was to insert certain amendments along the lines of the amendment now proposed by my right hon. leader. The Bill was sent back to this House with those amendments and what

did the Government do? Rather than accept the principle of these grants being turned over to the provinces to be spent in their own way for the improvement of the highways in the different provinces, this Government absolutely killed the measure which it had brought into this House with such great flourish as being of such great benefit to the people of the Dominion of Canada. It should be definitely understood in this country that the Highways Bill last year was not destroyed by the Senate of Canada, but was destroyed by the Government which brought it into being, because the Senate of Canada, in their effort to protect the rights of minorities and to maintain the authority of the different provincial legislatures, inserted certain amendments. So determined last year was this Government to rob the provinces of the right of local self-government that rather than let go the control and the authority that they proposed to give themselves in this Bill, they killed the Bill which they had introduced into this House. Evidently the Government have not learned from the experience of last year, because they have practically introduced the same Bill. Let them understand that the people of Canada are aware of the intent and motive of this measure, and the electorate will justify the Opposition in this House in fighting, as the Liberal party has always fought, for the right of the provinces to control their local affairs. I support the amendment moved by my right hon. leader, because it carries out the terms of the resolution passed by the Saskatchewan legislature, and because I believe it is an amendment which will result in good to the people. There is no desire on this side of the House to offer captious opposition to this measure. Personally, I wish to see the federal Government increase the allowances to the provinces so that the highways may be improved, but I want to see that done in the right way. I do not want to see the federal Government interfere with the expenditure of the money within the provinces—even, if perhaps under constraint, the provinces should give their consent. I look upon it is a matter purely for the provinces to deal with and in that view I shall support the amendment.

Mr. GEORGE E. McCRANEY (Saskatoon): There are certain subjects over which the federal Parliament has jurisdiction, along with the provincial parliaments, amongst others agriculture and railways, and there are certain subjects as to which the provinces have exclusive jurisdiction, amongst others the care of highways. The Bill now before us purports to take under the care of the federal authority a power which has always been considered as being within the provinces. In that respect it is objectionable. On a former occasion in this House I advanced the idea that it would be well if some arrangement could be made between the Dominion and the provinces so that railway legislation should be enacted solely in this Parliament, and I thought that a conference might be held with the provinces toward that end. I cannot say that I altogether like this legislation, because it must be remembered that the money which we give to the provinces ultimately must come out of the people. If we were getting the money from outside of the country altogether, it would be a fine thing of course to devote it to the maintenance of highways, but the money comes from the taxation of the people, and in that aspect those of us who are looking forward to reducing taxation and consequently reducing the cost of living must see our hope deferred. If the Government is convinced that good roads throughout the different provinces are necessary it is within the power of this Parliament to increase the subsidies to the different provinces for that purpose. Although no proposal has yet been made to increase the subsidies to the provinces for the purpose of providing better educational facilities, yet on the principle laid down by this Bill the federal authority might do so. The hon. member for Humboldt (Mr. Neely) read the resolution of the legislature of Saskatchewan, and that resolution suggests that there should be a conference between the Dominion and the provinces for the purpose of dealing with the constitutional aspect of this question and, to consider the advisability of increasing the annual subsidies with a view to providing better highways in the provinces. That seems to be a good suggestion and I would ask the Minister of Railways to give it his best consideration. If such a conference should be held I trust he will endeavour to make an arrangement with the provinces so that they will cease their activity in the passing of railway legislation and leave it to this Parliament to deal exclusively with railways. I would also suggest that the minister should arrange with the provinces, as this Bill does not arrange, that the provincial legislatures should deal solely with the question of roadways. In making these suggestions I may say that it is in my opinion not necessary that the British North America Act should be amended to that end, because all that will be necessary will be to discourage railway legislation in the provincial legislatures. The resolution of the legislature of Saskatchewan gives opens opportunity to this Government which I trust it will avail of.

Hon. GEORGE P. GRAHAM (South Renfrew): Although the construction of good roads is not a new question, yet so

far as Ontario is concerned good roads are yet in their infancy. We have, as the Prime Minister has said, spent a great deal of money and properly so, to develop railway communications, to construct and maintain canals, and to provide harbours; but we have neglected to a very large extent that initial part in our transportation system, which is the highway leading from the door of the producer to the railway station, or to the wharf, or to the elevator, as the case may be.

Mr. W. F. MACLEAN: Or the local markets.

Mr. GRAHAM: Or to the consumer in the city and the town. This defect in transportation at the initial end means higher cost of living to the man in the city and less profit to the man in the country. If we compare for a year the difference between carrying a load a reasonable distance to market on a good road and having the same load on a bad road, there will be found a very considerable difference in the cost, which somebody must bear. On a good road a team can haul twice as much as it can on a poor road; consequently the farmer can do as much work in one trip on a good road as he can in two on a bad one, and, if his time be worth anything, he can employ the time thus saved in the cultivation of the soil and other profitable pursuits. Then, his team and wagon will last much longer; his horses will not wear out nearly so soon. So, any Act, whether it be of this Parliament, or of a provincial legislature, seeking to improve the condition of the highways so far as the farmer and the consumer are concerned, ought to, and I believe does, meet the approbation of the people generally.

The development of the automobile trade must be considered in dealing with this matter. I do not know how many hon. gentlemen in this House are able to have an automobile; I presume there are comparatively few. We may as well, however, face the situation and admit that locomotion by the various means employed in motor cars and motor trucks in Canada has come to stay; it is an integral part of our business life, and will be more so in future. I might interpolate the remark that I think they will never do away with the horses of which my hon. friend from South York (Mr. Maclean) thinks so much. However, the roadways of Canada must be improved unless we are to lose a portion of the benefits we would derive as well by the multiplication of first-class highways as the improvement of our waterways and railway transportation. The province of Ontario, of which I know, perhaps, more than of any other province, took up this question some years ago. Their first act, if I remember correctly, was to appropriate the sum of $1,000,000 to the improvement of highways. I think the Bill was introduced by the late Andrew Pattullo, of Woodstock, who was looked upon as the father of good roads movement in Ontario. They obtained the benefit of the experience of Mr. Campbell, a competent engineer of St. Thomas, who has given a good deal of study to road making, and who is now Deputy Minister of Railways and Canals. It was found necessary, as the scheme developed, and as the counties and municipalities became more fully acquainted with it, to enlarge its scope. I am not prepared at this time to say what the extent of the Act is, but I know it is now much wider in its scope than when it was first introduced. I myself had the honour of suggesting in the legislature that the money devoted for the improvement of highways should be used in certain cases for the purchase of what we call Macadamized roads, and for the abolition of toll roads. In many cases that has been done, and a certain development has taken place, but in the province of Ontario there is much room for improvement in the highways. In the city of Toronto some arrangement has been made between the citizens of that city and the residents of the adjoining communities for the improvement and the development of the highways just outside the city. The improvement of the highway makes the land through or by which that highway goes of that much more value, just the same as the pavement in the city makes more valuable the property which fronts on it. That being the case, I would not for a moment take any course that could be construed into opposition to the granting of money by the Dominion for the improvement of highways in the various provinces. As a matter of fact, a few years ago, before I became a member of this House, I suggested to the Dominion Government that something of this kind ought to be done, but the matter was not taken up. I think it is a good step, although I do not agree with the method by which it is proposed to be carried out, and in a few moments I will point out why I think the Prime Minister does not take the proper view with regard to the details of this Bill.

The Prime Minister suggested that the leader of the Opposition should not have moved an amendment on the second reading of this Bill. I do not agree with him in that view. Bills have certain stages, through which they must pass in this House, which are obviously for the purpose of bringing out all the discussion which the importance of the measure under consideration may justify, and if on the consideration of the principle of this Bill better discussion can be had by the moving of an amendment, it is perfectly within the rights of any hon. member to submit such an amendment. I feel I am in duty bound to oppose

at every step the carrying out of the details of this Bill by the Minister of Railways, but to this I will refer in a few moments. The hon. member for Humboldt (Mr. Neely) has referred to the action of the Senate in regard to this Bill last year. The Government practically took the ground that it has taken on the proposed amendment to the rules of the House—that the proposed measure is infallible, and that no objections or amendments must be made or offered, even by the Senate, the Upper Chamber of this Parliament—because the Senate is as much a parliament as the House of Commons is. I desire to call the attention of the Minister of Railways to the fact that this House should not object to amendments by the Senate; the Senate is there for the purpose of criticising our legislation, and it would be remiss in its duty if it did not suggest any amendments that would make the proposed measure more practical in its working. The Senate proposed an amendment to this Bill, and the Government cannot get away from the responsibility of strangling this measure by saying the Senate threw it out. The Senate did nothing of the kind; it acted on its rights, and according to its best judgment, proposed amendments, but the Government said: 'If we cannot retain in our own hands, in the way we choose, the expenditure of this money in certain cases, we will not let the people of the country have any highways improvement Bill.' If there is any criticism to be offered at all it is in respect of the obstinacy of the Government.

Mr. COCHRANE: They accepted five out of the seven amendments.

Mr. GRAHAM: They accepted five immaterial amendments.

Mr. AIKINS: Does my hon. friend think the Senate does immaterial things?

Mr. GRAHAM: My hon. friend has heard in the last week that it was not necessary to send back to the committee certain amendments proposed by the Senate because they were immaterial. If a material amendment is made by the Senate to any measure, it must be referred back to the Committee of this House, but if the amendments be not material, it goes through without this proceeding being resorted to; and those amendments, I must say, are as a rule, not material. But did the Government request a conference with the Senate on this measure last year? If I remember rightly, they did not, but they practically refused such a conference. In the past, when the Senate made certain amendments which the House of Commons did not feel like accepting, the constitutional method was for the Senate and the House to appoint committees, and hold a conference. But in this case the Government would not even offer to confer with the Senate on these amendments, but threw out the Bill and endeavoured to place the blame for their own obstinacy upon somebody else.

I believe absolutely that this measure is, to a certain extent, a contravention of the rights of the provinces. The provinces own the roads, or the municipalities own them, and the provinces legislate concerning them. If we undertake to construct and maintain these roads—there is a clause in this Bill for maintenance as well—we shall continually infringe upon the rights of the different provinces as established ever since Confederation. We can disguise it in words in this Bill in any way we choose, but the fact still remains. Let me point out to my hon. friend what the consent of the provinces means, if he wishes to act in a political sense—and he would wish so to act, I know, if he had the opportunity. In a certain constituency, let us say the constituency of my hon. friend from Red Deer, the Minister of Railways and Canals proposes to do something in road building which the provincial Government does not want done. The whole political situation would revolve around this question. The Minister of Railways, or his representative in Red Deer, would say to the people: We wanted to build this road for you, we wanted to make a magnificent road for you; but the Grits would not let us. Consequently he would have that political club, and it would not cost him a cent, because he could take the money off to Nipissing instead of to Red Deer, and use it there. My hon. friend may say that I am drawing on my imagination for this case. Not at all. No man knows better than I do what would happen under this Bill. What did happen a year ago? This Bill was not on the Order Paper one hour till men were rushed into South Renfrew into the campaign which was going on; rigs were hired and men were sent throughout the length and breadth of that riding to its uttermost corners. Men here and there were told: The Dominion Government, instead of the provincial Government, is going to build roads in South Renfrew; we are going to have control. Men were told, in instance after instance: Vote against Graham and you will have $500 to spend on your roads; get out and hustle with your team to beat Graham and you will have $200 to spend. This was, as I say, before the Bill came to Parliament at all. So I am perfectly justified in saying that I will oppose at every stage of this Bill the retention in it of the provision that the Minister of Railways shall carry out the details, because I was the victim of that carrying out about a year ago. It was used for political purposes to the full

limit; and if ever corrupt practices existed in promises of work in any county, those were corrupt practices in the promises of expenditure of money under the very Act which is now under consideration. I am not at all surprised that the minister wants to keep these things in his own hands; they would be a great political factor. In Nipissing and Northern Ontario, where he exerts the greatest influence, he had for many years a great deal to say about the construction of colonization roads. They were not in his own department; but, being the minister from that section, he knows what it means in a campaign to be able to tell people where money is to be expended for roads; and I have no hesitation in saying, from my experience in South Renfrew, that this Act would be worked to its fullest limit whenever an election came on in a part of the country where roads were expected to be built.

Another strong reason why the Minister of Railways will not be willing to do as the Minister of Agriculture has done, and allow this money to be divided among the provinces according to population, is that it will enable him to make an arrangement with his staff in his department that he cannot well make unless he gets this road Bill through and is able to have a road department. I am opposed to this Bill in that respect, because, as I have said, I know that it is a powerful political weapon, and that it has been used, and I have every reason to believe it would be used on every occasion when politics demanded it. This money is to be expended for the benefit of the provinces. Whether a provincial government is Grit or Tory, the roads are under its jurisdiction and the municipal laws under its control. If there is to be an amendment to the Municipal Act, we do not make it; if there is to be an amendment to the Highways Act, we do not make it. Those things are under provincial and municipal control, and the people of the provinces, whether Grit or Tory, have confidence in their provincial legislatures; and if we are going to assist the provinces we ought to hand over the money pro rata according to population, and leave the men on the ground, who know more of the circumstances than we can, to deal with the matter in detail.

In reference to the Bill for the assistance of agriculture, I believe that the money ought to be voted by Parliament year by year, as is proposed by my hon. friend the Minister of Railways and Canals with regard to the money provided for in this Bill. Neither this Government nor any other ought to have money to spend without telling us where they are going to spend every dollar of it. We did not have details last year, and I think I am right in saying that the money voted to the province of Ontario, every dollar of it, could have been spent in three or four constituencies and not a cent in the rest of the province. That is not expenditure controlled by this Parliament; it is giving carte blanche to the minister to do what he pleases with the money; and my experience does not lead me to approve of that course.

Mr. J. E. ARMSTRONG (East Lambton): I am surprised to hear the hon. member for South Renfrew use such strong language in condemnation of this Bill. No one knows better than the hon. gentleman the need of just such legislation as this. He tells us that this Government is taking away from the provincial governments the power to distribute this money. But if he will read section 4, he will find that it is as follows:

> Any highway for which aid is granted to a province shall be improved or constructed, as the case may be, according to descriptions, conditions and specifications approved by the Governor in Council on the report of the minister, and specified in each case in an agreement between the minister and the Government of the province.

Then, section 6 provides that it is necessary for the minister to obtain from the province the right to build a highway. It is as follows:

> The minister, with the approval of the Governor in Council and upon such terms and conditions as are prescribed by Order in Council, may undertake the construction of any new highway or the improvement of any existing highway in any province, and may expend in such improvement or construction the whole or any part of the sums voted by Parliament for such subsidy to that province: Provided, however, that the minister shall first obtain the necessary authority from the legislature of such province and the consent of the Lieutenant Governor in Council.

It is there stated as plainly as it possibly can be that the minister cannot take action without the consent of the provincial government, and that it is impossible for him to go into a province and build a road wherever he likes merely to suit himself. He is compelled to have the consent of the provincial legislature before he can go into a province. So, when the hon. gentleman says that this is a political Bill, and that he is going to oppose it at every stage, he is taking action against one of the most popular measures ever brought before this Parliament, and he ought to know it.

Mr. GRAHAM: I did not say I would oppose the Bill at every stage. I said I would oppose the detail of having it carried out by the Minister of Railways.

Mr. ARMSTRONG: I took down the words of the hon. gentleman.

Mr. GRAHAM: You did not take down those words.

Mr. ARMSTRONG: The hon. gentleman said he would oppose it at every stage. He talked about the obstinacy of the Govern-

ment. But why should they, having made full investigation into the circumstances, and considered this measure and brought it down, being convinced that it is right, accept at the hands of the leader of the Opposition such an amendment as he has proposed. The hon. gentleman says that the Senate is perfectly right, and that we should have accepted their amendment. But why should we be compelled to accept an amendment made by the Senate? I am sure that the hon. member for South Renfrew fully realizes that the Bill now before the House is for the best interests of the people, and one of the most popular measures that this Government has brought forward. The hon. gentleman says that we are taking away the rights of the provinces. The hon. member for Humboldt (Mr. Neely) says that we should increase the annual grant. The hon. member for Humboldt quoted a resolution passed by the Legislature of Saskatchewan in which they not only call attention to the Highways Bill but emphatically state that they wish the grant to the province increased. If it is merely the increasing of the grant to the provinces that we are expected to do by this Bill all we need to do would be simply to increase the subsidy. But the Government are perfectly right and justified in their position in stating that they intend to keep some control over this money and compel the provinces to spend it in a wise and judicious manner. And why not? Are we here simply to vote money to the provinces and allow them to spend it as they will? We do that as far as subsidies are concerned, but this goes away beyond the subsidies. This matter should be kept under control by the Dominion Government.

Mr. E. M. MACDONALD (Pictou): I am sure that every hon. member in this House who has thought carefully on this question and is anxious to see federal assistance to roads put upon a proper basis, hoped that when the Government came to deal with the question this year they would present to this House a Bill in such a form that it would be constitutional in all respects, and at the same time provide a system which would be mutually satisfactory to gentlemen on both sides of this House. It is a matter of disappointment that when the measure was brought down to the House we found the Government standing by the measure which they introduced last year, failing to change it in any particular. They came before the House and asked us practically to break down the lines on which the powers were allotted to the provinces and the federal Government of this Dominion some forty-six years ago by the agreement of the various provinces then forming the Dominion. They came with a measure which was hastily prepared, ill considered and to whose ultimate consequences no thought had been given. My hon. friend who has just sat down (Mr. Armstrong) spoke with enthusiasm about this measure and undertook to answer some criticisms made by hon. gentlemen on this side, saying that this Government had thought out this matter with the greatest possible care and deliberation and had come down with a well prepared scheme. But this Bill is practically the Bill which the Government submitted to the House last year, the Bill which was amended by another body and sent back to this House where the Government refused to accept the terms and suggestions made by the other body. What was the Bill of last year? Was it a wise and well-considered measure in which the full rights of every province had been regarded, in which the Government were contemplating the working out of a scheme whereby we would have secured some substantial improvements in the roads of this country? On the contrary, the Minister of Railways last year, when he introduced that measure, announced to the House that the Bill he was then introducing was prepared very hastily and that for the time being they proposed to work it out by Order in Council and that after a while, they were going to give us a better measure. That is sufficient perhaps to prove the point I was making as to the absolute crudeness of the proposition which the Government now place before the House. Let us see what the Prime Minister said last year upon this measure which the hon. member for Lambton (Mr. Armstrong) has eulogized as a perfect system which was well thought out. The Prime Minister said:

> I do not claim that this Bill is a perfect Bill. It has been prepared in the hurry of a session by a Government which had to meet Parliament within five weeks after it assumed office and the Minister of Railways, who introduced the measure, stated that it was introduced as the best method of dealing with this matter that could be devised by the Government in the short time at their disposal for its consideration. It is very likely that in the next or in the following session a more elaborate measure will be introduced, but it is considered desirable by the Government that no time should be lost in implementing the promise made in the last election.

The discussion last year was not characterized by acrimony or party spirit. Hon. gentlemen on both sides will remember that the question was discussed from the standpoint of how we could best lay down the lines on which this Government could help the provincial governments. We considered that forty years ago the fathers of Confederation had agreed that certain exclusive rights and powers should be given to the different provinces, certain privileges and certain duties which they

and they alone should be empowered to execute and carry into effect. We considered also that by the terms of Confederation there were given to the federal Parliament certain other exclusive rights and privileges which the federal Parliament and authorities could alone exercise. One of the rights and privileges which were exclusively given to the provincial legislatures was the right to deal with the maintenance, the improvement and the construction of the highways. When hon. gentlemen come along and proceed to appropriate and take away, by an Act of Parliament passed here in this body which has nothing to do with roads and has no right to interfere with them, the right to deal with a matter which is exclusively within the purview of the provincial legislatures, hon. gentlemen see that this Parliament is trenching upon subjects of legislation which they should not touch except after the most careful consideration of all the details. The fact that they had done so with a measure prepared as the Prime Minister said in the hurry of a session called a few weeks after a federal election and that they have come down again this session with the measure without any material change, unthought of, unconsidered, shows that the Government have not approached the consideration of this important question with the deliberation which should have characterized it. The question is whether this Parliament has a right, and what right, if any, to deal with this question of roads. I said a moment ago that they had no right. I reiterate that statement. For what reason was it provided at the time of Confederation that the federal authorities which possessed the taxing power to a wider and greater degree than was permitted to the provincial legislatures, should grant every year by way of subsity to the provinces certain amounts of money? The only reason was to enable the provincial governments which had limited powers of taxation to carry out those duties imposed on them under the terms of Confederation. Now when the federal Parliament are able to say: We are in a better financial position than we were in 1867, we can to-day deal with problems with a more liberal hand, what is the duty of this Parliament in dealing with this matter? The manifest duty of this Parliament is to do what the Minister of Railways said it was his intention to do when he introduced this measure—supplement the subsidies to the provinces, pay to them a greater amount of money based upon the same principle as that upon which the subsidies are paid, so that the provincial parliaments will be able within themselves to better work out the authority and the rights which were imposed upon them at Confederation.

Mr. JAMESON: Do I understand the hon. gentleman to take the ground that it is not competent for this Parliament to make a grant for the specific purpose contemplated by this Bill?

Mr. MACDONALD: My hon. friend has not apprehended what I have been saying. I have rather indicated that the only power that this Parliament had to deal with the question was to make a grant. It could earmark it and say that it was for this particular purpose, just the same as, when the subsidies were set down in the statute at the time of Confederation, each was to a certain extent ear-marked for a particular purpose and Parliament settled the basis upon which these amounts were to be paid. Included in the powers granted to the provinces was the sole and exclusive right to deal with roads, and when this Parliament comes to deal with the question it should deal with it along the lines of making a grant to the provinces based upon the system upon which the subsidies are given, ear-marking the payment, as it is done in the preliminary clause of this Bill, for the purpose of improving roads. That is the position we take; that is what the amendment of my right hon. friend the leader of the Opposition means. The proposal of the minister is not a sound one and it does not deal in the way in which this Parliament ought to deal with the question of the relations between the federal Government and the provinces.

This Government last year added to the province of Manitoba a large amount of territory. Why did this Government give to the provincial Government of Manitoba an increased sum of money based upon the demands that would be made upon them on account of this new territory?—simply and solely for the reason that there would be imposed upon the provincial government the rights and duties which are specified in this section 92 of the British North America Act, and for the reason that there were to be expenditures to be made for the building of roads and for all the purposes of a local nature within that territory. Now the principle is to obtain to-day under clause 6 of the Bill by which the minister wants to keep a string on this measure as he may have a control over the expenditure. Why did the minister last year consent to an absolute payment to the province of Manitoba for the purpose of governing the unorganized territory? Why did he not have a string to that Bill and provide that this money, which was on the face of it to go to the province for certain definite purposes, should not be paid to them, that the Minister of Finance would only allow the spending of that money in that province if he saw fit and that he could make an agreement with the Government of Manitoba for that purpose? If that clause had been put in the Manitoba

Act it would have been exactly verbatim, in terms and in effect, the clause for which the Minister of Railways is so tenacious.

When, last year, this Government decided to give the province of Prince Edward Island $100,000 in addition to the subsidies that they had paid them in previous years, why did not the Minister of Railways go to the Minister of Finance and say: My dear colleague, you should put a clause in this Bill by which this extra $100,000 should be expended by the federal Government because it might be that we could spend it a great deal better than they could; we ought to provide that, if they are willing for us to do so, that extra $100,000 should be expended by us in Prince Edward Island. Why did not the Minister of Railways do that? If he had done so he would have been logical. If these hon. gentlemen had come to Parliament last year in regard to these matters on that basis my hon. friend would not be in the peculiar position which he is in to-night for, in bringing this measure a second time before the House, he would have agreed to legislation giving supplementary votes to the provinces entirely on the basis that my right hon. friend the leader of the Opposition insists is the proper one.

Hon. gentlemen opposite, a few days ago, appointed a commission to go into the claims of the province of British Columbia for an increased grant for the purpose of building roads in that great province and for the purpose of carrying on all the works of a local and private nature which, under the terms of the British North America Act, could only be carried on by the provincial government. That is why Premier McBride has asked this Government to give this money. What did my right hon. friend appoint this commission for? It is a strangely composed commission, let me say, and I trust that the House will consider that on some other occasion. But, the Government have appointed this commission with the view of arranging the conditions under which this Government are to give the province of British Columbia a larger supplementary grant for the purpose of carrying on those works which legally and properly come under the jurisdiction of the province. If my hon. friend is going to carry out the terms, as laid down by the commission, because I assume that they will report that some money be paid—that is what they are appointed for—will my hon. friend want to put a clause into the Bill to provide that the Minister if Finance in the Dominion knows better how to spend that supplementary vote in British Columbia than Premier McBride? Would he insert a clause in that Subsidy Act which will say that the Minister of Finance, with the approval of the Governor in Council, and on such terms and conditions as are described, by Order in Council, may undertake the expenditure of this amount of money and may expend, on such improvements or construction, the whole or any part of the sums voted for such subsidy to the province? My hon. friend will not dare to make any such proposal yet, if he did so he would be carrying out the absurd and ridiculous policy that he is attempting to impress upon the country by the clause that he is inserting in this measure. Hence it is that I say that the Government, by their insistence of that clause, are proposing a wholly unwarranted and unconstitutional provision, one that is entirely at variance with the whole system of government since Confederation and one which trenches upon the rights which should exclusively belong to provincial legislatures and which have been maintained during all the years since Confederation.

I have not heard any hon. gentlemen on the other side of the House venture to deal with this question in that light. My right hon. friend, the Prime Minister, says: Oh, that is the proper way, and we are going to fix it when we come to vote the money; but we do not want to put it in the Bill. This is the proper method of carrying legislation of this kind into effect. Supposing that, when the British North America Act was before the Imperial Parliament forty-six years ago, the Prime Minister of Great Britain had said, in regard to the clause which was inserted to protect the rights of minorities in this country: Oh, we will not put that in the Bill, but I want to assure the House that, whenever the question comes up, the Imperial Parliament will be found ready to deal with it in the proper way. What would the minority in this country say to such a silly proposal? While the Premier admits everything that is said on this side of the House, while I venture to say he would not dare to question the suggestions that have been made with regard to what is the proper constitutional practice, he evades the issue in the good old fashioned way by saying: We can provide for it when the votes come down; last year, although we had this clause in the Bill by which we could take every cent of this money if we wanted to, we showed evidence of our good faith when the estimates came down by allocating the amounts to the different provinces. Hon. gentlemen on this side of the House, with all deference to the Prime Minister and hon. gentlemen opposite, prefer that if you are going to deal with an important question like this you should deal with it upon the basis upon which it should be dealt with in this or any other British Parlia-

ment, and that is by putting in the statute the things you are going to do and leaving out of the statute the things you are not going to do. Either the Prime Minister means that this money is to be spent by the different provinces in accordance with his suggestion that he will bring down an estimate for that purpose, or he means that while he is going to bring down the estimate this little clause will be called into effect at the proper time by the genial Minister of Railways and what is voted for New Brunswick, or Quebec, or Saskatchewan, will be suddenly collected together and put into Ontario, for example, or Manitoba. The clause says:

The minister with the approval of the Governor in Council———

And so on.

Which means that the Minister of Railways goes to council and presents an order to his colleagues, and his colleagues agree to it, and then this is what he can do: He may undertake the construction of any new highway or the improvement of any existing highway in any province and may expend in such improvement or construction the whole or any part of the subsidy voted by Parliament for such purpose to that province If the minister does not want to expend any money in any one of the provinces he need not do so.

Mr. REID (Minister of Customs): Do you mean to say he could take the total amount voted to the provinces and put it all in one province?

Mr. MACDONALD: Yes; the Minister of Customs has not appreciated the shrewdness of his colleague the Minister of Railways; that is the little nigger on the fence.

Mr. COCHRANE: In the estimates the money for each province will be voted separately.

Mr. MACDONALD: Now, would it not be much better to let this Bill go through unanimously and instead of asking us to wait until the estimates come down, to adopt the suggestion which we have offered and which the minister says he intends to carry out?

Mr. COCHRANE: You will have a voice in it when we vote the estimates.

Mr. MACDONALD: But the Government is contemplating a new system of rules which will prevent anybody on this side of the House having much of a voice in anything. I have some faith in the Minister of Railways and I hope there is nothing in the rumour that he may go elsewhere, but I do not want to see this power left in the hands of a Minister of Railways in whom I would not have so much confidence. Legislation should not rest on the whim of a minister. This Parliament should respect the rights of the provinces and legislate accordingly. For forty-six years the provinces have been dealing with their highways, and now the Minister of Railways proposes to do away with that system by this clause in his Bill. The peculiar thing is that while we urge this very simple thing, and while the other branch of the legislature amended the Bill last year so as to recognize the constitutional rights of the provinces, the Government appears determined to filch these rights away. Why is it that the Government preferred that their measure should be lost last year rather than that they should accept an amendment which was in accordance with the constitution and in the best interests of the country? The Minister of Railways should be candid with the House.

Mr. COCHRANE: I always am.

Mr. MACDONALD: Then, if he is always candid will he tell me why he sticks to this clause in the Bill when, by adopting the reasonable suggestion we make, he could remove all points of difference between us?

Mr. COCHRANE: Because I feel that the Government ought to be responsible for the expenditure of any money that this House votes.

Mr. GERMAN: Parliament will be responsible for it, and not the Government.

Mr. MACDONALD: Then my hon. friend tells us that, after all, this Government is going to be responsible for the expenditure of all this money, and not the provinces.

Mr. REID (Minister of Customs): They are responsible for the expenditure.

Mr. MACDONALD: There is nothing in this theory of giving money to the provincial authorities. The minister wants the money voted under this Bill to be placed in his own hands; he wants to be responsible for it, and therefore he keeps this clause in the Bill.

Mr. COCHRANE: I stated that in my first remarks.

Mr. MACDONALD: My hon. friend did not state that in his first remarks this year.

Mr. COCHRANE: This night.

Mr. MACDONALD: Let us see what he said last year. He has the same Bill this year as he had last year, without any change. My hon. friend tells us candidly that he keeps clause 6 in the Bill because he wants to be responsible, and his Government wants to be responsible, for the expenditure. That is not what he told us when he came here last year with the Bill. This is what he said:

The Bill is, perhaps, a little meagre, but this is because it has been impossible to de-

cide in detail just what is the best way of carrying out the plan proposed. So we propose doing it largely by Order in Council until we get more definite information. The money will be decided the same as our subsidies for the different provinces, and the object will be to work in with the different local governments. We shall have to get their permission in any case before going on, either with them or alone, and in deciding what roads shall be improved or where the work is to be done.

Sir Wilfrid Laurier: May I ask my hon. friend to tell us upon what principle or basis is the division to be made amongst the provinces?

Mr. Cochrane: Either with what they choose to grant, or if they do not like to grant anything at all, we will go on with their consent, to fix a standard of roads to be constructed, and then the Dominion can go on either with or without the assistance of the provinces. But they would be taken into consideration and it would be arranged what routes should be followed in construction or what roads should be improved. I hope the provinces will join and will contribute; but there is nothing in the Bill to force them to do so.

Sir Wilfrid Laurier: Is there no proportion as between the provinces, on the basis of population or anything else?

Mr. Cochrane: That lies largely with the provincial governments. I hope they will contribute. But, so far, we have not been able to take it up with them and ascertain on what basis they would like to carry it out.

Mr. Maclean (Halifax): Are the expenditures contemplated to be made out of revenue or out of capital account?

Mr. Cochrane: Out of revenue, I should think. Did I understand the right hon. leader of the Opposition (Sir Wilfrid Laurier) to ask how the money would be divided among the several provinces?

Sir Wilfrid Laurier: I was asking the hon. gentleman (Mr. Cochrane) to tell us if there is any basis of allotment as among the provinces. The provinical subsidies are based on population; is this based on population?

Mr. Cochrane: Yes, I explained that it was to be on the same basis as that upon which the subsidies are granted to the provinces.

That is the position which my hon. friend took when he introduced the measure.

Mr. COCHRANE: I said then that the money voted for each province would be made up in that way. That is what I intended and that is what I understood the leader of the Opposition to ask, that the arrangement for each province would be made up on the same basis as a subsidy. I was not referring to how the money would be expended.

Mr. MACDONALD: Will my hon. friend put that in the Bill?

Mr. COCHRANE: I have put it to the House.

Mr. MACDONALD: That is the trouble

Mr. COCHRANE: You misunderstood me. I understood that the right hon. the leader of the Opposition wanted to know how we intended to make up the amount to be spent in each province. We were not going to hand it over to the provincial Government. I had no intention of that kind then any more than I have now.

Mr. MACDONALD: I think, rightly interpreted, my hon. friend's position in regard to the matter is this, that in computing the amount of money to be spent in each province, my hon. friend would make up the computation in the same way as the subsidy allowance, but when it comes to the expenditures he would control that.

Mr. COCHRANE: That was a matter of agreement with the provinces.

Mr. MACDONALD: If my hon. friend will strike out clause 6 of the Bill, he will be all right. While that is his view, he wants to keep clause 6 in the Bill in order to keep a string on the expenditure, and practically to take away from the provinces a right they have enjoyed since Confederation. This is the issue between the two sides of the House on this question. My hon. friends come along with a proposition to assist in the improvement of the roads of this country. They introduce a Bill under which they provide for the expenditure of certain sums of money to be voted in the future. They go on with the different clauses of the Bill and provide for the Minister of Railways making agreements with the different provincial governments in regard to the expenditure of this money in those provinces within certain limits. They sail along with delightful consideration for provincial rights through various clauses of the Bill down to clause 5. When they come to clause 6, what do they do? They turn over their apple cart; they discard all the theory contained in the previous clauses of the Bill, and the Minister of Railways arrogates to himself the whole right to deal with the expenditure of this money in any province of the Dominion, if he wants to do so. On this side of the House, we say that my hon. friend is not dealing with the question fairly. We say that the proper method of dealing with a matter which was exclusively committed to the control of the provincial legislatures is by a supplementary grant of money, if money is the means by which that can be done. We say clause 6 of the Bill is unconstitutional, improper, ought not to be in the Bill, and that no minister of the Crown in a federal parliament has a right to ask this Parliament to give to him the exclusive right to determine as to the expenditure of money in any one province where the improvement of roads is to be carried on My hon.

friend says: Of course, you must have the consent of the legislature of the province. He will not complain if we on this side of the House are rather disposed to fancy that an occasion might arise in which he might, for instance, expend this money more particularly in the provinces which are in sympathy with him politically. My hon. friend has old memories of the province of Ontario and my hon. friend from Renfrew (Mr. Graham) has referred to his knowledge as to his expenditure on conciliation roads in northern Ontario. I should not be surprised if he was inclined to favour that particular part of the country; he would be only human, but he might not want to go out into the provinces of Alberta and Saskatchewan and expend money in those provinces. more particularly as in the last year they have intimated to my hon. friend and his friends that they do not care very much about them. My hon. friend might discriminate also if his colleague the Minister of Public Works (Mr. Rogers) came along and said: We want to build roads in Manitoba; it is true that they had an increased subsidy last year for the purpose away in advance of what was given to other provinces. My hon. friend would naturally be disposed to do more for his friends in the province of Manitoba than he would for Sir Lomer Gouin in the province of Quebec.

Mr. BURNHAM: Is it not contrary to the principle of interpretation that fraud should be presumed before instead of after?

Mr. MACDONALD: I am sorry my hon. friend from Peterborough has suggested something which so far never came into my mind. I have never suggested that my hon. friend the Minister of Railways would spend the money fraudulently. I have suggested, however, that he might spend it where it might do him the most good politically, which is an entirely different proposition. Hon. gentlemen behind my hon. friend know that is what it means. That is what they are expecting from this Bill. They are not expecting that this Government is going to grant to the provinces of this Dominion that have Liberal governments the expenditure of a fair basis of money which under this Bill ought to come to them. That is so, and that is why my hon. friend has clause 6 in the Bill. He knows and everybody in this House knows, and there is no use in anybody playing the hypocrite on the question or in pretending that is not so. Clause 6 is in the Bill in order that my hon. friend may do that. Those of us on this side of the House who consider this matter carefully believe that my hon. friend was right, and that his leader was right last year when they said that it was a very crude measure. It is absolutely unimproved. All the evil it had at first it still has and all the good is quite as much suppressed as last year. Who is there who does not want to see good roads in this country? But the people whose business it is to make good roads are the provincial governments. But if, out of the plentitude of an overflowing treasury, we wish to assist the provincial authorities in this respect, there is a plain and simple way to do it and that is the method proposed by hon. gentlemen on this side; that is the constitutional method, the right method. Hon. gentlemen opposite declined to accept it and that is the issue between the parties on this question.

Mr. FOSTER (Kings): Suppose the money had been voted, what would happen if the local government, say of Saskatchewan or Nova Scotia, refused to confer with the Dominion Government and to accept the money?

Mr. MACDONALD: That question was dealt with by my hon. friend from Humboldt in dealing with another phase of the matter. He pointed out that the Government which would fail to comply with any reasonable terms of an agreement that might be suggested would have to assume the political responsibility of that refusal.

Mr. J. H. RAINVILLE (Chambly-Verchères): Two gentlemen on the other side have given me good reasons why the Bill should stay as it is; one is the hon. member for Pictou (Mr. Macdonald), and the other is the hon. member for South Renfrew (Mr. Graham). These hon. gentlemen complain of political interference and cite cases in their own ridings of political interference through this question of good roads. This is the very reason why these hon. gentlemen should favour the Bill as it is, for it means that Parliament should have the power to control this matter and prevent abuses. We have instances which should convince us on this side that the Bill should be left unchanged in order to prevent political interference by our opponents. I desire to quote a letter sent from the county of L'Islet to the hon. member for that constituency (Mr. Paquet) telling him in what way the grant for agriculture has been used by the Hon. Joseph Edward Caron, Minister of Agriculture:

14th January, 1913.
St-Roch des Aulnaies,
County of L'Islet, P.Q.

Dr. Paquet, M.P. for L'Islet.

My Dear Sir,—We, electors and residents in the parish of St-Roch des Aulnaies, county L'Islet, hereby certify that we attended the meeting and heard the speech delivered by Hon. Joseph Edouard Caron, actually Minister of Agriculture in the Quebec Government, on the 24th September last. In the said speech, Mr. Caron praised the magnitude of his attributions, the quantity of his gifts

and favours for the benefit of the electors and residents of St-Roch des Aulnaies, Ste-Louise and other parishes in the neighbourhood and for the profit of the Agricultural Society and generally of the agricultural people. We hereby certify again that he managed his speech in order to make the electors believe that all the money that had been voted for agricultural purpose was firstly due to the generosity of the Quebec Government, and specially to the good initiative, the kind help and the large confidence granted to him, instead to Dr. Paquet, our member, by Hon. Martin Burrell, Minister of Agriculture in Ottawa. So that, Sir, we firmly protest against that unjust speech which is of a nature to hurt your influence and your popularity in L'Islet county, for the benefit of the Liberal party. We also beg to recommend you to send that request to the Minister of Agriculture, Hon. Martin Burrell, so that he will notice the case and use his influence to ask Mr. Borden that, for the future, the amount of money voted for agricultural purpose in L'Islet county, by the Conservative Government of Ottawa, should be given to Dr. Paquet, our member, with the charge of distributing that money justly and fairly among all the electors, which money had been given, up to the present, among a little bunch of friends by Hon. Caron. We trust, according to the great interest paid to agricultural matters by the present minister, Hon. Martin Burrell, that our request will be taken in consideration and granted, if possible.

We are, Mr. the minister and Mr. the member,

Yours very truly,

(Signed):

Nap. Pelletier,	David Bourgeault,
Jos. St-Pierre,	Jos. C. Pelletier,
Sallus Pelletier,	George Tremblay,
Phil. Deschenes,	Ernest Michaud,
Ls. T. Tremblay,	R. Tremblay,
Joseph Dupont,	Jos. Tremblay,
Louis Tremblay,	Rosario Lebel,
Jos. Lebel,	Marcel Dupont.
Alfred Tremblay,	

This document illustrates the reason why the hon. member for Pictou and the hon. member for South Renfrew should agree with us to keep this business in our own hands, and when we vote money to be prepared to direct the expenditure of it by discussion on the floor of this House. Some of these hon. gentlemen have spoken as though this money were to be employed in building a road between Ste. Angèle and St. Cesaire, I do not think that is the intention of the Bill. I have here a copy of the French version. I do not know that the translation is accurate but the word highway is quoted as 'grandes routes.' That is a main road, virtually an interprovincial road. According to the French version this would mean such a road as between Montreal and Toronto, between Toronto and Midland, between Montreal and Levis, or from Lévis to New Brunswick, thence passing through Pictou to Halifax. Suppose this amendment in favour of granting these sums according to population were carried, and there was a proposition to build a road from Montreal to Toronto; everybody knows that four-fifths of that road would be in Ontario and one-fifth in Quebec. But the road would be just as useful to the people of Quebec as to the people of Ontario. In the case of a road between great centres, that which is to be considered is not so much the population of the provinces in which the road is made as the accommodation that is given to the people. Or take a more extended case. At present, in order to reach our western provinces by automobile or carriage, you must pass through the United States, for there is no road on the Canadian side. Would it be just in building a road, say from Midland or Owen Sound to Winnipeg, to base the grant made to Ontario and to Manitoba on the population of the several provinces? The province of Manitoba would have only a few miles to construct, and Ontario would receive a grant which would absorb the money expended for this purpose for five years to come. Certainly I would not object if an enterprise was undertaken which would make it possible to construct that highway uniting the east and the west. It has been pointed out by some hon. gentlemen that the Government of Canada, under this Bill, want to take upon themselves the authority of the provinces, and they say, we should trust the provinces. The hon. member for South Renfrew (Mr. Graham) would not trust Ontario; the hon. member for Pictou (Mr. Macdonald) would not trust his own constituents. My hon. friends will say, why do we not trust the provinces; I say, why do hon. gentlemen not trust us?

Mr. BUREAU: Will you trust this side of the House?

Mr. RAINVILLE: Certainly. Hon. gentlemen say we have no business to make roads. Why not? We can make military roads without asking the provinces. Post office mail contracts have been cancelled because of the fact that the roads have been too bad to allow the work to be done, it is obvious that it would save the Post Office Department a considerable amount of money if the roads were improved. Three or four years ago some of my good friends in Quebec were requesting that break-waters be constructed along the shores. And why? The trade of Canada has been growing to such an extent that the tonnage of the boats and steamers are increasing to an enormous extent, the shores of all our navigable rivers are being washed away and our provincial roads are going into the rivers. If hon. gentlemen on the other side of the House would go to the county of Verchères and Berthier and L'Assomption, and along the Richelieu, they would find that some of the roads that last year were in good con-

dition are being destroyed by the action of the water. Much of this money, if it were voted, could be used and supplied, applied at St. Hilaire and Belœil—which is a beautiful place—and all along the St. Lawrence river, wherever it is needed, and, indeed, there are many places where it is badly needed. The money would be well spent and the provincial Government would be glad to see it used in that way. At Belœil a road has been built at great cost, and if something is not done for its protection on the shore, the road within a few years will be in the river. For that reason and for many others I say we should keep control of the money we are voting under this Bill. The provincial governments should be consulted and their opinions obtained, and for the money we are voting a contract will be entered into by the Minister of Railways and the provincial governments. After all, this is only a temporary measure; it is not an increase of the general subsidies. If it were decided to vote $15,000,000 extended over a period of ten years, would it not be worth while doing so for the purpose of meeting the wishes of the people in regard to the construction of the road between Montreal and Toronto, Montreal and Halifax, and Toronto and Winnipeg? Last year the Government of the province of Quebec undertook to construct what is known as the King Edward road, from Rouses' Point to Montreal. That road is to be sixteen feet wide, but if the Government had last year been able to contribute one-third the cost of that road, and make it twenty-four feet instead of sixteen feet, would it not be so much the better for the interests of all concerned, and of much greater benefit to the people? This is the kind of subscription the Bill has in view, to make a road a bigger, wider and better road.

Mr. MACLEAN (Halifax): Who is going to keep it up?

Mr. RAINVILLE: We do not need to keep it up. Ten years of good policy would be sufficient to build large roads all over the country. Of course, the provinces will get along during that time; they will benefit from the subscriptions, and after ten years they may need a little less money and will be able to look after the roads themselves.

The hon. member for Pictou (Mr. Macdonald) thought he was making a big point in finding in the 'Hansard' of last year that the hon. Minister of Railways and Canals said that the Bill was not a perfect Bill. It may be so, but it is always open to amendment. I asked myself in what way or shape the amendment would make the Bill more perfect. Only as to the amount that would go to each province, but if this amendment is not in the Bill I would ask what would prevent any member of the Opposition or any member on this side of the House from saying that this money was not being voted according to population or on a proper basis. Nothing would prevent that.

Mr. MACDONALD: The gag.

Mr. RAINVILLE: Whether that amendment is or is not in the Bill, the Bill will not suffer; it will not be any more perfect with or without it. The hon. member for Pictou said: Would you have the minister of Finance go to British Columbia and show them how to build roads? This is not the question at all. We do not intend showing the provinces how to build roads, but each province has a different way of building roads and a different organization and policy for securing good roads. For instance, some provinces encourage the borrowing of money by municipalities, and other provinces subscribe one-half or two-thirds of the cost of roads. How are you going to manage with our own organization? If in Quebec the policy of Mr. Gouin is to allow the municipalities money at three or four per cent and they pay this during forty years and then there is no more debt,——

Mr. ROBB: Two per cent, is it not?

Mr. RAINVILLE: The Government pay two per cent and the municipalities pay two. How are we going to subscribe to these roads if the municipalities borrow money? Will we pay the provincial government, and the provincial government lend the money to the municipalities? It is not possible. We could subscribe to a road in this way. We could come to an understanding and agreement with the province saying: You have a road from such a place to such a place to build. We will pay one-quarter or one-third of it as long as you show your plans, and in what way it is going to be built, and as long as you build it of such a width and in such a way. Then we will be able to subscribe to any extent. But another province may have another scheme, perhaps they are paying one-half and the municipalities one-half. We can go to the provincial government and subscribe to a road. But I think it is better, as all the provinces have not the same way of organizing their road policy, that we should keep control of the money we are voting or subscribing to particular roads between the provinces, between cities or large centres and make large wide roads which will be to the benefit of all farmers in their vicinity. It will be to the benefit of any farmer in the vicinity of those roads, it will be to the benefit of any municipality which will be able to build small roads and to connect with the large roads, and it will be a benefit to the people

at large who travel more and more through our country.

Mr. W. M. GERMAN (Welland): In the province of Ontario we are particularly interested in the construction of good roads, more especially in that section of the province from which I come. Several years ago the Liberal Government of Ontario under Sir Oliver Mowat—the same policy being continued under the late Mr. Hardy and more thoroughly under the present Sir George Ross—introduced a system of donations by the provincial government to aid municipalities in the construction of good roads. The present Government of Ontario, under Sir James Whitney, have carried that principle along with the result that we have now constructed in the province of Ontario a large system of good roads by aid of government subventions to the municipalities. That is a matter particularly within the purview of the provincial legislature under the British North America Act. While an appropriation by the Parliament of Canada in aid of good roads is, I presume, constitutional, as the Parliament of Canada can vote money as they see fit, it is not entirely the idea, perhaps, if I might use the word, of the Parliament of Canada. The Parliament of Canada deals with general public affairs but it may, if it choose, vote money in aid of good roads or in aid of the province in assisting good roads, and with that in view, I am in perfect accord with this Bill and will support the hon. Minister of Railways and Canals in any suggestion to Parliament that Parliament should vote money in aid of the construction of good roads in the various provinces of the Dominion, but, Sir, that aid must be given to the province and not be controlled by the Government of Canada, excepting under full control of the Parliament of Canada. I have heard a lot said throughout the country with reference to the Bill proposed by the hon. Minister of Railways and Canals. I am free to admit that it is somewhat misunderstood. Speaking for myself and, I believe for the Liberals of Canada, let me say that we will assist the minister in appropriating any sufficient sums of money that may be thought necessary and desirable for the construction of new roads but we will not place in the hands of the Government the power to spend as much money as they like, in any place they like and at any time they like, without receiving the sanction of Parliament. That is what the Bill proposes. The third clause of the Bill says that:

The Governor in Council may, in any year, and upon such terms and subject to such conditions as are prescribed by Order in Council, grant to any province in aid of the improvement of existing highways or bridges, or the construction of new highways or bridges, in such province, or for all or any such purposes, a subsidy not exceeding such sum as may in such year be voted by Parliament for that purpose.

That expresses no amount but supposing that this Bill is passed, and the Government ask Parliament to appropriate, in aid of roads in the province of Alberta, a million dollars. In Alberta they have just had an election. The Government persuade their supporters that a million dollars should be voted. What becomes of it? The Minister of Railways can spend that million dollars in the province of Alberta to suit himself without any man in this House, or in the province of Alberta, having a word to say about it.

Mr. SHARPE (North Ontario): Suppose they hand it to the province, how will they spend it?

Mr. GERMAN: They do not hand it to the province.

Mr. SHARPE: Supposing they do.

Mr. GERMAN: If this Bill provided that a certain amount of money should be handed over to each of the provinces I would vote for it.

Mr. SHARPE: If there was an election pending and they handed it over to the province what would they do with it?

Mr. GERMAN: One could imagine what the hon. Minister of Public Works, knowing as he does how to win elections, would do with it. I do not know that I would even trust myself. I do not think that such a power should be placed in the hands of a government. The principle which was followed in this country forty years ago is introduced into this Bill and that is that the Government is taking control of public money and Parliament has nothing to say about it. The people will not stand for that and if we have to fight that question over again we will fight it. Hon. gentlemen opposite probably do not understand that particular phase of the situation. What does the last clause say:

The minister, with the approval of the Governor in Council and upon such terms and conditions as are prescribed by order in council, may undertake the construction of any new highway or the improvement of any existing highway in any province, and may expend in such improvement or construction the whole or any part of the sums voted by Parliament for such subsidy to the province.

Mr. ARMSTRONG: Read on.

Provided, however, that the minister shall first obtain the necessary authority from the legislature of such province and the consent of the Lieutenant Governor in Council.

Mr. GERMAN: Supposing the hon. Minister of Railways had $3,000,000 to be ex-

pended in the province of Ontario, would anyone imagine for a minute that he could not get the approval of the Lieutenant Governor in Ontario, advised by Sir James Whitney, to the spending of that money at any time he saw fit? It would be expended in such localities as would help hon. gentlemen opposite to carry elections. I do not suggest that hon. gentlemen opposite would do anything worse than we would do on this side of the House.

Some hon. MEMBERS: Oh, oh.

Mr. GERMAN: I am not suggesting that for a minute but I say that no such power should be given to any government. The Liberals of Canada fought against that principle for years, we have to have the whole fight over again and intend to fight it in this next general election when hon. gentlemen opposite will be turned out of power on that very issue.

Some hon. MEMBERS: Oh, oh.

Mr. GERMAN: Hon. gentlemen smile at that but they do not appreciate the situation. The people of Canada will not place in the hands of any government millions of dollars to be expended by the Governor in Council. Parliament must have control. Parliament has had control for years and Parliament will continue to have control. The people of Canada will maintain that proposition.

There is very little more to be said in reference to this Bill. You are violating the first principles of responsible government when you say that you are to place in the hands of a minister of the Crown authority to spend millions of dollars in any province even in aid of good roads. We are prepared to spend money in aid of good roads; I certainly am. I will assist the hon. Minister of Railways and vote with him in appropriating money in aid of good roads, year by year, to be handed over to the provinces under the British North America Act. The provinces, as has been pointed out by my hon. friend from Pictou, are the proper authorities to spend that money. I will aid in voting the money to establish good roads in the provinces but I will never agree to hand over, even to the hon. Minister of Railways and Canals, a very honest and upright gentleman though he is, the full authority to expend millions of dollars in building good roads which he may be tempted to spend for political purposes in a close election.

On motion of Mr. Carvell, the debate was adjourned.

On motion of Mr. Rogers House adjourned at 11.45 p.m.

HOUSE OF COMMONS.

TUESDAY, April 22, 1913.

The SPEAKER took the Chair at three o'clock.

H. M. C. S. NIOBE DISMISSALS.

Mr. MACDONALD: I am informed that on Thursday Commander Macdonald of the Niobe called his men aft and announced to them that, notwithstanding the fact that their time had not expired, they were free to accept their discharge immediately; in other words, he discharged the Canadians who were enlisted on the Niobe. In regard to this important step I think we should have some information from the hon. Minister of Naval Affairs, and I would ask him if he would be good enough to tell us what instructions were given to Commander Macdonald, and, if he has any documents upon the subject, to bring them down.

Mr. HAZEN: I will get the information for my hon. friend and give it to him tomorrow.

Mr. MACDONALD: Is the statement correct?

Mr. HAZEN: I am not prepared to say.

PRINCE ALBERT HOMESTEAD ENTRY.

Mr. OLIVER: I wish to remind my hon. friend the Minister of Public Works that during the discussion on Thursday in regard to the Donaldson homestead, I asked him to give me such information as would identify the file from which he was reading in regard to the operations of Messrs. Leach and Douglas, so that I might be enabled to move for a return of those papers to be placed before the House. My hon. friend has not yet given me this information, and I would ask him if he would do so as soon as possible.

Mr. ROGERS: I shall be very glad to do so, but I understand that the letters from which I read were placed on the table of the House yesterday; if there is anything else my hon. friend wants, I shall be glad to supply it.

Mr. OLIVER: It was understood when the discussion was in progress that these letters would be brought down, and this has been done. I then asked from my hon. friend such information as would identify the files from which these papers were taken, so that, as I have said, I might move for a return. My hon. friend told me he would get that information, but he has not yet done so.

Mr. ROGERS: I shall be very glad to supply the information.

IMPORTATION OF PHOTO-ENGRAVERS.

Mr. CARROLL: I would ask the acting Minister of the Interior (Mr. Crothers) if he has given any consideration to the telegram from the Photo-Engravers' Union of Toronto which I placed in his hands, and if he intends to take any action with reference to the matter therein referred to?

Mr. CROTHERS: I received the telegram from my hon. friend, and I have given it some consideration. I do not propose to pass any Order in Council under section 38 referred to by my hon. friend.

UNION LIFE ASSURANCE COMPANY.

Mr. MARTIN (Regina): I would like to ask a question of the Minister of Finance in regard to the Union Life Assurance Company of Toronto. Statements have been published by the Monetary Times and by other financial papers in the province of Ontario to the effect that this company is not in good financial condition. Have any steps been taken by the department to investigate the financial condition of the company?

Mr. WHITE (Minister of Finance): I understand that the matter to which my hon. friend refers has been made the subject of a question by him now standing upon the Order Paper. It may be sufficient for me to say that the matter to which he alludes has been brought to the attention of the department, and has been under consideration by it. I do not see that it would be in the public interest that I should make any further statement in this regard.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Consideration of the proposed resolution of Mr. Borden, to amend rule 17 of the House of Commons, and the proposed motion of Mr. Hazen, that this question be now put, resumed from April 16.

Mr. W. F. KAY (Missisquoi): Mr. Speaker, it is not my purpose to take up many minutes of the time of the House, but I feel that I would not be doing my duty to myself or to my constituents if I did not oppose, in the most forcible manner possible, the resolution that has been brought down. I do not deny that the rules of the House as they stand are capable of being improved, but there is a time and a place for everything and a wrong way and a right way of doing everything; and in characteristic manner this Government has chosen the wrong way and the wrong time to amend these rules. Possibly, Sir, this is not surprising when we consider the course the Government has pursued in other matters. The Prime Minister, in introducing this resolution on the 9th of April, stated that from time to time in the past the rules of this House had been amended, but he did not tell us how these rules had been amended in former times. And why? Because he intended to amend them in a new manner, to make a new departure. On former occasions when it has been found advisable to amend the rules, a special committee has been appointed for that purpose, a committee of which Mr. Speaker has been a member, and they have revised the rules and then reported their findings to the whole House in committee, thereby enabling the House to discuss the changes and to offer amendments to them. But how is it proposed to amend the rules in this case? The Prime Minister has assumed that all the wisdom and all the knowledge are on his side of the House. He has introduced a resolution changing our rules in a most drastic manner and has introduced it in such a way that no amendment from either side of the House and no suggestions may be made; even you, Mr. Speaker, who have to interpret these rules are precluded from giving your advice.

On the 1st of July next this country will have been governed under confederation for forty-six years. There have been occasions when the Government of the day has found itself unable to pass measures which it had brought down. In all, I think, there have been five occasions when the Government of the day found itself unable to pass a measure. What has been done when a government found itself in that position? If the Government had any faith in its policy it dissolved the House and went before the people; if it had no faith in its policy like the present Government, it withdrew its Bill or else accepted an amendment suggested by the Opposition. In all these years this has been found a satisfactory way of governing the country. What do we find to-day? We find a government which was weak when it was formed, which has been growing weaker ever since, a coalition government, between whose members there has always been dissension and dissension on the very point to enforce which this Government is bringing down the closure, that measure on which the Government is staking its life, a measure for the naval defence of the Empire. This Government, knowing that it is opposed in this policy by the Nationalist wing of its party, has the temerity to come before this House and country and say that it has a mandate from the people to bring down this measure. Does it not know that its Nationalist wing was elected to oppose this very policy? I would ask them where is their mandate from the people? I have said that there is a time and a place for every-

thing. I say that the time to make a change in the rules of this House is not in the midst of a debate which has aroused party passion to a high degree and not in order to pass a certain measure which it has been found impossible to pass by any other means. The proper time to amend these rules is at the beginning of a session and by a special committee appointed by this House with you, Sir, as a member, so that the proposed amendments may receive the unbiased and the quiet consideration of members of both sides of the House. The hon. gentleman's reason for the bringing down of this resolution has been in order to pass the Naval Aid Bill, but the occasion has been seized to take away from the representatives of the people their right to withhold Supply until they have ventilated any grievances which they may have against the Government of the day. In earlier days the attempt to force through Supply without the consent of the people led to revolution. To show the length to which this Government is willing to go in order to pass this policy of theirs, we have only to go back to the 9th of this month when the Prime Minister introduced this resolution, when he and his followers not only refused the right hon. the leader of the Opposition (Sir Wilfrid Laurier), the right to move an amendment or to offer any suggestion for the improvement of these rules, but went out of their way to offer him a personal affront. If this resolution is pasesd as it stands, the rights of the minority or of any minority, in this country, will be in grave danger. Once these rules are passed it will be an easy matter for any government in the future to take advantage of the closure to enable them to pass any other rules or amendments to suit their own wishes. It is giving a tremendous power to any government, Mr. Speaker, a power which it is dangerous for any government to have, even the present Government. Possibly some day, not very far distant, the Liberals will be in power, and it must surely make hon. gentlemen on the other side tremble to think of the perils with a Liberal Government in power with these rules in force. In all seriousness, Mr. Speaker, I call upon the Prime Minister to withdraw this resolution before it is too late. This thing commenced with the comparatively unimportant question of how $35,000,000 should be expended for the naval defence of the Empire, but it has grown to the far more important and grave question of the loss of free speech in Parliament. If this Government's desire to aid the Empire is greater than their desire to remain in office, they will withdraw this resolution, drop the Naval Bill, and go on with the business of the country. If in the future they are able to evolve a permanent policy, they will bring it down and go to the people. There is just one thing, Mr. Speaker, with which I can agree with the right hon. the Prime Minister, and that is that there is a danger, an emergency, but I differ with him from there on. The danger is in this resolution. I consider that if these rules are passed, a death blow will be struck at the future of the British Empire. I wonder, Sir, if in drafting this resolution the Prime Minister and the hon. Minister of Marine and Fisheries remembered a certain night in London last July when they attended a banquet of the London Chamber of Commerce. At that banquet was present their esteemed colleague, whom we on this side of the House miss so much, the hon. Minister of Trade and Commerce (Mr. Foster). In looking over the files of the London Times I was struck by a few sentences uttered by the hon. Minister of Trade and Commerce on that occasion. He said:

> We have no steam-roller, or guillotine, or 'kangaroo' in the Canadian House of Commons, and he prayed to God he might never have them.

I wonder what the hon. Minister of Trade and Commerce will say when he comes back, to find that we have a steam-roller and a 'kangaroo' and a guillotine in this House. Mr. Speaker, in order that this question may be more freely discussed, I beg to move the adjournment of the House.

Sir WILFRID LAURIER: Mr. Speaker, I will take advantage of the motion of my hon. friend from Missisquoi (Mr. Kay) to endeavour to obtain from a reluctant government some information as to the exact meaning of the new rules which are soon to be in force in this House. I will not indulge in the complaint, which has already been made and not answered, that these rules should have been introduced in the manner always followed in similar circumstances, that is to say, that they should have been referred to a Committee of the House, there to be threshed out, defined, and understood, and then reported to the House for adoption. In some respect all the rules which have been in force either literally or tacitly in this House for more than forty years is already violated; still we had a right to expect that the Government would give us some information and some explanation as to the exact meaning of the new rules which have been introduced. These rules bear all the evidence of careful preparation. They bear evidence that a good deal of midnight oil has been consumed upon them, with the view, however, of making them not clear and intelligible, but rather obscure and mysterious; and it is in order if possible to clear away that obscurity and that mysteriousness that I now beg to address myself to the House.

The Government has been chary of giving any information as to the exact meaning of these rules. Two ministers only have spoken upon them, the right hon. the Prime Minister who introduced them, and who gave the reasons for their introduction from his point of view, and my hon. friend the Minister of Justice (Mr. Doherty) who dwelt upon the general question and not upon the exact meaning of the rules. Then these ministers, having spoken, became mute as oysters; not a word has been heard from them since, and the task of explaining the rules has been left to my hon. friend from Portage la Prairie (Mr. Meighen) and my hon. friend from Brandon (Mr. Aikins), both certainly well qualified to speak; because, if rumour does not slander them, they had a good deal to do with their preparation. But when my two friends from Portage la Prairie and Brandon had spoken, the dumbness which afflicted the Government spread over the rest of the party, and we have not heard a word since.

I venture to rise with the object of eliciting some information as to what we are to expect from the Government under these new rules. We know in a general way that they are intended to prevent and gag free spech, but even as to that we do not know any more than we learned from the explanation that was given us. But, Sir, there are certain features of these rules which it is well that we should understand before we proceed any further. Let me call the attention of the House, first of all, to the proposed amendment which is to be section 2 of rule 17:

> Every motion, heretofore debatable, made upon routine proceedings, except adjournment motions and every motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or a special committee, or for the previous question, or the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means of the resolution clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

There a general rule is laid down that all motions henceforth made in this House are to be non-debatable and non-amendable except those which are specifically mentioned in this resolution. The order would have been more logical and less liable to trouble if it had been the reverse, that is to say, that all motions should have been debatable and amendable except those which would be specifically named as non-amendable and non-debatable. But, if I understand it aright, the intention of this rule is that henceforth except such motions as are here specified, every motion, no matter what its character or occasion or purpose, is to be non-debatable. Let me call attention to one feature of these resolutions which will be of far-reaching consequence; that which provides that the motion to adjourn the House shall henceforth not be debatable. If I understand the rule correctly, it is the intention of the Government that every motion heretofore debatable, made upon routine proceedings, shall be debatable except adjournment motions. If this rule passes as it is now framed, henceforth the motion to adjourn shall be non-debatable. May I suggest to hon. gentlemen opposite who are responsible for the framing of these resolutions, and who, aside from the present conditions and the purpose by these rules of restricting free speech, I suppose want to retain some semblance of parliamentary government, that if there is a motion which of its nature ought to be debatable it is a motion to adjourn. Every day we meet here with a programme which is set for our consideration; we know exactly the questions which will come before us. But occasions have arisen in the past, and will arise in the future, when for reasons of state perhaps it may be advisable to interrupt the routine proceedings of the day, in order to adjourn the House; and, strange to say, if any such occasion arises, the motion to adjourn, which above all things should be debatable, shall not in future be the subject of debate. There are a thousand and one reasons why the House might be asked to adjourn; it may be the celebration of some great event; it may be the observance of a day of mourning; it may be some sudden event which caused a ministerial crisis; it may be a thousand and one things; and then a motion to adjourn has to be submitted to the House without a word of explanation or of debate. Could anything be less in accordance with parliamentary government?

In the history of Confederation there have been several occasions on which the Government has moved to adjourn the House for special reasons. In 1881 Sir John Macdonald moved to adjourn the House on the occasion of the death of Mr. Holton. Mr. Holton was a prominent member of the House and a parliamentarian of fame, and he died suddenly during the night, and when the House met the following day Sir John Macdonald moved its adjournment. Sir John Macdonald stated that it was not the custom to adjourn upon the death of one of the members, but the occasion was so special and so sudden that the House could not be supposed to proceed with business. If on that occasion the rules now proposed had been in force, Sir John Macdonald could not have debated that motion; he could not have presented any reason for

moving that the House adjourn. Could anything be more absurd?

Ten years later, in 1891, Sir John Macdonald died in the midst of a session. He died on Sunday morning, the 6th of June; Parliament met the following Monday, and a motion was made to give him a public funeral, which of course was quite proper under the circumstances. Sir John Thompson, then leading the House, moved that the House adjourn. A debate arose as to whether the House should adjourn for one day or for several days, and that debate was of some importance; but if these rules now proposed had been in force there could have been no debate on the motion.

When Parliament met for the session of 1896, in the first days of January, there was a ministerial crisis occasioned by some five members of the Government tendering their resignations to the Prime Minister. Under these circumstances the House could hardly be expected to proceed to business, and what was left of the Government asked that the House should adjourn. That, of course, was an occasion when the Government should give their reasons for asking the House to adjourn. Sir Adolph Caron, who at that time was leading the House in the absence of the members who had withdrawn from the Government, gave the explanation which compelled them to ask that the House should not proceed with business, and a debate arose on it. Is it not fair that on such an occasion the rules should provide for debating such a motion? Is it to be tolerated for a moment that upon such occasions a motion for adjournment must be made without debate?

Examples such as these must convince the members of the House that the proposed rule—if it is passed, as it is evidently intended it should be passed—must work great injustice to both sides of the House and greatly nullify the advantages we derive from parliamentary government. I suggest to my right hon. friend that if there is one motion which above all ought to be debatable and upon which the greatest latitude ought to be given to members upon both sides, it is the motion to adjourn. To tell us that the business of the House can be interrupted and that a member who takes the responsibility of making such a motion shall be denied the privilege of stating the reason why he so moves, is enough to show to what length hon. gentlemen opposite, in their endeavour to suppress freedom of speech, have gone in making the rules of the House altogether unsuited for the purpose they were intended to serve. I would like to know from my hon. friend if he contemplated such a result and if it be the intention of the Government that this long-standing privilege of a member of the House shall be taken away from him. The Government after all are responsible for the conduct of business in this House; and, if they gag not only the members of the Opposition but themselves so as to make it impossible for any reason to be given to the House for any motion that might be made to adjourn the House, they are going further than they intended.

I now pass to another view of this matter. The resolution specifies by name the motions which in the future are to remain debatable. They are:

> Every motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or a special committee, or for the previous question, or the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means of the resolution, clause, section, preamble or title under consideration.

In the list of motions which are here specified as remaining debatable, there are some which are amendable and others which are not amendable according to the existing rules. A motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or special committee, is amendable. A motion for the previous question is not amendable. A motion for the third reading of a Bill is amendable. A motion for the adjournment of the House, when made for the purpose of discussing a definite matter of urgent public importance, is not amendable. A motion for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means, of the resolution, clause, section, preamble or title under consideration is amendable. I presume that under these new rules there will be no change in that respect, and that motions which are amendable will continue to be amendable, and motions which are not amendable will continue to be not amendable. For instance, the previous question is not amendable, and I presume will continue to be not amendable, although it is debatable. A motion for the third reading of a Bill is amendable, and I presume will continue to be amendable; but, if an amendment to the third reading of a Bill is moved, as I read the resolution—and I would like to have the opinion on this point of those who are responsible for the framing of it—that amendment will not be debatable. I cannot read the resolution otherwise. It specifies that certain motions shall continue to be debatable, but all other motions shall be decided without debate or amendment. The resolution does not say whether these are amending motions or main motions; but the terms are specific, that all motions except those

which are here set forth shall not be debatable. I think the Government intend to go very far. I think it is their intention to control the freedom of speech as much as they can; and, in saying so, I believe that I am not doing them an injustice. I cannot believe, however, that they intend to go so far as to say that, on the third reading of the Naval Bill, for instance, if we move an amendment, that amendment will not be debatable. I believe that we shall be permitted to speak only a certain number of minutes; but I cannot believe that such an amendment will not be debatable, although the rule as framed states clearly that we shall not have the power to debate an amendment on the third reading of a Bill. We shall have the privilege of moving an amendment; but the moment that motion has been made even he who makes it shall not have the privilege of giving reasons why he does so, and then you, Mr. Speaker, shall have to say: Stop, you must not speak upon it; this is not a debatable motion; and the question must be put at once. That is a very serious consequence. I do not think that I misinterpret the purport of the resolution, because, if the English language properly conveys the meaning which is attached to these words, no other meaning can be taken from them than the meaning which I have taken.

To summarize, this first rule means three things. It means that a motion for adjournment shall not be debatable; that all motions, whether in amendment or otherwise, shall not be debatable; and that only the motions which are specifically excepted, shall be debatable.

Another consideration which leads me to believe that I am not misinterpreting the intention of the framers of the resolution is the insertion of the previous question among those motions which shall continue to be debatable. The regulations with regard to the previous question are to be found in rule 36 of the House, which reads as follows:

> When a question is under debate no motion is received unless to amend it; to postpone it to a certain day; for the previous question; for reading the orders of the day; for proceeding to another order; to adjourn the debate; or for the adjournment of the House.

This is very clear. When a question is being debated, the proceedings may be interrupted by any of these motions, and the debate may still continue on the specific motion. Under the proposed rule, a debate may be interrupted by any of these motions, but only on a motion for the previous question may the debate continue. On any other motion there would be no debate. For instance, during a debate on a motion, the previous question is moved and continues to be debatable. But if, instead of moving the previous question, somebody had moved, for instance, to read the Orders of the Day, that would not have been debatable according to the proposed rule. What is the consequence? I would like to be sure that, according to the hon. member for Portage la Prairie, I am not misinterpreting the rule——

Mr. MEIGHEN: Only my opinion.

Sir WILFRID LAURIER——but the opinion of the father of the resolution ought to go for something. I do not think I give too much praise—or too much blame—to my hon. friend when I say he is the father of the resolution. Or it may be that this rule has many fathers—that there has been a combination of efforts to bring forth this child; but of the child, my hon. friend from Portage la Prairie is father, whether alone or collectively. Then, I think I have not misinterpreted the rule. Let us see how that will work. Some years ago in this House, I think it was the year 1906, the hon. member for North Toronto (Mr. Foster) brought up a question of privilege. He complained of slander in the newspapers. The matter so stated was under investigation by the House, and though it was not concluded, a member of the House, exercising his privilege, and in order to put an end to the debate on the question of privilege, moved that the House do proceed to the Order of the Day. Under the rule as framed by my hon. friend from Portage la Prairie, if it had been in existence then, that motion could not have been debated. And I should say here and now that the motion was debated and did not carry, and the House proceeded to the disposition of the matter of privilege. But in a matter of that kind, which in the opinion of a member of this House, and an important member, affected his honour, is it conceivable that another member could set aside the debate by moving to proceed to the Order of the Day, thus superseding the motion before the Chair, and this without a word of debate? Is that really the intention of my hon. friend? Is that what he had in view? It seems to me that this is not only prohibiting parliamentary government, but making parliamentary government a delusion and a snare; it is no longer parliamentary government. Is it conceivable that we have come to this in this House, that for the purpose of gagging the minority we shall set aside the rules that have been handed down to us from the Mother Country? I cannot believe that this House, having properly considered these rules, which bear the evidence of careful preparation, but to bear more the evidence of mystifying and obscuring than of enlightening, will authorize such a change. If, however—I say, if however—I have correctly interpreted the intention of the pro-

posers of the rule, the only conclusion I can come to is that the nefarious attempt to be found in these rules is far worse than we had supposed.

Now, I come to the third rule, which is the parent of all the others, and is intended to kill, to prevent, free speech. That rule is as follows:

(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes, in any such adjourned debate; or, in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

Now, these rules contemplate the closure upon a question which is still before the House with the Speaker in the Chair, and also when the question has passed from the House and gone into a Committee of the Whole, the Committee of Supply, or the Committee of Ways and Means. In either case, notice must have been given at a previous sitting by a minister of the Crown of his intention. If the Speaker is still in the Chair, before the Order of the Day is called, the motion is made:

That the debate shall not be further adjourned.

That is intelligible. But if the Speaker be no longer in the Chair, if the House is in Committee of the Whole, or in Committee of Supply, or Committee of Ways and Means, the motion that is made is:

That the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed——

There is a great deal of confusion and obscurity in these words. I suspect there is not only one nigger, but half a dozen niggers, concealed in that fence. What is the meaning of these words—and let me call the attention of my right hon. friend to them, as we would like to have an explanation.

The further consideration of any resolution——

I understand that.

—or resolutions——

I understand that.

—clause or clauses, section or sections, preamble or preambles——.

I do not understand that.

—title or titles.

I fail to understand that. I can understand the consideration of clause or clauses, resolution or resolutions. That is intelligible, for in one Bill there are more than one clause, more than one section. But there is only one title and there is only one preamble. And therefore I expect, from the ingenuity of my hon. friend from Portage la Prairie, since he has consented to give us the interpretation of these rules, that he will tell us what is meant by reference to our having under consideration 'preamble or preambles' or 'title or titles.' There is in that something which I entirely fail to apprehend, something which is absolutely unintelligible. The why and wherefore of this portion of the resolution is, I think, something in reference to which we have no reason to expect a full explanation. Let me read this part of the resolution again, to come to another aspect of the case:

Or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee.

Why these words, 'shall be the first business of the committee?' I do not understand why it has been provided in this resolution that the committee shall first proceed to the consideration of these clauses. Can anything else be their business? Can there be anything else than the consideration of these clauses? It is not the first, the second or the third consideration; it is the first and only consideration possible; and therefore the wording of this rule which has been conceived evidently with great care, is too acute for such an ordinary understanding as mine. There is in this portion of the resolution something in regard to which a full explanation is necessary in order to demonstrate to us what concealed meaning underlies its words.

There is another consideration in respect to which I would like to have some further elucidation. As to this point we have had an explanation from my hon. friend the hon. member for Portage la Prairie; but the explanation he gave seemed to me to be of such a monstrous character that I

am loath to believe that such is the intention of the rule. The resolution goes on to say:

And if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes in any such adjourned debate, or if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or conducted before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

I would direct the attention of hon. gentlemen on the other side to these words:

Or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded.

I can readily understand, Mr. Speaker, that under the rule, if at two o'clock in the morning the discussion upon the section under consideration shall not have been concluded, then and there the question shall be put. The provision is harsh; it prevents free speech; but at all events it is intelligible. But when we are told that even if the consideration of the resolution, clause or section shall not have been resumed, the gag shall be applied and the question put. I do not understand that; I cannot conceive that it is the intention of hon. gentlemen on the other side of the House to carry into effect the principle that, even if the consideration of a section shall not have been resumed, at two o'clock in the morning the axe shall fall and the debate shall be entirely cut off. My knowledge of the English language is limited, but I think I know enough of it to understand plain words, and there is no other conclusion to come to than that under this resolution, at two o'clock in the morning, even though the consideration of a question shall not have been resumed, the axe must fall and the debate be cut off. If that be the intention, I have only to say that, having regard to this third section as well as the second, the rules are far worse even than we had supposed.

I now come to the fourth section:

On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

As to this I ask for no information; I understand exactly what it means. It is simply an attempt to take away from British subjects one of the privileges they have enjoyed ever since there has been parliamentary government in British countries. Britain has been the only country for ages in which taxation is imposed, not at the will of the Sovereign, but at the will of the people. But whenever the people are asked by the Sovereign to contribute moneys for public purposes, it is their undoubted and most valued privilege to present to the Sovereign any grievances from which they may suffer. Can there be a more salutary or satisfactory rule than that when those responsible for the government of the country ask the people for money for public purposes, the people should have the privilege of saying to the Government: we will give it, but with this consideration, that certain matters which we desire to bring before you shall be considered. Henceforth, however, that privilege shall not be enjoyed to the same extent as heretofore. The right shall not be altogether suppressed, but it shall be seriously limited.

If I were to discuss this question fully I would have very much to say, but it is sufficient to point out, without going any further, that in giving effect to this rule, you take away from the members of this House a privilege upon which rests the liberties of the people. And, Sir, it is the more unpardonable in that it is altogether unnecessary. I have suggested on a former occasion that the only proper remedy in the circumstances which gave rise to this resolution would have been to appeal to the people. The majority can decide, Sir, that there shall be no appeal to the people; they can play fast and loose with these old rules which have been the bulwark and safeguard of British liberty, but of this one in particular I say that in my humble opinion it is an invasion of the privileges of free people which must call forth the resentment and indignation of every subject who values our parliamentary liberty.

Right Hon. R. L. BORDEN (Prime Minister): I have listened with a great deal of interest and attention to the remarks of the right hon. gentleman, and it seems to me that he has allowed the suspicious tendencies of his nature to run away with his good judgment. He finds fault with us on this side of the House because we have not spoken sufficiently during the course of this debate. During a portion of the time my hon. friend is claiming that hon. gentlemen on that side of the House are gagged, or are about to be gagged, and, when he is not making that complaint, he is making an equally strenuous complaint that we on this side of the House are being gagged. I do not know which complaint weighs greatest in the right hon. gentleman's

mind. We have given, not only in this debate but in other debates throughout this session, a great deal of time to hon. gentlemen opposite, more time than we have consumed ourselves; but my right hon. friend, with his forty years experience of parliamentary life, knows that this is not an unusual phenomenon in parliamentary life. During the seventeen years in which I have had the honour of being a member of this House, of which some fifteen years were spent on the other side of the House, it frequently happened that we, sitting to the left of the Speaker, did occupy a greater portion of the time of the House than gentlemen on this side who, after a certain period in the debate, left the further continuance of the debate to us.

I shall endeavour to take up one by one the points which he has mentioned and make the operation of the rules as I understand them as plain to the right hon. gentleman as it is to myself. In the first place, he made a very strong objection indeed to the proposal that motions to adjourn the debate or to adjourn the House should not themselves be debatable. My hon. friend knows that motions of this kind have been used ordinarily, not exclusively but ordinarily, as dilatory motions, and he also knows that everyone of the incidents to which he has drawn attention as illustrating his argument respecting this rule can be discussed in this House without any difficulty. In the first place, as far as rule 39 is concerned, that is with reference to motions for adjournment, my own pretty definite recollection as to what was intended by the committee in 1910 is by no means expressed by that rule; and the right hon. gentleman will see that in a moment. That rule, as it is expressed at present, gives an absolutely unlimited right to move the adjournment at any time and then proceeds to provide for something that is already covered, namely; the opportunity to adjourn the House upon a matter of urgent public importance. There was no need whatever to have made the last provision if the first provision was to have the unlimited scope it had in the past. And the intention of the committee in 1910, as I recollect it—although that intention is not expressed in the rules and we are not in any way bound by it—was to limit the right to make a motion to adjourn very much in the way we are attempting to limit that right to-day. Any hon. gentleman in this House will see that if we provide in the first place that any member at any time is perfectly in order if he makes a motion to adjourn the House and then provide further that on a particular occasion, namely, on the Orders of the Day, a motion to adjourn the House can be made for a definite purpose, that is to discuss a subject of urgent public importance, the combining of these two rules is certainly not a very logical provision because the second is already included in the first. When you have an unlimited right to adjourn it is absolutely unnecessary to provide that on a particular occasion you shall have a limited right to make a motion to adjourn for a particular reason, namely, to discuss a subject of urgent importance. We propose to leave the second provision as it is to-day and in respect of Cabinet changes, in respect of any crisis in the Ministry, in respect of any matter that might properly be classed as one of urgent public importance, that right remains absolutely unimpaired by the amendments which we propose. My right hon. friend does not seem to acquiesce in that so I would point out to him that that particular provision is expressly made in clause 2 which he read to the House a few moments ago. That rule is as follows:

> Every motion . . . . for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance . . . . shall be debatable.

Therefore, so far as the intention of the committee, as I understood it, in 1910, is concerned, that is absolutely preserved by the rules as we have presented them to the House to-day.

Further than that, even if I were not correct in my appreciation of the rules in that respect, the right hon. gentleman knows as I know and every man who has had any experience in this House knows, that in regard to some of the matters which he has mentioned, occasions of mourning on account of the death of a very distinguished member of the House or some great personage, even apart from the provisions that exist in the rules and will exist in the rules after our amendments shall have been carried into effect, debate would always be proper, and the good sense of the House, if there were no other provision whatever, would enable such debate on such an occasion to be carried on with the unanimous consent of the House. Why every day on which this House meets, upon the Orders of the Day, the rules of the House are departed from to a certain extent by hon. members on both sides and that without their action being in any way called in question. Therefore, in view of this consideration, it seems to me that the argument which the right hon. gentleman has put forward is entirely fanciful and one which should not weigh for a moment. Take, for example, the resignation of members of the Ministry in 1896. Does any hon. gentleman doubt for a moment that in the event of a crisis of that kind arising in the Administration of the day it would not be a proper subject of debate under that portion of rule 39 which I have just quoted?

Mr. GUTHRIE: Would that not be discretionary with the Speaker under that rule?

Mr. BORDEN: I think it is discretionary with the Speaker and I understood that one difficulty which my hon. friend finds with these amendments as we propose them is due to the fact that we have not imposed a further certain discretion on the Speaker. In one breath they seem to find fault with any discretion being reposed in the Speaker and in the next breath they say that a discretion of the character imposed on the Speaker and Chairman of committees in Great Britain should be imposed on the Speaker and Chairman of committees in this country. I shall come to that a littlel later.

My right hon. friend next took the point that under the provision of sub-section 2 as we propose it, amendments will not be debatable. I take issue with the right hon. gentleman on that and I say that inas much as the third reading of a Bill or any other motion now amendable is debatable it will still be amendable and debate will be permitted on every such amendment. That seems to be the plain and clear meaning of the rule, at all events it is the sense in which the rule has been presented to the House, the sense in which I understand it and the sense in which the rule will be carried into effect if it should be the pleasure of the House to pass these rules. There was never the slightest suggestion or intention that an hon. gentleman on this side of the House or on the other side presenting an amendment on the third reading of a Bill or on other debatable motion now amendable should not have the same right in the future as he has had in the past to move an amendment to that motion and to debate that amendment.

Mr. GERMAN: Does the strict interpretation of the rules mean that?

Mr. BORDEN: According to my conception it does mean that and absolutely nothing else.

Mr. EMMERSON: It is a matter of right, and not of grace.

Mr. BORDEN: I do most undoubtedly think it is a matter of right and not of grace. Now, my right hon. friend also deprecated the effect of the rules in preventing debate on a motion to proceed to the Orders of the Day. A debate on the motion to proceed to the Orders of the Day is, equally with motions for adjournment, to be regarded as a dilatory motion. The right hon. gentleman seemed to reach the conclusion that some gross injustice might be the result of preventing debate on a motion to proceed with the Orders of the Day. I fail to see it. Take the very case to which he alluded. In 1906 when a question of privilege had been raised by the hon. member for North Toronto (Mr. Foster), a motion was made to proceed to the Orders of the Day for the purpose of preventing the hon. member for North Toronto raising that question of privilege, in relation to a gentleman who, I think, had been summoned to the Bar of the House. My right hon. friend knows perfectly well that the person, whoever he may be, who is for the time being leading the House, under such circumstances as those to which I have alluded, must take control of a situation of that kind, as my right hon. friend on that occasion took control of the situation. He came to the conclusion that it would be only fair and just to the hon. member for North Toronto to have that question of privilege dealt with by this House, and so it was dealt with, and by a practically unanimous vote of the House, I think, the motion to proceed to the Orders of the Day was voted down, and the question of privilege raised by the hon. member for North Toronto was proceeded with. I fail to see that any injustice whatever can possibly arise by the elimination of debate upon such a motion, and I think the motion to proceed to the Orders of the Day might properly be restricted in the future in that respect, as are other dilatory motions with which we propose to deal by the rules now under consideration.

Then my right hon. friend came to the third sub-section which, as he describes it, kills the right of free speech altogether. Under the English rule, if such a discretion were vested in the Speaker, as has been advocated by several hon. gentlemen on the other side of the House, free speech might be killed in five minutes, so that no debate whatever could take place upon any motion. But we have not thought fit to take that course. As I have said to my hon. friends on the other side of the House, and as I say again to-day in all sincerity, if they think it is more desirable in the interests of the minority of this House and in the interests of this Parliament that we should put the English rules into force instead of the rules we propose, we are perfectly willing to take the matter up and to substitute the rules in force in England for the rules we have proposed. I am speaking in absolute and perfect sincerity when I say it was our desire and intention in proposing these rules to the House to impose less restriction upon the House and to give greater opportunity for debate than that which prevails under the English rules; but if I am mistaken in that regard, if the operation of these rules shows I am mistaken, if they should operate so as to create one-hundredth part of the injustice which is in the minds of hon. gentlemen on the

other side of the House, but nowhere else, I will be perfectly prepared to substitute the English rules for these rules and to endeavour to carry on the work of the House under those rules.

My hon. friend is very much impressed because the plural has been used in respect to the words 'preamble' and 'title.' If there is only one preamble, the use of the word 'plural' will not affect the case, and if there is only one title the use of the word 'plural' will not affect the case. What possible secret meaning and what dreadful engine of tyranny and oppression may, according to the views of my right hon. friend, exist in the use of the plural in that particular part of the paragraph is beyond my comprehension.

Mr. GUTHRIE: Why is it placed there, then?

Mr. BORDEN: I suppose it was placed there by way of conformity with the rest of the section, and I suppose there may be, strictly speaking, more than one preamble and I suppose, strictly speaking, there may be two alternative titles to be considered in respect of a Bill. That is all quite possible. But at all events, what dreadful consequences are to result from the use of the plural? My right hon. friend conjured up some bogey, which I do not think anyone but himself could see, and asked me to quell it, and to put it at rest forever. I trust I have put it at rest forever so that it will not in future disturb the mind or the sleep or the imagination of my right hon. friend.

Mr. PUGSLEY: Does the resolution mean this: Suppose on the previous day there have been two separate resolutions under consideration, or two separate Bills under consideration, the minister might give notice that on the next day they must all be disposed of under this. Is not that the reason why the word 'resolution' is inserted instead of the single word 'resolution,' and why the word 'titles' is inserted instead of the word 'title'?

Mr. BORDEN: I do not understand that the rule could possibly operate in that way.

Mr. PUGSLEY: Does not my right hon. friend think it might be interpreted that way?

Mr. BORDEN: I do not think it would be interpreted in that way; there was no idea of interpreting it that way, and I do not see how it could be so interpreted. There might be more than one resolution, there might be a series of resolutions which related to the same Bill, and it seems proper and reasonable to include more than one resolution in a provision of this kind. But as I have said before, any government or any party undertaking to enforce rules of this character, must at its peril do so in a reasonable way. You cannot have any restriction upon the unlimited freedom of debate, which, under the existing rules, has prevailed in this House, unless you place the power somewhere. It was a perfectly legitimate argument for hon. gentlemen on the other side of the House to put forward as they have put forward, that it would be better in this country to repose a certain power and discretion in the Speaker than to vest it in the Government of the country. I appreciate the force of that argument; it is one which I had under consideration very carefully indeed, before introducing these rules. But I think hon. gentlemen on the other side of the House will realize that conditions in this country, so far as the procedure of this House is concerned, are not in all respects the same as they are in the Mother Country. There the Speaker continues in his office irrespective of the departure of one party from the seats of office and the advent of another party. I know that there has been serious question in Great Britain within the past fifteen or twenty years as to whether that rule ought to continue, but it has continued up to the present time. In this country that rule has never prevailed. We have adopted the practice, a sort of unwritten law or practice, that a Speaker during one session of Parliament, whose mother tongue is English, shall in the next parliament be succeeded by a Speaker, whose mother tongue is French, and that custom necessarily has prevented us from having that continuity in the speakership in this country which has fortunately prevailed in Great Britain. I know that my right hon. friend has addressed himself to this question on more than one occasion in my recollection, and has pointed out precisely the same considerations that I am pointing out this afternoon. The speakership in Great Britain is more removed from the party arena than it has been possible to accomplish in this country, although I am bound to say in justice to the men who have presided over this House during my seventeen years of public life—and most of that public life has been under the regime of speakers who are not my political friends—that the duties of the Speaker of this House have on the whole been performed fairly and impartially, and this House and the country has a right to congratulate itself on that fact.

Some hon. MEMBERS: Hear, hear.

Mr. BORDEN: But the speakership of this House is undoubtedly more closely associated with the politics of the country than is the case in the British House of Commons, and for my part I did think, and I still think,

subject to being convinced by hon. gentlemen opposite, that a duty of this kind might be imposed upon the Speaker or the Chairman of committees in the British House, when it would not perhaps be equally wise to impose that duty upon the Speaker of this House or upon the Chairman of committees of this House. I state frankly to the House, that was the reason which made it seem to me more dsirable that a discretion of this kind, if it came to be exercised, would better be exercised upon the responsibility of a minister of the Crown than imposed upon the Speaker or upon the Chairman of committees.

My right hon. friend also draws attention to the words, 'resumed or concluded,' and so far as that is concerned I wish to say that the rules as we have prepared them at present leave a very wide scope now to hon. gentlemen on the other side. It would be perfectly possible that after a motion such as the right hon. gentleman has spoken of, hon. gentlemen on the other side might endeavour to prevent us from reaching the consideration of that subject during the following day. We have put in the words 'resumed or concluded' but we have put these words in full consciousness of the responsibility of the Government to Parliament and to the people of this country that such a provision shall not be exercised in any such way as the right hon. gentleman has suggested. It would be the duty of the Government to bring that particular question which is to be concluded at two o'clock on the following morning--and of course such a motion would be made only after considerable debate—it would be the duty of the Government to bring that matter before the House at the earliest possible moment on the following day, in order that representatives of the minority, or for that matter any hon. gentleman, might have fair and reasonable opportunity to debate it.

Mr. GERMAN: Under that rule, however, discussion need not be resumed before two o'clock and if it was not resumed before two o'clock the debate would be cut off. Is not that the interpretation of the rule?

Mr. BORDEN: I say that the interpretation or the enforcement of the rule in that way would be just about as reasonable or sensible as if in Great Britain, upon an important motion being placed before Parliament, some member would get up at once and move the closure and the Speaker would consent to its being moved.

Mr. GERMAN: But it could be done.

Mr. BORDEN: So it could be done in Great Britain if you could find a Speaker who would do it.

Mr. GERMAN: I am not asking about the practice in Great Britain; I am asking what is to be done here.

Mr. BORDEN: I am comparing the practice here and I am pointing out that restriction of unreasonable debate can only be accomplished by the exercise of certain powers, and that these powers must be exercised upon the responsibility of some person. So far as we are concerned we propose to exercise the power reasonably and I hope to the satisfaction of hon. gentlemen opposite.

Mr. MACDONALD: Suppose the Prime Minister were not here and some other gentleman leading the House did not exercise the power reasonably, what would the remedy of this House be; what could His Honour the Speaker do?

Mr. BORDEN: If anyone else happened to be here instead of myself—I do not claim for myself any monopoly of sweet reasonableness—I think my hon. friend would find that anyone of my colleagues would be exactly as reasonable as I am myself.

My right hon. friend the leader of the Opposition dwelt very strongly upon the fourth clause of this resolution, and he denounced us, as he said, for taking away the last vestige of liberty that remains to the members of this Parliament, because we propose that on Thursdays and Fridays the Speaker shall leave the Chair without question, but that he shall not leave the Chair for the purpose of considering any estimates which have not been first discussed on some other day of the week. My right hon. friend raised the question on the introduction of these rules that consent did not mean unanimous consent, and I at once offered to insert the word 'unanimous.' But, my right hon. friend, as he very frankly explained in his subsequent remarks, did not want reasonable rules; he wanted a grievance and so he declined my offer. I have no fault to find, the right hon. gentleman has his own policy in that regard, and I suppose anyone who desires a grievance will always succeed in finding one.

Sir WILFRID LAURIER: I have a crop of grievances now.

Mr. BORDEN: My right hon. friend has had a crop of grievances for the last eighteen months and he calls attention to them very frequently in this House. The effect of these rules will simply be this: that on three days of the week during that portion of the session when the Government has taken all the days, the House will be moved into Committee of Supply in the ordinary way. I said in introducing these rules that the Government would always be bound to afford an opportunity to any hon.

gentleman who desired to bring up a matter of importance or to make any motion against the Government or a member of it. The best illustration of this, is that when my hon. friend from Edmonton (Mr. Oliver) the other day, when we were very desirous of making progress with the debate, brought to the attention of the House the fact that he wished to make a motion to censure the Minister of Public Works, we interrupted the debate and moved the House into Committee of Supply in order that the hon. member might have the opportunity he desired. I claim no credit for that; I am simply pointing out that that has been the universal practice of governments ever since I have been in public life. Whenever any hon. gentleman on the other side desires to move a vote of want of confidence in the Government or of censure on any minister, he can give us notice as hitherto and the practice of the Government will be exactly the same in that respect as it has been in the past.

Mr. OLIVER: If I did not persist in my motion after having been ruled out on one occasion my right hon. friend would not have given us that opportunity.

Mr. BORDEN: Really it is hardly worth while to be kind and generous to my hon. friend from Edmonton when one is overwhelmed afterwards with such base ingratitude.

Sir WILFRID LAURIER: We do not acknowledge any obligation.

Mr. BORDEN: I am not suggesting there is any obligation but I am saying that when the desire is expressed by any hon. member to move a vote of want of confidence in the Administration or censure on a minister it would be perfectly futile and unreasonable, and more than that it would be stupid, for any government not to give an early opportunity to have that motion moved.

Mr. MACDONALD: They have no right to do it. They will not have any right to do it.

Mr. BORDEN: Who will not have any right to do it?

Mr. MACDONALD: The Opposition under these new rules.

Mr. BORDEN: They will have the right on any day, except Thursday and Friday, when the House is moved into Committee of Supply.

Mr. MACDONALD: Not on Thursday and Friday?

Mr. BORDEN: I venture to say, if you take the average number of votes of want of confidence that have been moved in this House during the past eight or ten sessions, and if you take into consideration the number of days under these rules on which the House must be moved into Committee of Supply, it will be evident to every hon. member that, even apart from the practice to which I have alluded, there will be the most abundant opportunity for any hon. member to bring up any matter against the Government.

Mr. EMMERSON: Then why the necessity for changing the rules in that regard?

Mr. BORDEN: The necessity for changing the rules in that regard is this: My hon. friend from Westmorland (Mr. Emmerson) knows as well as I that a great deal of time is wasted in discussing the estimates, and that a great deal of time is wasted sometimes on more or less unimportant discussions on motions to go into Committee of Supply. In this regard, if I remember the effect of the English rules correctly, we are not going by any means as far as they have gone. My. right hon. friend who leads the Opposition continually calls up to our example the English rules as being the result of the practice and wisdom of centuries. When we point out to him the practice in the British Parliament to-day, my right hon. friend seems to think that all the wisdom was exhausted before 1867, and that any amendments which have been made in the English rules since that time in the way of reasonable restriction of debate are a departure from that wisdom which up to 1867 continually made itself manifest. I am not aware of any particular reason why such a conclusion should be reached.

Sir WILFRID LAURIER: In England, both parties have been satisfied. It is certainly my opinion that the rules there have not been improved since 1867, far from it.

Mr. BORDEN: When speaking the other day on this subject, I quoted from the Prime Minister of Great Britain, and I could also have quoted from members on the other side of the House, who spoke with surprise of the fact that the Canadian Parliament is to-day endeavouring to carry on business under rules which have been abandoned in England long ago, and who stated distinctly and emphatically that it would be impossible in any parliament of first-class importance to put through the measures of the Government or to carry on public business effectively unless there were some reasonable restriction of debate. We have decided simply to put the rules of this House in such condition that public business can be carried on. There is no desire on this side of the House to restrict hon. gentlemen on the other side from debating fully, effectively, and reasonably any measure that we bring before the House. It

would be very unfortunate and unreasonable and absurd if we took any other course. The rules which we have proposed, it seems to me, carried out reasonably, as they ought to be, will bring about that result. They will enable hon. gentlemen on the other side of the House to debate freely, completely and effectively any measure which we bring down; but at the same time they will enable public business to be carried on and will prevent the business of this country from being obstructed by a minority in Parliament purely for the sake of obstruction.

My right hon. friend speaks of being gagged. Let us look at the other side of the question for a moment. We have been taunted over and over again during the present session of Parliament upon the absolute incapacity of this Government or the majority in this Parliament to put through any measure except with the consent of hon. members on the other side of the House. That has been said not once or twice but a dozen times, and after all what is the real expression of the opinion of Parliament? The opinion of Parliament does not find its final expression in debate. It finds its final expression in the vote which every hon. member is bound to stand up and give, if he is in the House, when called upon by His Honour the Speaker to do so. If there has been any gagging, it has been the gagging of the majority in this House, who have been prevented by hon. gentlemen on the other side with taunts and insinuations from recording their votes on measures which have been presented to this Parliament. That is the situation with which the Government of this country and the majority in this Parliament have been confronted for many months past. We have been not only confronted, but openly and defiantly taunted with that condition. Under these circumstances, I do not think that any reasonable man in this House or in this country will deny the conclusion that I have reached, that the time has at last arrived when such amendments to the rules should be made as will enable the public business of this country to be carried on and Parliament to pronounce its conclusions upon the measures of the Government which have been presented to it.

Mr. HUGH GUTHRIE (South Wellington): I am sure that my right hon. friend the Prime Minister does not wonder that we on this side of the House are most anxious to know the precise meaning, the proper limitations, of the rules which it is proposed to introduce in this Parliament under the resolution now under discussion. It was a desire on the part of my right hon. friend the leader of the Opposition to have the fullest and most accurate information upon that point which led him to address this House this afternoon in an effort to call from the Prime Minister some clear and definite statements as to the meaning and scope of the proposed resolution. I am satisfied, however, after having listened to the Prime Minister, that anything that he has been kind enough to explain to the House, has by no means made clear the matter, but has rather muddled it, if I may be permitted the expression. I do not believe the Prime Minister can fairly and squarely face those rules and explain them as anything else than as an absolute power of applying the gag to the Opposition at any time he and his Government see fit to adopt them. The cases cited by my right hon. friend the Prime Minister were very specific in their nature. What attempt did the Prime Minister make to answer the objections offered by the leader of the Opposition? He did not seek to explain the language of the proposed rule. He gave the House solely and only his opinion, his 'I say so,' his 'Ipse dixit,' a dogmatic opinion of what he thinks the language does mean, while we on this side of the House and I believe the majority of the House know that if language means anything this language means otherwise than was expressed in the opinion of the Prime Minister during the course of the last half hour. I cannot read these rules, giving them the best consideration that I can, and come to any other conclusion than that in the first place they are to some extent embarrassing. In the next place, they are to some extent inconsistent. In the third place, they are redundant. Their meaning, if any accurate meaning they have, is so clouded in words that even the most experienced parliamentarian in this House will find it difficult to make a true application of them. I do not know whether it was intended in these rules to obscure their meaning by the phraseology employed, but the result has been that of muddling and obscurity; and I doubt that even you, Mr. Speaker, with all your experience and ability, would be able to apply these rules if they were passed by this House in the spirit and in the nature which was intended by the man who drafted them. I submit to my right hon. friend—and if I am wrong in my argument let him stop me now—that under these rules if this House passed them, a Bill could be introduced, passed through its first, second and third readings and committee stage, if the Government so desired, without giving an opportunity to a single member of discussing that Bill.

Some hon. MEMBERS: Oh, oh.

Mr. GUTHRIE: I am going to go on and examine that statement, and I am going to convince hon. gentlemen opposite that my statement is accurate as I have made it. A Bill has to be introduced in this House, under the present rules, by motion for leave to introduce. That motion, I admit, is open to debate. But we do not know what the measure is at that time; only the hon. member who has charge of the measure knows what it contains; and so no one is in a position to discuss it. The minister having charge of the measure formally moves for leave to introduce that measure in a few words of explanation. Nobody is in a position to discuss it——

Mr. CURRIE: You are allowed to debate it.

Mr. GUTHRIE: But we do not know what the Bill contains. The House has not the matter before it; the motion is only for leave to bring in the measure. Now, I ask my hon. friend from North Simcoe (Mr. Currie) in all sincerity, how can a measure be discussed under these circumstances? Now, we pass from that motion to the first reading of the Bill. Under the rules and practice of this House, a Bill is not debatable on its first reading—merely a statement of the contents of the Bill is made by the member who has charge of it; and on more than one occasion in this House during the present Parliament, I have heard you, Mr. Speaker, in your wisdom, notify members who might be inclined to say something on the first reading that it was not according to parliamentary usage or practice to discuss a Bill on its first reading. Now, we come to the second reading and so far there has been no debate.

Mr. MEIGHEN: I did not catch what the hon. gentleman said. Did he argue that no debate could henceforth take place on the introduction of a Bill?

Mr. GUTHRIE: I said that that was the only stage at which a debate could take place; but no one would be in a position to debate it because nobody but the member who introduced it would know what it contained; this practically made debate impossible—intelligent debate, of course, I mean. Now, I have come to the second reading. This is moved by the minister who has charge of the Bill, we will say. During the course of his remarks, he takes advantage of the proposed sub-section 3 of the amendment, and moves the adjournment of the debate, and gives notice, as provided under that sub-section, which will cut off debate automatically at two a.m. on the following day or when the Bill is taken up. He may do that under the rules, the Government may stand beside him and the majority behind him, and as his motion is not debatable, it is carried without debate. Debate is automatically shut off on the second reading, or it is adjourned without discussion. The Government has it in its power, under the sub-section not to resume that adjourned debate at all the next day; and if language means anything, I submit that under the language of that rule, whether resumed or not the debate is closed automatically at two a.m. This is as plain as words can make it. But assume that the motion is called the following day on the adjourned debate and the minister who introduces the Bill has the floor, as he would have and he 'considers' the Bill until two a.m.; then the vote is automatically taken and the debate is closed—not a word from the opposition side. The Bill goes to committee, but the same proceeding takes place in committee in regard to clauses 1, 2, 3, preamble and title—and I submit that under that rule they could all be taken in one motion. But suppose that all sections, preamble and title cannot be included in one motion; they can be taken one after another without a moment between them by a minister disposed to go the limit and the committee stage can be passed without a syllable being uttered on the Opposition side in the way of comment on the Bill. Now, we come to the third reading. If sub-section 2 of the amendment stood alone, I believe we might debate the third reading—not by way of amendment but ordinary debate of the Bill. But the following sub-section again takes away that power. By sub-section 2 you say the third reading of the Bill may be debated, but by sub-section 3 you say the minister can do precisely on the third reading what he did on the first and the second reading, and so exclude debate. Read the rules—the language is there. It will be seen that you give by sub-section 2 what you take away by sub-section 3. And so you have the Bill passed through three readings and the committee stage; it has become law so far as this House is concerned, and not a word or syllable of discussion from this side of the House. That is an extreme case, some hon. gentlemen may say. I am putting it as an extreme case. How should you examine a rule of practice or procedure? Should you examine in the light of what good it may confer, or should you examine in the light of what bad it may render possible? Should you not go to the extreme and see how much harm can be done under the new rule, not by a good government but by a bad government, not by a reasonable Administration but by an unfair and unreasonable Administration. And that is the only way to estimate these rules that are before us today. How much iniquity are they capable of permitting? It is all very well for the Prime Minister to inform this House that just so long as he is Prime Minister and head of the Government he

will see to it that the rule shall always be exercised with due care for the rights of the minority. Well, as has been said before in this House, had not it been for the incident which transpired when my right hon. friend introduced this measure a week or ten days ago, a good many hon. members on this side would have been inclined to place more reliance on that assurance than they are to-day. The assurances which my right hon. friend gave to the House when he introduced this measure were pleasing to the ear; there was a sensible ring to his words, and we believed there was some foundation for them. But consider the attitude of an hon. gentleman, who, in sincere language and with a candid tone in his voice, assured the minority in this House that so long as he is at the head of the Government the rights of the minority shall be protected, when at that moment he was himself part and parcel of and party and privy to one of the most discourteous parliamentary expedients that has ever been witnessed in this House of Commons. My right hon. friend the Prime Minister honoured me just at this moment by looking up and smiling; that is the first time he has looked up since I started to speak, and it is evident that my words have touched the right spot. I realize that he was the most uncomfortable member of this House during the course of his remarks; he was in a position of which he was thoroughly ashamed, and in which he would never have been placed were it not for the dominating guidance of that hon. gentleman who is known as the Manitoba Wonder.

My right hon. friend calmly informs the House that if we approved the English rules he would adopt them and forego those which are now proposed. What an absurd, what a ridiculous proposal! Could the fact that we cannot adopt the English rules be proved to a demonstration with better effect that it was proved by the hon. member for Portage la Prairie (Mr. Meighen) —and the Prime Minister as well—who gave reasons why we could not adopt the English rules? It is because we have not a permanent Speaker of the House; because Your Honour, occupying the Chair, is not in a position similar to that of the English Speaker. During the last seventeen years, while my right hon. friend the Prime Minister has been a member of this House, I think there have been no less than seven Speakers, and, during the same period there have been only two in the British House of Commons. Read if you will the statements made by the members of the British House when considering the election of a Speaker; read the speech of the Prime Minister and the leader of the Opposition when any such appointment is proposed to be made. They discuss the qualifications of the gentleman proposed for the position, and it is a liberal education for any parliamentarian to read the speech of Sir Roundel Palmer, afterwards Earl Selborne, when he proposed Mr. Brand as Speaker of the British House of Commons. The judicial training which a Speaker should possess, the non-partisan character of his former political career, the fact that he had never served in the Government—all these points were duly emphasized, all these qualifications the Speaker was expected to possess. Was it not the height of folly for my right hon. friend the Prime Minister, as he did to-day and on a former occasion, knowing these circumstances, to say: 'We will adopt the English closure if you see fit.' What we say is that you cannot adopt it, and you know the reason why, but what you do propose in these rules is worse than the English closure. Instead of proposing that these iniquitous rules shall be administered by a judicial officer like the English Speaker, you propose that they shall be administered at the instance of a highly partisan minister in your own Administration. Is there not ground for objection in that regard? There can be only one reason for all this cumbersome phraseology; there can be only one reason for all the technique employed in preparing these rules, and that is to give the Government, under one pretext or another, under one section or another, absolute power to gag the minority in this House upon any occasion except upon routine proceedings. Do I make any mis-statements, or do I misconstrue the rules themselves? Is it not within the power of a minister of the Crown, if he desires to take advantage of the opportunities afforded him under the proposed rules, to pass a measure through this House, from its introduction to the third reading, without permitting the Opposition a single opportunity of discussing it?

Mr. BORDEN: I think not.

Mr. GUTHRIE: Might I ask under what portion of these proposed rules a member of the Opposition can force a discussion?

Mr. BORDEN: My hon. friend will be answered in due course.

Mr. GUTHRIE: I have asked a courteous question, for the purpose of eliciting information, and I do not believe that a straight-forward answer can be given except that my statement is correct—that no discussion on the part of the Opposition is permitted except by the grace of the Government. The majority can take advantage of the opportunity given it by a minister of the Crown to discuss any measure, but no opportunity will be given unless the Prime Minister is in the humour for doing so.

Mr. MEIGHEN: Does the hon. gentleman mean that the first clause of the amendment is meaningless when it recites a long list of subjects that may be debated?

Mr. GUTHRIE: No, I am not referring to routine proceedings. I am referring to the passage of an enactment such as the Naval Bill.

Mr. MEIGHEN: But the first clause says that not only any matter brought up under routine proceedings, but a long list of subjects not so brought up, shall be debatable.

Mr. GUTHRIE: I cannot see that any one of them applies to the passage of a Bill, except that reference to a third reading, of which I have spoken.

Mr. MEIGHEN: Does the hon. member say that the second reading of a Bill does not appear on the order of proceedings for the day?

Mr. GUTHRIE: I say that any concession provided for in the first section has been absolutely taken away by the second. We will suppose that a minister has moved the second reading of a Bill, and during the course of his remarks he moves that the debate be adjourned; that motion will be put without debate.

Mr. MEIGHEN: Is there supposed to have been a debate before he moved that?

Mr. GUTHRIE: No.

Mr. MEIGHEN: Is that consistent with the first section of the amendment?

Mr. GUTHRIE: I say they are not consistent.

Mr. MEIGHEN: Is there no interpretation that is consistent with both?

Mr. GUTHRIE: I see absolutely none.

Mr. MEIGHEN: It is as clear to the hon. gentleman as anything can be that whatever is consistent with both must be given. This is consistent with both: that after debate a motion can be made. Nothing else is consistent with both sections.

Mr. GUTHRIE: I will proceed with my suppositious case. A minister arises and moves the second reading of a Bill. During the course of his speech he moves the adjournment. There is no question about the fact that he has debated the Bill, and his motion to adjourn is put without debate. During the course of his remarks he gives the notice required by that sub-section that when the matter comes up again it shall not be further adjourned, and, by virtue of the sub-section, the debate automatically ceases at 2 a.m. I am putting the case under the supposition that the matter comes up on the following day, and we will say that the minister sees fit to take up the whole time—it might come up at night, and there might be but a short time available.

Mr. CURRIE: It is supposed that the minister is on his feet, speaking to the second reading. The hon. gentleman says that he can then give notice that there shall be no further adjournment of the debate after it is taken up the following day. Is there anything in the section to show that during that first day the debate can be gagged?

Mr. GUTHRIE: Yes, by moving the adjournment, and the motion to adjourn shall be put without debate.

Mr. MEIGHEN: Does the hon. member really seriously say that a minister moving the second reading of a Bill, who during the course of his speech moves the adjournment, is moving that adjournment after debate? Is that his position?

Mr. GUTHRIE: Yes, I say it absolutely. If a word is spoken, it is debate.

Mr. MEIGHEN: I will leave the hon. member to rest in that absurd position.

Mr. GRAHAM: Moving the adjournment of the debate is considered a speech.

Mr. GUTHRIE: There is so much misapprehension and misunderstanding on the other side of the House that I think we are afforded the very best reason for urging that a committee be appointed to revise these rules. I appealed directly to the right hon. the Prime Minister and I have received no light from him, not even a straightforward answer. I have sought for light from other members—

Mr. CURRIE: Has any measure been brought before the House this session that has not been obstructed by the minority so that some amendment of the rules is called for in order that some progress may be made?

Mr. GUTHRIE: I did not intend to go into that, but I shall do so. It has been stated on the other side and I think on this that the Naval Bill has been obstructed. I do not admit it, but it has been stated. Apart from the question of the naval debate what other measure has been obstructed? I ask the Prime Minister that. It is charged in the newspapers every day that the business of Parliament has been obstructed and that the business of the country cannot be done on account of the action of the Opposition in obstructing Government measures. I read in newspapers that the Banking Act and other Acts are being obstructed. It is just as well to clear the atmosphere now and I ask the Prime Minister fairly and squarely what Acts these newspapers refer to which say the Opposition is obstructing the business of the country.

Mr. BORDEN: Unfortunately I do not keep very thoroughly in touch with the press. I do not know what papers my hon. friend refers to, and I am not responsible in any way for their assertions.

Mr. GUTHRIE: The answer has all the merit of being very courteous and very concise, but it is a clear evasion of the question. The papers to which I refer are the Toronto Mail, the Toronto News and the Ottawa Journal. I have seen these statements time and again. If it is not true let us settle it now and say that it is not true. Apart from the Naval Bill nothing has been obstructed. If I am wrong the Prime Minister can correct me. I know I am right and I know he knows I am right, and he will not correct me.

Mr. MEIGHEN: Will the hon. gentleman say whether or not the Naval Bill has been obstructed?

Mr. GUTHRIE: I said it had been so charged on both sides of the House but I said that in my opinion it had not been obstructed but, for the sake of argument, I will admit that it has and ask what other business has been obstructed. Hon. members must bear in mind that the Opposition has no control over the legislation and business of the House. The Government lays out the programme of the House. We have had no statement of the finances of the country. Why? Just because the Minister of Finance has not seen fit to bring it down. We have not had other Government legislation standing on the Order Paper. Why? Simply because the Government has not brought it forward. The Opposition cannot bring it forward, anything that has been brought forward we have discussed reasonably and have passed sometimes without any too much discussion, but I may say that these newspaper statements and platform statements that the Opposition in this House is blocking the business of the country and obstructing the legislation which should be brought before Parliament, are absolute nonsense and I would say to the Prime Minister that he cannot show one scintilla of foundation for them.

If hon. gentlemen opposite take part in the discussion I hope they will give us some enlightenment as to the meaning of these rules, do not let them follow the lead of the Prime Minister. A more complete piece of evasion was never perpetrated in this House than that of the Prime Minister this afternoon. All he gave us was: I believe that the rule means so and so, while the language of the rule states otherwise. Just on that one point, that is sub-section 3 of the rules, where is says that, if the debate ' shall not be resumed ' or concluded, surely the Government is going to give us some satisfaction upon that phrase. What does this mean? Does it mean that you can go on with the adjournment and not resume the debate and still pass your Bill? If it says that and means that let us know it and if it does not mean that let us strike it out. You say you cannot amend. Why? Simply on account of this unparliamentary trick in the House when this measure was originally brought in. My hon. friend has power over his ministry I presume, over some of them anyway, and I have no doubt that if he requested the Minister of Marine to withdraw this motion for the previous question it could be done and the proposed rule could be amended. Why should it not be amended? If these rules are produced in this House as a serious piece of draughtsmanship, and have only the meaning or intention given to them by the Prime Minister, I think we can pronounce this perhaps the most bungled piece of composition that has ever been placed on a public document before this Chamber. I do not altogether agree that that is so, I think there is a covert meaning and a deep meaning and I think the meaning I have stated is the only reasonable and logical meaning that can be taken from the plain language. Then if the resolution is passed the result will be that the Government can shut off discussion when legislation is passing through this House. That is the first objection and in the second place the Government can, if they see fit, shut out absolutely the ventilation of any grievances which hitherto any member of this House could bring to the attention of the Government on Supply, according to immemorial practice. These are the serious aspects of the case. It may be argued that I have put extreme cases. I have, I admit it, that is the only way to examine the rules. I can inform the Prime Minister that governments come and governments go; while he may feel in his own mind reasonably certain that he will be always fair in the application of these rules while he is Prime Minister, another may some day take his place. We cannot tell what conditions might arise in this country. A sudden wave of excitement, a sudden wave of enthusiasm, some unrest might roll up and make a tremendous upheaval and both of the old parties might be swept suddenly aside. It has happened in other countries and it might happen in this. Then what of your rules, Mr. Speaker, what of the rules now proposed? What do the business interests of Canada think of them? Imagine a deliberative body presided over by a government which we might call an unsafe government, a government which is the outcome of a sudden wave of passion, a sudden wave of enthusiasm or something of the kind; imagine giving to the Prime Minister the power to say we will bring in an Act to amend the Railway Act, we will abolish the railway board, we will tax railways, we will amend this, that and the other Act, and we will do it all in spite of the minority. And they could do it in

the course of a few days if they want to go to the limit of the rules they propose.

Mr. BURRELL: How long does my hon. friend think that a government would be retained in office if they enforced the rules to the extent he suggests?

Mr. GUTHRIE: I do not know how long they would be in power, I do not think they would be in power very long, but tremendous damage might be done before they were put out of power. How do the banking and commercial interests of Canada view a proposal of this kind? In a day the Prime Minister might be called away and some reactionary might fill his place, some inexperienced untried man might preside as Prime Minister of Canada. How would the great banking and financial interests of Canada view this rule of procedure if a measure were suddenly introduced to take away the right of circulation from banks, to tax that circulation, to prevent banks from doing banking business outside of Canada, to tax bank stocks, to have various kinds of outside inspection not now welcomed by the bankers, to have government banks or other financial innovations? Why, Sir, it could be done under this rule by the government in power in two or three or four days, and no one else in this House but members on the government side could open his mouth in criticism of the measure. Then how would it be if my right hon. friend the Prime Minister were to enter into an agreement binding this country to Great Britain as part of a great Imperial system in some manner which did not meet with the approval of the majority of the people of this country, but which in its results would be perpetual? Under this rule, he would have the power to do so. You might say that at a general election the Government would be turned out, but we would be bound firmly for ever, and under this rule it could be done in a week's time and no one on this side of the House could discuss it unless it were the wish of the Government that it should be so discussed. These are the possibilities, I do not say probabilities. You must judge a measure by its possible as well as its probable results, take it in its most extreme phases, and apply it in its most drastic form. These are complications which could arise, under those rules. Why, at the present stage of the history of this country, after forty odd years of experience in this Parliament, why in the midst of a heated debate for the purpose of carrying a contested measure, take this unnecessary step—I might go further and say this un-British step—because Canada is not in the position of Great Britain in many respects yet, and is not yet ready for closure, even if Great Britain is. I have never heard before the extract which was read this afternoon by my hon. friend from Missisquoi (Mr. Kay). It caused me no amazement, but it pointedly drew the attention of every member of this House to the presence of the Minister of Trade and Commerce at that great banquet in England, the banquet of the chambers of commerce in London last year, at which I believe the Prime Minister was present—if I am wrong he will correct me—along with other ministers of his Government, when he heard his own Minister of Trade and Commerce state: We have no closure in Canada, we have no guillotine in Canada, we have no 'kangaroo' in our parliamentary practice, and thank God for it. I think, if I heard correctly, he hoped we never would have it. I have no doubt in my mind that the Prime Minister applauded that sentiment. It is in accordance with his own ideas expressed in his speech when he objected to any change in the rules of this House unless these rules were considered by a committee. My right hon. friend the Prime Minister knows as well as any hon. member in this House that that is the proper procedure. He has committed himself to that course in this debate. If I remember rightly, in his opening speech, introducing this resolution, he said that during next session, or at a subsequent time, he would agree to the rules going before a committee. What would be the use of putting them before a committee if the present method of procedure is correct? It is because this is the wrong way that he made that suggestion, and he knows it is the wrong way. There is a way out of this trouble, and that is to place them before a committee. I do not believe for a moment that there is a member of this House who might sit on that committee with you, Mr. Speaker, to advise, who would raise the slightest objection to a reasonable and calm revision of the rules and practice of this House. My right hon. friend the Prime Minister, not of his own free will, I do not think, but dominated entirely by another influence, has been forced into the position of which he is the least proud, probably, of any member in the whole House, a position which he knows is a wrong one, which he cannot explain, or will not explain, for which he knows there is no foundation in the parliamentary practice of this country, for which there was no demand in this country, but he persists in pushing through in spite of a very huge minority in this Chamber for the purpose of gagging the people's representatives without their consent.

Mr. SPEAKER: I think the hon. member goes beyond what is fairly his right in debate when he speaks of a minister doing a thing which is absolutely wrong, and which he knows to be wrong. That is going too far, because it is imputing

improper motives. I have Peel's decision on this point, which says:

It is the imputation of an improper motive to attribute dishonest tactics.

With regard to other expressions that I have heard used in this House frequently of late I wish to say in Speaker Peels rulings, he says they are not permissible. He goes on to contend that for a member to say that a minister does a thing knowing it to be improper is not permissible. An expression I have heard many times, and which I regret to hear, is the phrase 'sharp practice,' applied to hon. members, which, according to this authority, is entirely wrong. The use of the expression 'cowardly,' which I have frequently heard, is also out of order. These are some expressions that I regret to say I have heard, and I think it is my duty to draw attention to them so that in future hon. members will be more careful in regard to the amenities of debate.

Mr. GUTHRIE: Mr. Speaker, I hope you have no reference to myself when you mention the word 'cowardly'—that you do not suggest that I used that expression.

Mr. SPEAKER: Oh, no, it was the use of the words, that the government did a certain thing, 'knowing it to be wrong.'

Mr. GUTHRIE: Then, I would like to say that it was wrong in principle and worse in practice.

Mr. WHITE (Minister of Finance): Mr. Speaker, I rise with some diffidence, bearing in mind the admonition of my hon. friend from South Renfrew (Mr. Graham), given gratuitously the other evening, that no member of the Government of eighteen months' experience should venture to lecture the House upon the new rules. After I had listened to him with some interest I came to the conclusion that possibly inexperience was not altogether an unmixed disadvantage, because it did not seem to me that in his exposition of the rules he had profited by the longer experience of which he has had the advantage in this Parliament. Occupying the position I do, for only eighteen months, probably I might quote, as an appetizer for hon. gentlemen opposite the statement of my predecessor in the Department of Finance on closure. I like the advice of Sir Francis Bacon: we should be tender to the memory of our predecessor because some day we may be a predecessor ourselves. Consequently, I have refrained from dragging the name of my predecessor into any of the discussions in this House. But on this occasion I may read the matured and reasoned opinion of the Hon. Mr. Fielding on this question of closure, who, speaking in 1908, after thirteen years experience in this House, said:

I said the other day, in answer to a question concerning a certain motion, that any hon. member could only have such rights in this House as the majority afford him. Surely the hon. gentleman does not dispute that. If the majority exercise that right unwisely, there is the remedy in publicity. I repeat the statement I then made, no hon. member, in this House can have any rights in the procedure in the House except what the majority of the House see fit to give.

That is not my opinion; that is not the opinion of a gagging Government introducing closure; that is the opinion of the Hon. W. S. Fielding, Minister of Finance for fifteen years in the Liberal Government.

Mr. GUTHRIE: Do you agree with him?

Mr. WHITE: I will come to that later. In the meantime I will ask: Does my hon. friend agree with him?

Mr. GUTHRIE: No.

Mr. WHITE: Then, did he rise in his place and disagree with that statement when it was made?

Mr. GUTHRIE: I did not.

Mr. WHITE: If not, why not?

Mr. CLARK (Red Deer): What is the date of that statement?

Mr. WHITE: 1908.

Mr. CLARK: That is why he lost his seat.

Mr. WHITE: He did not lose his seat until 1911.

Mr. EMMERSON: It was the first chance they had to get at him.

Mr. BORDEN: He was triumphantly elected after he made that statement.

Mr. WHITE: Further on, Mr. Fielding says:

No public deliberative assembly could be conducted upon any other principle than that the wish of the majority shall prevail.

A Daniel come to judgment!

If that majority acts foolishly harshly, then the remedy is in public opinion.

Sir WILFRID LAURIER: Hear, hear.

Mr. WHITE: My right hon. friend the leader of the Opposition says hear, hear. There is certainly the remedy of public opinion, and there is also the remedy of the opinion in this House. Mr. Fielding further says:

I repeat the statement that in this or any other deliberative assembly no member can have a right in the deliberations of the House except what the majority gives him.

My hon. friend from South Wellington (Mr. Guthrie) told us when he was in-

stancing what might be done under closure, that he was dealing with extreme cases; but I should say he was dealing not only with extreme cases but with impossibilities. He was dealing with bogies and nightmares, when he forecasted conditions under which the Government, because of the amendment of the rules of the House, could ruin the banks of Canada in a few days, tax the railways out of existence, abolish the Railway Commission, and do other such things. Was the hon. gentleman from South Wellington serious with the House when he said these things?

Mr. MACDONALD: You could do it under this rule.

Mr. WHITE: You might be able to do it under any rule, but is it common sense to suppose any government could or would do it? We know that under rule 17 any member can move that a certain member be heard in preference to the one designated by the Speaker, but how many times has that rule been invoked since Confederation?

Some hon. MEMBERS: Only once.

Mr. WHITE: Yes, only once.

Some hon. MEMBERS: And never again.

Mr. MACDONALD: Once you start it you can do it often.

Mr. WHITE: That rule could be invoked by any member of Parliament; it could be invoked improperly at any time; but it was only invoked once, and then only when it was properly invoked. And what are the restrictions upon the Government in the exercise of any of its functions or in the administration of the rules of the House? The hon. member for South Wellington says that the Government can do this, that, and the other thing, and that nobody can say a word; but surely my hon. friend does not appreciate the standing and reputation of the hon. gentlemen on this side of the House when he says that a government can perpetrate an arbitrary and high-handed action without protest. He has gone so far as to say that the Government could ruin the commerce of Canada, the banks of Canada, the railways of Canada, and nobody dare lift his voice. I want to appeal to my right hon. friend the leader of the Opposition—I always go to him when I desire to get a reasoned opinion on the other side of the House—does he consider that such a statement as that, coming from the hon. member for South Wellington, is a sound reasoned opinion, or does he not consider that it is merely political claptrap? Surely nobody takes it seriously; my hon. friend does not take it seriously himself. When he talks about the Government ruining the commerce, and the banking system, and the railway system of this country, and pictures it, in the language of Shakespeare, 'like the baseless fabric of a vision leaving not a wrack behind,' surely he is not serious. The rules we propose do not go nearly as far as the English closure rules; and, having regard to the fact that closure has been introduced in every legislative assembly in the world of any importance, except the Parliament of Canada and the Senate of the United States, I ask hon. gentlemen. are they to take seriously a statement that a government will be so oblivious to the opinion of its own supporters, and to public opinion in the country as to act in such a high-handed manner? Every government must bow to public opinion; no government can take away the rights of a minority; no government can prevent free speech even under closure. But if public business is to be conducted, power must be in the hands of the Government to prevent obstruction, and how and when that power shall be exercised will depend upon public opinion and upon the opinion of the House. It is certain it cannot be exercised arbitrarily.

Mr. MACDONALD: Did not the hon. member see the Minister of Marine and Fisheries act arbitrarily the other day in moving that the question be now put?

Mr. WHITE: I will show that not only was that not an arbitrary exercise of power, but that it was the proper thing to do, and I expect before I conclude that my hon. friend from Pictou will entirely agree with me in that.

Mr. MACDONALD: You have a great deal of confidence in yourself.

Mr. WHITE: It is a great satisfaction to me to see that hon. gentlemen opposite are getting more sedate, and that words and sounds do not disturb them as formerly.

Mr. GRAHAM: We are hearing more of them from your side of the House now.

Mr. WHITE: There is one word which, when used in the House a few weeks ago, had a most extraordinary effect on the hon. member for St. John (Mr. Pugsley), but which is now quite a usual word.

Mr. PUGSLEY: Is that the word 'gag'?

Mr. WHITE: Has my hon. friend forgotten the word 'obstruction,' which we were afraid to use on this side of the House for a long time for fear it might cloud the usually unruffled countenance of the hon. member for St. John? Does he recall how the word 'obstruction' used to ruffle him? For my part, I never used the word 'obstruction' when the hon. gentleman was not on his feet with a point of order. And yet, we have heard recently the right hon. the leader of the Opposition stating in this House

that obstruction is not only parliamentary, but absolutely justifiable upon occasions. I want to tell my right hon. friend what he said. He justified obstruction upon four counts. If he justified obstruction, is he to be put in the position of justifying something that is not absolutely parliamentary or something that is parliamentary? The whole substance and tenor of the speech of my right hon. friend was to show that obstruction was justifiable under certain circumstances; and, if it is parliamentary to obstruct, how can it be out of order to use the word 'obstruction' in this House? My hon. friend from St. John has now resumed his wonted composure, and the word 'obstruction' no longer has the singular effect which it had upon him a short time ago. My hon. friend from South Wellington and some other hon. gentlemen opposite are showing some evidence of uneasiness over the delay of the public business of this country.

Mr. MACDONALD: Why do you not bring down your budget?

Mr. WHITE: I shall come to that in a moment.

Mr. MACDONALD: That is what you always say. You are always coming to it, and you never arrive.

Mr. WHITE: My hon. friend is so impatient. If he will wait a little, I will come to him in time. A good deal will come to him before I get through. The budget will come along in the usual course when the proper time arrives to bring it down.

Hon. gentlemen opposite are beginning to show an appreciation of the consequences of their action in obstructing the business of the country. I have noticed that, when a man has anything very much on his mind and his conscience, he is continually referring to it. At two o'clock the other morning in the House, the hon. member for St. John had this matter of the delay of public business so much upon his mind and his conscience that he actually got up and scouted the idea of adjourning at that hour and demanded that we should continue the business of the House. Why, this question of delay of public business is weighing so heavily upon the minds and consciences of the hon. member for St. John and other hon. gentlemen opposite that they cannot get up here without referring to it. It is the very best evidence of what they feel in their heart of hearts about the delay of public business. My right hon. friend has said: What other business has been obstructed than the Naval Bill? Is the obstruction of the Naval Bill itself not an important matter?

Mr. MACDONALD: No.

Mr. WHITE: It is a matter brought down by the Government which at any stage—its first reading, its second reading, in Committee of the Whole in respect of the whole Bill or in respect of any section or sections—this Government stands ready and has stood ready from the very beginning to put through this House by a majority of fifty per cent over hon. gentlemen opposite. At any stage of the proceedings we have been in that position. Is it a matter of no importance that the will of the majority of the people of this country is to be flouted because hon. gentlemen opposite desire to obstruct? I say that there is no excuse for obstructing that measure. The obstruction of that measure has been a very serious matter indeed. I shall have something to say about that when the naval debate is resumed.

Some hon. MEMBERS: Hear, hear.

Mr. WHITE: I said something with regard to the naval debate the other day which was not accepted by my hon. friends opposite. My hon. friend (Mr. Macdonald) is anxious about the budget. From what he said a short time ago, he has even had communications from business interests which were bothered about the budget. I doubt very much as to the communications he has had. He would not be the natural repository of the confidences of business men with regard to the budget. As a matter of fact, as I told him upon that occasion, the country is quite wise to what is going on and has the most absolute confidence in this Government. The business interests of this country are quite aware of what is taking place in this House. Hon. gentlemen opposite may say: We did not obstruct. They may say that in this House, but they cannot explain that to the people of this country.

Mr. MACDONALD: That is the reason why you are afraid to go to the country.

Mr. WHITE: The people of this country are not blind. They read the newspapers, and they know that as a matter of fact this Bill has been obstructed, not merely, for weeks but for months, with two weeks of continuous session day and night, and they know who did the talking to obstruct that Bill. My hon. friends opposite cannot say that they did not obstruct. 'Hansard' shows who obstructed. For weeks and months the business of this country has been delayed by hon. gentlemen opposite in a factious opposition to the Naval Bill brought down by this Government which was ready at any stage to put it through this House by a majority of forty.

Mr. BUREAU: That does not make it any better.

Mr. WHITE: It does not justify hon. gentlemen opposite in a factious obstruction.

Mr. BUREAU: A majority in the House, but a minority in the country, as has been shown.

Mr. WHITE: That is not so. I doubt very much whether my hon. friend is a good guesser, but I will say: Guess again.

Mr. BUREAU: I am not guessing; I am going on figures given to the House by the hon. member for Shefford (Mr. Boivin).

Mr. WHITE: Figures?

Mr. BUREAU: Yes, figures.

Mr. WHITE: My hon. friend has been rummaging in the realm of the higher mathematics, and I will not accompany him in that excursion. I have not seen any figures to show me anything other than that the majority in this House has a majority of the people of this country behind it—

Mr. BUREAU: No it has not, not on that question.

Mr. WHITE: —and will have for years to come.

Mr. BUREAU: Why do you not go before the people, then?

Mr. WHITE: My hon. friend from Pictou (Mr. Macdonald) like Martha is anxious about many things, especially about the budget. I told him it would be brought down when the West Indian agreement was brought down.

Mr. MACDONALD: When is the West Indian agreement to be brought down?

Mr. PUGSLEY: The Minister of Finance has said that the members on this side of the House have been doing all the talking upon the Naval Bill.

Mr. WHITE: Not all.

Mr. PUGSLEY: Is it true that one of the longest speeches made in this House on the Naval Bill was made by my hon. friend the Minister of Finance almost immediately before notice was given of closure?

Mr. WHITE: I shall not say one of the longest; I shall say it was one of the best speeches.

Mr. BUREAU: Now we have got your size. We know where you are.

Mr. BELAND: You are too humble.

Mr. WHITE: I have stated to the House that the Budget would wait and was entitled to wait upon the third reading of the West Indian agreement, its passage through the Senate, and its proclamation in accordance with its terms. What has been the position in this House with regard to that Bill? The legislation in connection with that agreement is simply legislation validating the agreement between the West Indian Colonies and the Dominion of Canada. That Bill went through its first and second readings; it went into committee, and came out, and now stands for its third reading.

Mr. PUGSLEY: Why do you not bring it on?

Mr. WHITE: I will tell my hon. friend why; I am just coming to it. I asked my right hon. friend—and I have entire confidence in his word; when he tells me that he will not obstruct I know that he will not obstruct. If he tells me that, I know that that will represent his intention at the time; but I am not sure that my right hon. friend has control of this House.

Mr. MACDONALD: Do not worry about that.

Mr. WHITE: My right hon. friend told me that he would not obstruct the Bill. My hon. friend from St. John (Mr. Pugsley) rose and stated that he would move an amendment—which was quite in order, although the amendment which he suggested might very properly have been moved in the form of a separate resolution, as it was not in any way connected with the Bill. However, it was quite within his right. Now, my hon. friend from Haliburton who has brought—

Mr. PUGSLEY: Does not the hon. gentleman know that if I had attempted to bring it up on resolution, it would have gone to the graveyard and never been heard of?

Mr. WHITE: It will go there anyway now, but, as a matter of fact, this was at a time when hon. gentlemen opposite, as I say, were obstructing that Naval Bill night and day.

Mr. OLIVER: The Opposition were not obstructing the Naval Bill; they were obstructing coercion by the Government.

Mr. WHITE: The hon. gentleman is not in accord with his leader, for that right hon. gentleman in his speech indicated as clearly as he could that there had been obstruction on the Naval Bill. My hon. friend from St. John, as I have said, had moved an amendment and I say that that was perfectly within his rights; I would not consider that obstruction in itself,—though I think that if he had moved that amendment there would have been obstruction on that just as there was on the Naval Bill.

Some hon. MEMBERS: No, no.

Mr. WHITE: I will prove it. My hon. friend the junior member for Halifax (Mr. Maclean) was desirous, I know, of going on with the third reading of the West Indian Bill; but the hon. member for Carleton, N. B. (Mr. Carvell), got up in his place and said that he would not be bound by an agreement with anybody.

Mr. CARVELL: I said that I would not be bound by an agreement made between the hon. junior member for Halifax and the Minister of Finance.

Mr. WHITE: I am not sure the hon. member said that. The impression I got was that he would not be bound by any agreement, and he had his amendments to move.

Mr. CARVELL: I have them yet.

Mr. WHITE: Very good. Then taking that condition of facts, with the hon. member standing aside, from his party and declaring that he was not bound by any agreement—

Some hon. MEMBERS: No, no.

Mr. WHITE: Then, say he was not bound by an agreement with the junior member for Halifax. But is that hon. member not a responsible member of that party? He is a financial critic; is not his word good? If the hon. gentleman (Mr. Carvell) will not be bound by an agreement with the junior member for Halifax, how am I to know he will be bound by an agreement with any member of the Opposition? All this goes to show that the business of this House has been absolutely delayed since December 1 by the tactics of hon. gentlemen opposite.

Some hon. MEMBERS: Oh, oh.

Mr. WHITE: There is no mistake about it. We are not going to let these hon. gentlemen get away from it. And the country will not let them get away from it. The people know who has been doing the talking. Some hon. members may have talked for two hours, but hon. gentlemen opposite have been engaged in Marathon efforts that will go down as taking the long-distance record in discussion in this House—six hours at a time.

At six o'clock, the House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS—SECOND READINGS.

Bill No. 175, respecting the Manitoba Radial Railway Company.—Mr. Molloy.

Bill No. 176, respecting the Southampton Railway Company.—Mr. Crocket.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Mr. WHITE (Minister of Finance): Excitement is not desirable immediately after dinner, and I propose to avail myself of the style of parliamentary debate commended to the House by the hon. member for South Wellington (Mr. Guthrie) upon his return from his constituency after the Christmas vacation. I desire at the outset, in resuming my remarks, to deal with the episode in this House on the 9th instant, in the course of which the previous question was moved by my hon. friend the Minister of Marine and Fisheries. There has been a good deal of misrepresentation, and, I may say, falsification—I am not now speaking with regard to the remarks of hon. gentlemen of this House—with reference to that episode that would be almost incredible were it not known to have actually occurred. There has been misrepresentation in the press as to what occurred in this House upon the occasion of the moving of the previous question on the 9th instant, and hon. gentlemen opposite have made remarks with regard to the conduct of the right hon. Prime Minister and of hon. gentlemen on this side of the House which I venture to say, they would scarcely repeat outside. This may be part of a political game, but I submit that such remarks are unfair in the extreme. With regard to the misrepresentations to which I have referred, one great journal in this country, feeling that its very able press correspondent in the gallery might be unable to give the report of the occurrences in the House upon that day the degree of veracity which might be required by its readers, had to send to the head office for clerical reinforcements in order that the desired results might be attained. The hon. member for South Wellington used some expressions that, while parliamentary, I think are very much to be deprecated. He said the right hon. Prime Minister, who I may say, is quite able to take care of himself, and requires no defence from me, had spoken words pleasing to hear, and that there were candid tones in his voice; and he made reference to 'part and parcel of the most discourteous expedience ever seen in this Parliament.' He said also that hon. gentlemen on this side of the House should be thoroughly ashamed of themselves in connection with the occurrences of that date. The hon. member for South Renfrew (Mr. Graham), speaking the other night, in the very interesting manner which always characterizes his remarks in this House, referred to such articles of destruction as razors, sandbags and of dark

alleys, and to treachery of the deepest kind. I wonder what kind of literature the hon. gentleman has been indulging in of late? One would think he had gone back to the days of his boyhood, and had had recourse to some of those dime novels sometimes read by the younger generation, in order to conjure up these razors and sandbags which he said were in evidence upon that historic occasion. He even went so far as to make reference to a skull and crossbones. The hon. member for Edmonton (Mr. Oliver), is a very mild-spoken gentleman; I had this clipping before me, and I felt constrained to verify his words, because I could scarcely believe that he used them. In a very eloquent peroration, he said:

Political brigandry never went further in cowardice and treachery under any circumstances or in any country.

What do you think of that?

Mr. OLIVER: That is what I want to ask my hon. friend. Is that not right?

Mr. WHITE: That is one of the boquets from the flower garden of my hon. friend's rhetoric. Let me repeat the words:

Political brigandry never went further in cowardice and treachery under any circumstances or in any country.

These are the remarks my hon. friend made in this House. When my hon. friend is not engaged in harassing the Government here, I am told that he writes editorials for the Edmonton Bulletin. I do not know whether he does or not, but I am sure that, if this is the case, his articles would have a certain force and vigour and breeziness about them characteristic of the prairies. His remarks with reference to political brigandry—

Mr. OLIVER: Brigandage; that was an error on the part of the reporter.

Mr. WHITE: There is nothing like being particular about small things; instead of the word 'brigandry' we will say 'brigandage,' but I do not see that it makes much difference. This closure measure in the House of Commons, according to my hon. friend, is brigandage, but my hon. friend goes West and takes his pen in hand—or gets someone else to take it in hand for him; qui facit per alium facit per se—and here is another boquet culled from the columns of my hon. friend's paper in Edmonton. This, of course, was written in 1911:

A group of strong-headed tongue-waggers have it in their power to hold up the course of business as long as they please, and to block indefinitely the passage of any measure however large the number of their fellows favourable to it, and however warmly the public approve of it.

That fits the case here precisely

The performance is purely a physical one.

That is what we have always contended, that so far as the debate was concerned, it was tedious reiteration, purely a matter of physical endurance. Here are the real convictions of the hon. member in the Edmonton Journal.

Mr. OLIVER: My hon. friend and his friends who made the test of physical endurance did not win by it.

Mr. WHITE: Let us assume that is so, that in 1911 they did make a test of physical endurance.

Mr. OLIVER: I am speaking of two or three weeks ago.

Mr. WHITE: This represents my hon. friends reasoned opinion on a debate of that kind. He says:

The performance is purely physical——

Nothing intellectual about it.

—and leather lungs are the only qualifications necessary, save a callous indifference to the rights of a too tolerant majority in the House and out of it.

Look upon this picture and upon that, the counterfeit presentiments of the same gentleman—only one was in the House and the other in Edmonton, here in speech and there in editorial. My hon. friend from Rouville (Mr. Lemieux) has referred also to this episode of the 9th inst. He has to go back to history. He is a great student of history and he can find nothing parallel or analogous to it except Cromwell's ordering the mace to be removed and Louis XIV saying: I am the State. In his peroration the hon. gentleman bursts into song and says:

Dispel this cloud, the light of Heaven restore;
Give me to see, and Ajax asks no more.

He seems to be looking for the light, groping in the darkness, and I think we will have to leave him there.

Let us examine this episode of the 9th instant. The Liberal newspaper press has carefully sought to create the idea in the minds of the public that a studied insult was offered to my right hon. friend the leader of the Opposition. One member of the Opposition, speaking of the matter, I shall not mention his name, is reported to have said that it was possibly the saddest thing that had ever happened in Canada since the rebellion of 1837. Let me say it has also been stated that an attempt was made to humiliate my right hon. friend. We often engage in debate in this House, we have our battles here, but outside we have our opinions, one of the other, and one of the best features of parliamentary

life is that we can fight in here and outside maintain our good opinion one of the other and extend to each other the courtesy due from man to man. There can be no insult without intention to insult as my right hon. friend knows; and every hon. member opposite well knows that there is not a man on this side of the House who would contemplate even the appearance of an insult to the right hon. the leader of the Opposition.

An hon. MEMBER: Too late now.

Mr. WHITE: The right hon. gentleman is a man who has devoted his life to public affairs, he has occupied a distinguished position in this country for fifteen years, one of the most eloquent statesmen we have ever had, a man of a high degree of urbanity and courtesy, as was his predecessor Sir John Macdonald. I repeat that it is an outrage that it should be stated that any member or members on this side of the House contemplated in any way to insult the right hon. the leader of the Opposition, and I say further that he knows it and every hon. member opposite knows it, no matter what protestations they may make to the contrary. I propose to review that little incident and let us see whether any insult was intended or offered. What were the circumstances on that night of the 9th of April? As we have stated there had been obstruction of this particular measure for months and it had become absolutely patent to all that a measure of closure had to be introduced in this House. My hon. friend from Red Deer in the debate on the 15th instant said to the Government: Why do you not bring in closure; why not have the moral courage to do what Gladstone did—bring in closure? My right hon. friend brings in closure——

Mr. CLARK (Red Deer): My hon. friend is, I fear, unintentionally misrepresenting me. I mentioned various courses that the Government might take. I do not think I recommended closure as a course.

Mr. WHITE: The hon. gentleman said:

> If they believe that we are simply destroying parliamentary discussion let them have the moral courage to bring in the closure as Mr. Gladstone and other statesmen did. Why do they stand lingering on the brink, let them bring in closure if that is their way of it and save the discussion.

Of course I may say that we pay a great deal of attention to the advice of the hon. member for Red Deer, who says bring in closure, and with that and other motives actuating my right hon. friend the Prime Minister, the closure resolution was brought down. Hon. gentlemen opposite know now, if they did not then, that if unlimited amendments could be moved to the closure resolution we should be here probably till next fall and perhaps next Christmas. They know that and we know it and the public know it very well indeed. It was a most surprising thing to me that hon. gentlemen opposite should never have heard of such a thing as the previous question, because their action when the previous question was moved was entirely incompatible with any previous knowledge of the rule of the previous question. The hon. member for St. John has been the leader of the Opposition in the tactics that were pursued for the two weeks of night and day sessions and he was supposed to be a master of the rules. The hon. member for Pictou (Mr. Macdonald) has referred to myself and other hon. gentlemen as mere tyros in parliamentary procedure and I shall not take exception to that statement. As the hon. member for South Renfrew (Mr. Graham) says, we have only been at it for eighteen months. I only say it was an extraordinary thing that veterans like the hon. member for Pictou and the hon. member for St. John should have allowed the hon. the leader of the Opposition to come into this House without posting him that the previous question might be moved. I do not blame my right hon. friend, he attends to larger questions of policy and I do not expect for a moment that he will give his attention to small details of rules. I speak only with reference to the hon. member for St. John and the hon. member for Pictou——

Sir WILFRID LAURIER: I knew all about it.

Mr. WHITE: The hon. member for St. John was a master of the rules.

Sir WILFRID LAURIER: I knew of the rules but I did not expect the application.

Mr. WHITE: I had thought that the hon. member for St. John had not realized that there was such a thing in the rules as the previous question. Now, what is the purpose of the previous question? To shut out amendments.

Mr. BUREAU: We all know it.

Mr. WHITE: You know it now.

Mr. BUREAU: We knew it before.

Mr. WHITE: You did not act as if you knew it then.

Mr. BUREAU: We knew it before; we always did.

Mr. WHITE: I will show my hon. friend that he could not have known about the rule before.

Mr. BUREAU: He knew about rule 17 and the previous question.

Mr. WHITE: The Minister of Marine and Fisheries got up to move the previous question and then, after the Speaker had said that my right hon. friend had the floor, the hon. member for East Hastings (Mr. Northrup) rose and moved under rule 17 that the

Minister of Marine should now be heard. Now, my right hon. friend, who is usually accurate in his statements, complained that his constitutional right had been taken away from him.

Some hon. MEMBERS: Hear, hear.

Mr. WHITE: My right hon. friend is a man of good sense.

Mr. MACDONALD: Thanks.

Mr. WHITE: He is a man of good sense, he knows that his constitutional right was not taken away from him, and he knows there was no intention whatever to put any slight upon him. He knows that well because he knows that the purpose of the previous question and the purpose of the motion and rule 17 was not to put a slight upon him, but to put an end to amendments which might have kept the House sitting here for months.

Mr. BUREAU: You are trying to cover it up now.

Mr. WHITE: No man can be insulted unless there is an intention to insult, and I propose to say nothing further on that head because I do not believe for one moment that he thinks there was any intention to insult him, or that any other member on the other side thinks so.

Mr. BUREAU: Yes, we do.

Mr. PROULX: The country does.

Mr. WHITE: What happened? As soon as my hon. friend from East Hastings (Mr. Northrup) moved under rule 17, one of the rules of this House which every hon. gentleman ought to know, there was tumult and confusion and shouts of 'shame' and 'gag.' Was the shouting of 'shame' and 'gag' consistent with a knowledge of these rules?

An hon. MEMBER: Much depends on the situation.

Mr. WHITE: I do not think it was in the slightest degree. The course that was adopted was a reasonable and constitutional course, which was abundantly justified by the situation at the time and every hon. gentleman opposite is well aware of it. There was, as I have said, confusion. Hon. gentlemen lost their heads for a moment.

Mr. BUREAU: Oh no, do not run away with that idea.

Mr. GRAHAM: You lost yours, or you would not have allowed it to be done.

Some hon. MEMBERS: Order.

Mr. WHITE: Hon. gentlemen should really see themselves in one of those storms which sweep over them occasionally, and they would never do those things again.

Mr. BUREAU: You should see yourself in your lecture and you would not lecture again.

Mr. WHITE: My hon. friend cannot see himself as others see him, for he thinks hon. gentlemen did not lose their heads. But there was need for a leader, and when there is need for a leader he always appears, and my hon. friend from St. John (Mr. Pugsley) took the floor and the leadership of the House. One of the Liberal papers in passing an encomium upon my hon. friend from St. John, and upon the action which he took, said that with the magnificent resourcefulness which had always characterized him, he at once got up and relieved the situation, referring to the tumult and confusion to which I have alluded. It then spoke of the hon. member for St. John as the natural leader under the circumstances, the man who had raised more points of order in two weeks than any other man since Confederation; probably. He got up and took charge of the situation and what did he do? He did the precise thing which he should not have done, he moved the adjournment of the House, which had the effect of shutting out my right hon. friend the leader of the Opposition from speaking. Who was it that shut out my hon. friend the leader of the Opposition from speaking?

Mr. BUREAU: Since you ask the question, I may say it was the Minister of Marine and Fisheries.

Mr. WHITE: That is what you say, but we do not say that. The man who prevented the right hon. the leader of the Opposition from going on with his speech until nine o'clock was my hon. friend the member for St. John.

Some hon. MEMBERS: Hear, hear.

Mr. WHITE: Because my right hon. friend the leader of the Opposition could have got up immediately after my hon. friend the Minister of Marine and Fisheries had uttered the words 'I move that that previous question be now put.'

Mr. MACDONALD: Why did you not allow him to stay up when he was up?

Mr. WHITE: I thought I had explained that, but my hon. friend will read it in 'Hansard' and he will be satisfied. I say that the man who prevented the right hon. the leader of the Opposition from speaking was not a member on this side of the House, but my hon. friend from St. John. And what did he say? He said that there was a matter of very grave public urgency and importance, and considering the criticism that he has passed upon the Government from time to time, we naturally expected that it was some sin of omission or commission on our part to which he was going to address

himself, because as I have said he was shutting out the leader of the Opposition from speaking. He felt that there was a matter of such urgent public importance that he simply had to get up and bring it to the attention of the House. What was the matter of supreme importance that he brought to the attention of the House? Nothing short of the suffrage movement, votes for women. He thought that this Government had been derelict in its duty because it had not brought in a franchise Bill under which women would be permitted to vote. That is on record as being the matter of urgent public importance which was so strongly felt by the hon. member for St. John who actually shut out his own leader and prevented him from speaking until nine o'clock. I am dealing with facts.

Mr. BUREAU: Fancies, you mean.

Mr. WHITE: My right hon. friend the leader of the Opposition said he was deprived of his constitutional right. He could not have been deprived of his constitutional right if we proceeded under the rules, and I have shown that we did proceed absolutely under the rules. I ask my hon. friends opposite is there any rule in the book of rules, any usage known to parliamentarians, or any law of Parliament that was not invoked by my hon. friend from St. John and others in the course of the two weeks' debate which we had? We never complained on this side of the House. We did not whine. We observed the rulings of the Speaker, and we bowed to the rulings. If we did not complain with regard to that, what have hon. gentlemen opposite to complain of if we invoked rule 17? My right hon. friend in concluding his very eloquent address on the night I have alluded to—by the way, my right hon. friend took command at nine o'clock and shut off the debate on the motion to adjourn—said this, referring to the closure. This is his peroration, and I want you to observe how highly coloured it is, what an appearance of unfairness it conveys. He says:

The poison that he offers to-day——

That is, my right hon. friend the Prime Minister was offering him poison.

Mr. BUREAU: Hear, hear.

Mr. WHITE: I am glad to see that one hon. gentleman opposite has a sense of humour. He is laughing at it.

Mr. BUREAU: I am laughing at your lecture.

Mr. WHITE: You will laugh more before I get through. The right hon. gentleman said:

The poison that he offers to us to-day will come to his own lips at some future day. We are in the minority; we can be gagged; we can be prevented from expressing our opinions; they can trample upon our bodies. But, Sir, the day of reckoning will come, and it will come as soon as we have a dissolution of the present Parliament.

Some hon. MEMBERS: Hear, hear.

Mr. WHITE: I thought I would get my hon. friend to laugh when I quoted that last sentence. Now, let us see how the professions of hon. gentlemen opposite square with the professions of the party in the past. Let us see how far this talk of poison that my right hon. friend the Prime Minister is offering to the leader of the Opposition, and how far those remarks about daggers and razors and sundry instruments of destruction are justified by the opinions held by my hon. friends in the past. I am going to talk about what the leading men opposite said while they were on this side of the House, for I really think that if this is fairly presented, if they knew what their own position was in regard to this matter in the past, we might hear less about the tyranny of the closure. The first quotation I propose to read is from a speech of my right hon. friend the leader of the Opposition and it is from the Globe. Every day of late the Globe has been raising its voice to high Heaven against closure, and I do not think it has been sufficiently emphasized that the Globe took a different position in 1911. One of the most extraordinary things that has occurred here was the repudiation of the Globe by the leader of the Opposition, who seemed to prefer the opinion of the Ottawa Citizen to that of the Globe. I commend what the Globe said in 1911 to my hon. friend from South Renfrew.

Mr. GRAHAM: Read the Citizen of yesterday.

Mr. WHITE: He also prefers the Citizen to the Globe.

Mr. GRAHAM: I would prefer that you should read it.

Mr. WHITE: The Globe said in 1911:

The Government should make it plain that the penalty of deliberate obstruction would be a few weeks of continuous session. Before the steady pressure of that sort of logic obstruction will not long make headway. Already a number of the western and eastern Conservatives are very restive, and only the determined attitude of the Ontario holds them in line. The heat of the summer will do much to lessen the fighting spirit of the irreconcilables, and if they hold out through June and July, then August would be an excellent month for introducing that much needed measure, a bill for applying the principle of closure to parliamentary debate in Canada.

That is the opinion of the historic Liberal Globe, absolutely in favour of closure, and yet gentlemen opposite do not call it tyranny. The Winnipeg Free Press further said:

The Canadian is the only British Parliament of the first rank which has not the closure. It is high time that it lose this undesirable distinction.

What do hon. gentlemen opposite say to that? Then, we have the opinion of the Hon. Mr. Paterson, who was Minister of Customs in the late Administration, and I would like hon. gentlemen opposite to mark and inwardly digest these statements of their leaders. Mr. Paterson said:

If there is anything in the minds of the people at present on which, when the Government ask for a verdict, they will get a favourable verdict by an overwhelming majority, it is this question of obstruction. I can tell you that the rules of this House must be revised in such a manner, that while the amplest time will be given for the discussion of every question and the investigation of every subject, there must be a means devised whereby the hon. member for North Toronto and the little clique around him will not be able to keep this House sitting indefinitely. This is the issue that will be pronounced upon, and the party which will favour a revision of the rules in order that something within the lines of decency may be maintained and the country's money saved will be endorsed by the people, and the party which will be entrusted with the carrying out of that reform will be the party that has ever carried out all reforms.

Mr. PUGSLEY: Hear, hear—within the lines of decency?

Mr. WHITE: My hon. friend has just come into the House after no doubt having had a good dinner, and I like to see him smile.

Mr. PUGSLEY: Within the lines of decency.

Mr. WHITE: Is my hon. friend sure he is not within the lines of Torres Vedras? These relations have already been placed on 'Hansard' but there is a tendency to forget.

Mr. PUGSLEY: Are you sure it is not tedious repetition?

Mr. WHITE: Not if it is illuminated by comment. Here is what the Hon. Sydney Fisher, Minister of Agriculture in the Liberal Administration, said:

—I give my pledge that, if the Laurier Government is returned again, the rules of the House will be changed. I consider present conditions inimical to the proper conduct of public business.

If he thought that then, what would have been the opinion of the Hon. Sydney Fisher had he gone through that two weeks of continuous talk we had lately? Mr. Fisher said further, speaking at Knowlton, Quebec:

The minister stated that it was the intention of the Government, should it be returned, to so change the rules of the House, that such obstruction would in future be impossible.

The answer of the leader of the Opposition is, that while that was the opinion of his ministers, it was not his opinion; that he is a Liberal of the old school and does not believe in closure. But the right hon. gentleman has not told us of any Liberal of the new school who is opposed to closure. What about Mr. Gladstone, who was the father of closure in the British Parliament? What about Mr. Asquith, Mr. Lloyd George, Mr. Churchill, and other distinguished Liberals in England who are all in favour of closure? Hon. gentlemen opposite say that unless the Government has an express mandate from the people they should not propose such an important measure as the closure, but let me point out to the leader of the Opposition that in the case of the Insurance Act and the Home Rule Bill in the British Parliament, the Government had not the mandate of the people.

Mr. MACDONALD: Certainly they had.

Mr. WHITE: Certainly not with regard to the Insurance Bill. My hon. friend is well up in ancient history, but he apparently knows nothing of modern history.

Mr. MACDONALD: You have not been reading your English politics.

Mr. WHITE: The English closure is called a guillotine closure, a compartment closure, and kangaroo closure. In the British Parliament closure became necessary because of abuse of the rules of the House, just as closure in this House has been rendered necessary by the abuse of our rules. It is said that free discussion in this Parliament is absolutely necessary, and I agree. I say that free parliamentary discussion is one of the safeguards of liberty and freedom. There are all shades of opinion in a country such as this, and it is absolutely necessary there should be a central parliament in which any representative of the people may voice the views of his constituents. That is in the interest of the state; it sometimes prevents revolution, because there are opinions strongly held in some quarters that have only to be uttered to be refuted, whereas if they are repressed they are apt to do mischief. And what is the difference between present conditions and past conditions which have rendered closure necessary in every parliament under the British flag? It is because business methods have changed; business has become more highly organized than

ever before and parliamentary business like other business has become more complex and more comprehensive. Let any hon. gentleman look to the number of Orders in Council passed twenty years ago as compared with the number passed today; let him study the volume of legislation that comes before this Parliament as compared with that of a generation ago, and he must come to the conclusion that the day for long debates and five or six-hour speeches has passed. There is a higher degree of intelligence than there was twenty years ago, and there is wider diffusion of knowledge, and closure has been brought about in all parliaments with the exceptions I have named, by the necessity of modern conditions. The rules of Parliament are for the purpose of facilitating the transaction of public business and of legislation necessary for the wants of the people, and the abuse of the rules of Parliament is an abuse of the privileges of Parliament. If these rules are to prevent necessary legislation being introduced and carried to its conclusion, then Parliament, for its own protection, must have closure. That is precisely our position. We have not been swift about it at all. Closure has been introduced for many years in Great Britain. It is in operation in every representative assembly in the world, except in the Senate of the United States and in this House. Consider the length of the parliamentary sessions that we have in Canada. We have on both sides of this House men drawn from all parts of Canada, a country four thousand miles in width, the size of Europe, and presenting a variety of subjects of legislative interest as great as any in the world. We have in this representative assembly men drawn from all walks in life, from agriculture, from the great professions of law and medicine, from commerce and from finance All these men are willing, every one of them, so far as I know, to come and to give their time in this House so far as it may be necessary for the transaction of public business. I think I may make that statement without fear of contradiction. Every member is willing to do his duty in that regard. I say, however that the members of this House will not continue to be willing to stay here for eight or ten months of the year when the business of this country should be transacted in four or five. These men are willing to abandon their business or profession, and remain here as long as is necessary; but they are absolutely unwilling that their time should be wasted by debates protracted beyond all reason. Apart altogether from this Naval Bill, the closure will be one of the greatest measures that has ever been introduced into Parliament in order to facilitate the transaction of public business, or the legislation required to meet the wants of the country. It had to come.

Mr. MACDONALD: I thought it was not going to be applied. The Premier said he was not going to apply it.

Mr. WHITE: A very distinguished hon. gentleman opposite—I shall not mention his name—a minister of the preceding Administration, said, at a joint meeting at which I spoke with him before a society in Montreal, that the British cabinet system of government in Canada—he was speaking with reference to the work of ministers —was the greatest man-killing institution that we have; and he is right. No man, I do not care who he is, I do not care what his physical or his mental strength, can discharge the duty that he owes to this country as a minister if these parliamentary discussions are going to be carried on for eight or ten months every year. A minister does a good day's work, sometimes two day's work, after three o'clock in the afternoon. No man believes more in the freedom of discussion than I do; but this discussion has gone to an unreasonable and unlimited extent, and the time has come when in the interest of the administration of this country, if for no other particular reason, it must be checked and kept within proper bounds. That is the reason why closure was introduced in the British Parliament and in every other representative assembly in the Anglo-Saxon world except in this Parliament and in the Senate of the United States.

Some hon. gentlemen opposite are almost disposed to fall down and worship the rules, as a sort of ritual. Rules are subordinate; they are not the principal thing; they are to enable us to effectuate something. We must change rules when they are no longer capable of serving the purpose for which they were originally designed. In other words, rules are conditioned by the reasons for their existence. It seems an obsolete argument to talk of closure as tyranny or gag. My right hon. friend the Prime Minister has shown conclusively that this measure of closure which he has introduced is mild compared with the British closure. He says: If you are not satisfied that this is a milder form of closure than the British closure, I will give you the British form. He could not have been fairer in his attitude to hon. gentlemen opposite. He has shown hon. gentlemen opposite that they have nothing to fear in connection with the application of this resolution to the proceedings of this House. Hon. gentlemen opposite are conjuring up phantoms. Some of their speeches are the stuff that dreams are made of. My hon. friend from Pictou (Mr. Macdonald) looks at me with a good deal of interest when I say that.

Mr. MACDONALD: I was wondering how my hon. friend was going to reconcile the argument which he made a moment ago as to the necessity for closure with the assurance given by the Prime Minister that the closure was not to be applied.

Mr. WHITE: The Prime Minister has the faculty of making himself very clearly understood to those who are open to conviction. If my hon. friend did not understand him, I do not believe the fault is that of my right hon. friend or of myself.

How do the people regard this? We take ourselves pretty seriously, and properly so, in this House; but I sometimes think that we take ourselves as politicians a good deal more seriously than the people take us. I say this, and do not believe it can be contradicted, that a more popular measure was never introduced into this House.

Mr. BUREAU: That is the climax.

Mr. WHITE: I say that closure is away overdue in this House.

Mr. GRAHAM: Like the budget speech.

Mr. BUREAU: And the West Indian treaty.

Mr. WHITE: If it is overdue like the budget speech, and my hon. friend thinks the budget speech is overdue, that is a good reason for introducing it. The public say: What are you talking about; too much talk down there, why do you not do more?

An hon. MEMBER: Why do you not stop talking?

Mr. WHITE: Why do I not stop talking? That just shows how unreasonable my hon. friend is. I get up here for a paltry hour and a half, and yet we have heard hon. gentlemen opposite talking against time. There are some hon. gentlemen opposite who could talk, not against time, but against eternity, and win out. My hon. friend objects to my getting up here in a humble and unobtrusive way and speaking to him words of truth and soberness for an hour and a half.

Mr. GRAHAM: We admit the soberness.

Mr. WHITE: I am glad to have my hon. friend's admission.

The very genius of the British parliamentary system is that the majority of the House shall govern. What is the antithesis of that? It is that the minority shall govern, and then you will have anarchy. The majority in the House must govern. This Government has a majority in this House on all occasions, in connection with the naval or any other Bill. Let me repeat again, at any stage of that Bill—its first reading, its second reading, in committee on any section of the Bill—we stand prepared and ready by a majority of fifty per cent over hon. gentlemen opposite to support that measure and to carry it through. We have been blocked. It is admitted that we have been blocked; my right hon. friend the leader of the Opposition admitted it. I do not know what my hon. friend from St. John thinks of that. We know how he regarded the word 'obstruction'; yet my right hon. friend the leader of the Opposition glories in obstruction, and my hon. friend from St. John never says a word. He knows that the word 'obstruction' has now a different sound to him from what it had two weeks ago.

Mr. GRAHAM: We can also say 'closure' now.

Mr. WHITE: Two weeks ago he would have been willing to move a resolution in this House that the word 'obstruction' be expunged from the dictionary, such an effect it had upon him. But my right hon. friend, who is a great political doctor, has cured him of that, and now he hears the word 'obstruction' as an ordinary word of the English language.

Now, I am done. I am sure hon. gentlemen will say they are glad.

Some hon. MEMBERS: No.

Mr. WHITE: I only wish to emphasize again the point: this Government, in power eighteen months, fresh from the people, with a majority in this House, should be allowed to carry on the business of the country. Hon. gentlemen must admit that. If they were in a like case, they would take a like view. The leading men in the last Administration were in favour of closure. Closure has become absolutely indispensable. That is recognized by this Government, and I believe it is recognized by members of the Opposition; it certainly is recognized by the members behind us; and I believe it is recognized by Parliament as a whole. It is an indispensable necessity for the carrying on of the business of Parliament; and in addition it has the support of the great body of public opinion throughout the country.

Hon. GEORGE P. GRAHAM (South Renfrew): My hon. friend the Minister of Finance (Mr. White) is altogether wrong in thinking that we were glad he was through. Far be it from us to interfere with a speech which has been incubating so long. He has not spoken as often as I should like. He threatened us with a speech once or twice, but that speech remained unborn for weeks. The hon. gentleman mentioned one speech that he had delivered and admitted that it was a good one. Having prepared it himself, having delivered it himself, and knowing every word of it, I suppose he is the best judge of its quality. For myself, I

should express an opinion with hesitation in the face of such facts. However, I also would be ready to admit that it was a good speech, and I am glad to have my opinion substantiated by that of my hon. friend. It ought to have been a good speech; it was a long time coming.

Mr. WHITE: The way a speech ought to be.

Mr. GRAHAM: Well, some of them should never come. The hon. gentleman warned us that he felt speech coming on him; he was going to give us a speech on the navy question. But something happened and speech departed, and days and nights passed, mornings, noons, weeks, more weeks—and still no speech. My hon. friend did not make that speech until he visited the Albany Club and found out what they thought of a Finance Minister in charge of the money-bags of the country not saying a word about the expenditure of $35,000,000 of the people's money. My hon. friend suggests that I am not very literary, that I take my literary quotations—I think he said, from Jack the Giant Killer, Texas Bill, and literature of that kind. I suppose my hon. friend in the days when he, like myself, was in the newspaper business, did vary his labours occasionally by reading light literature. But let me recall to him something else. It is not from Shakespeare—I think, he quoted Shakespeare to show how much stronger he was on classical lore than I am; I have forgotten what the quotation was, but he blamed it on Shakespeare. Now, men who attain high position may look down on their humble fellows; but sometimes these men fall. Readers of Milton will remember a case of that kind. One very important personage is there described:

> High on a throne of royal state,
> Which far outshone the wealth of Ormus or of Ind,
> Satan exultant sat.

Mr. WHITE: 'Exalted' sat.

Mr. GRAHAM: But this great personage took an awful tumble. I suppose perhaps he had been admitting that he made good speeches. Also he was inclined to want the rules of the place changed, so as to give him control of certain things that he was not able to control under existing conditions. But his fall was swift; it was disastrous; and could not be retrieved. I do not quote this to compare my hon. friend with that personage at all but to say that there is a possibility he might take a tumble, or, to put it in more parliamentary language, he might fall from his high estate; the gagging of members of this House may prove his undoing when he appeals to the country, because they will not be gagged.

The hon. gentleman took some time to apologize for not bringing in the Bill to confirm the agreement with the West Indies. It is too bad for the country that the Minister of Trade and Commerce (Mr. Foster) was called away at the time he was, because we should have had no such excuse from him. That hon. gentleman started his measure and, in the face of a good deal of criticism, he put that measure through to the stage in which he was compelled to leave it, which was quite an advanced stage. He did not object to our criticising it, he did not object to amendments.

Mr. PUGSLEY: He accepted my amendments.

Mr. GRAHAM: Yes, he accepted one of them. But here we have a Minister of Finance, responsible to this country for its financial arrangements, responsible for the whole business of the country, so far as one member of the Government can be responsible, rising in his place and telling the people of Canada that he allows the third reading of the West Indies Bill to stand because he is afraid that somebody would dare to move an amendment to it. The hon. gentleman is a previous question mark himself of the strongest kind. He would move the previous question on this West Indies Bill if he dared, because he is afraid of an amendment. He has gone a long way with his new friends in gaining for himself not only credit for making excellent speeches, but the ability the infallibility, of his legislation. And so he says not only in the closure, but in other ways: You have no business to amend what we propose; in relation to the West Indies treaty, no man in this House has any business to move an amendment to that treaty, and I will not bring it down for fear that somebody may do so. What are the Opposition here for? Are we here to take part in the legislation of the country? That excuse will not go down with the business people of the Dominion of Canada, nor with our fellow British subjects in the West Indies. That Bill should have been brought forward for third reading long, long ago. It would have received proper attention from this side of the House. And suppose amendments were moved—what is legislation for? And what are we here for? Are we to be told that no man behind the minister, no man on this side of the House, knows anything about this question, or knows sufficient to make an amendment that will assist in making that legislation more practical? That must have been the conclusion of hon. gentlemen when they heard the

Finance Minister seriously tell this House that he had not proposed the third reading of the measure for fear somebody on this side would move an amendment. I tell him that it is the right of hon. members to move amendments; and it is our duty to let the people of Canada know what the minister is doing to prevent the moving of amendments. The question of trade with the West Indies is a very important one; if it were not thought so this Government would not have carried out the arrangement which was practically entered into by its predecessors. That trade is important, and in order that Canada may receive the greatest benefit from this trade agreement, it is not only the privilege but the duty of every member of this House who thinks he can improve that legislation to take advantage of every opportunity that presents itself to offer amendments or otherwise suggest improvements.

My hon. friend spoke also of the budget speech. Surely he does not want us to believe that the people of this country have not been anxious to hear that deliverance known as the budget speech, in which the Finance Minister lays before this House and the country the financial condition of Canada, her trade development and prospects, and any alterations proposed to be made in the tariff of the country? Why has the budget speech not been brought down? Because the naval proposition and the gag are supposed to be of greater importance than the public business of the Dominion of Canada. The parliamentary programme of the Government is like their naval policy—it is stern first. What do I mean by that? Hon. gentlemen opposite propose to construct a navy, and I may remark that every hon. gentleman from Ontario on that side of the House, with the possible exception of two members, is in favour of a Canadian navy, and dare not say to his constituents anything to the contrary. The manner in which this question is being discussed in the constituencies of members from Ontario is: We are going to do this, but we are going to have a Canadian navy. That is the apology made for this proposition. But how are they going to construct a navy? By beginning at the right end of the proposition and first constructing a consort, or these ships which necessarily accompany the larger ones? No; they intend to begin the construction of the navy by building the big ships first and the small ones afterwards, beginning as a contractor would attempt to build a church by constructing the tower first. So it is with the parliamentary programme of hon. gentlemen opposite. They present to us the Naval Bill, and then they say: If you do not put it through, no matter what your argument is, we will not let you do any other business in this Parliament—and then we will blame you for the consequences.

Mr. WHITE (Minister of Finance): Does my hon. friend know the date upon which the budget was brought down in 1911?

Mr. GRAHAM: No.

Mr. WHITE: The hon. gentleman should look it up.

Mr. GRAHAM: I am discussing the present situation in this House, and the stern-first parliamentary programme of my hon. friends. The naval proposition is brought down first, and we are told: You can do no business until you put this Bill through; no matter what your arguments may be, you must settle this naval question first. The members on the Government side are told: When we go into committee on this Bill you must not say a ward; the members on this side of the House are told: You can neither eat nor sleep until you pass the Bill embodying the naval proposition, no matter what other business of the country may require attention. And then they expect us to act as docile lambs, meekly lick the hand that smites us, and pretend that we think hon. gentlemen opposite would be fair to the Opposition if they had an opportunity. Sir, let me give you a homely illustration of what I think of their fairness. I would just as willingly look for fairness from the political marriage of a jingo and a Nationalist as I would expect to get prize-fighting progeny from a consumptive couple. I admit that my hon. friend is a good historian; he acquired a certain amount of literary ability while connected with that Toronto journal which is noted for its delving into the relics and old quotations of the last two centuries. As a good historian, therefore, my hon. friend gave us some history to-night. Of course it is not ancient history; I think the events he related are almost within the memory of hon. gentlemen on this side of the House. As we have heard quotations from Shakespeare and Milton and others, I am sure my hon. friend will not object if I quote from such authorities as the Montreal Star, the Prime Minister and others of a like importance. The Montreal Star is a great newspaper; I think the name of the proprietor must have something to do with its success. I take this from a quotation made by the hon. member for Russell (Mr. Murphy) the other evening. The Star said in 1908:

> We must never forget that freedom of debate is a right of immense value. The power to do business may be of greater value; and no one doubts, for example, that the American Congress was justified in putting a stop to the 'filibustering' which prevented that body from transacting the business of the nation. But the condition of blockade ought

to precede the application of the remedy. The nation must really suffer before it will be willing to give up the privilege of free debate.

Canada has never suffered, if hon. gentlemen opposite believe she did not suffer on account of the business of the country being blocked to a certain extent in 1911.

With a Parliament so little burdened with business as ours, it is hard to conceive of a condition of affairs under which our people would be willing to give to the majority the power to gag the minority at will. That is a very tyrannical and dangerous power; and might be used most despotically. The nation could be made to suffer far more under present conditions from the shutting off of free discussion than it is likely to suffer from the tieing up of public business. Conditions may change as Canada grows and our national business becomes more intricate and voluminous. But it will not do to regard the addition of the parliamentary gag to our weapons of party warfare as a matter of little importance, and a step abundantly justified by the tediousness of the talkers in the Commons.

That is the opinion of the Montreal Star, and my hon. friend has taken the advice of that paper from the beginning, so far as the naval question is concerned. The right hon. gentleman ought to go back to 1908 and season his judgment with a little of the salt used in the concoction which the Star handed out to the Government at that time. But my right hon. friend the Prime Minister glories in obstruction; he says obstruction is all right; that the business of the country, if the occasion arises, should be stopped, and that members of the House should be prevented from putting through measures that are not in the interests of the country. In the Canadian Annual Review of 1911, on page 176, there is an account of a speech delivered by the right hon. Prime Minister in St. John, N.B., on September 5, 1911. After reciting some of the incidents connected with that meeting, the Annual Review says:

In this address also Mr. Borden frankly admitted having obstructed the agreement in Parliament.

That was the reciprocity agreement. I will read the extract again, as my hon. friend read several quotations twice, and I am strong on precedent:

Where does the lecture from the Minister of Finance come in, here his leader says that he obstructed and that obstruction was right. Then he proceeds to give his own words:

We would have been untrue to our duty if we had not obstructed.

So say we on the Navy Bill. Call it what you like, I felt it my duty, as did the other members on this side of the House, when members on the other side refused to discuss that question after it had got into committee, to use every legitimate means in our power to prevent the passage of an Act which we thought was inimical to the best interests of Canada and the interests of the great Empire of which we form a part. My right hon. friend proceeds again:

I have no apologies to offer for our course he declared amid loud cheers. We would not have been worthy of our responsibility if we had done anything else.

Then, Sir, in the face of that declaration by the Prime Minister of this country, how comes it that his colleagues rise and tell us that what we have been doing is a menace to the country? We would not have been true to our duty as representatives of the people, as the leader of these hon. gentlemen said under similar circumstances they would not have been worthy of the people they represented, had we not obstructed the Bill. I ask hon. gentlemen to go back in the history of the Dominion of Canada, to 1896. The predecessors of these men—great men as they are their predecessors were equally great—they did not, in the year 1896, although they knew that Parliament was coming to an end in a few weeks, resort to the gag or to the closure but they allowed free discussion and, like men in responsible positions, they said: this is a great question and rather than apply the gag we will allow the people of the Dominion of Canada to settle it. And they did settle it. I am not going to argue upon the merits of the settlement but I challenge any hon. gentleman in this House to rise in his place and say that any evil resulted so far as the Dominion of Canada was concerned by allowing of that free speech in 1896. Coming to the year 1911 what happened? Hon. gentlemen opposite were then on this side and they took advantage of every legitimate means in their power, headed by the present Prime Minister, and he admits or maintains proudly that he did right, to prevent that agreement going through the House. That was an Act to ratify an agreement. While my hon. friend to-night said that an Act to ratify an agreement with the West Indies should not be approached with rude hands in this House in the way of amendments, they stopped altogether for weeks and weeks the ratifying of an agreement with the United States. The Opposition on that occasion were not taken hold of in a brutal manner and told: You will have to sit up day and night until you pass it. They were treated like human beings and given an adjournment at a reasonable hour every night. What did the then Prime Minister do? I am telling no secrets when I say that some of his colleagues were in favour of closure, but the man who sits to my right, the right hon. the leader of the Opposition

(Sir Wilfrid Laurier) was never in favour of closure and never would submit a closure measure to Parliament while he was Prime Minister.

Mr. CROTHERS: If the right hon. leader of the Opposition in 1911 did not consent or agree in the Government to the introduction of closure had he succeeded in the elections of September 1911, how came it that some of his colleagues declared upon the platform that if they were returned to power they would introduce closure?

Mr. GRAHAM: If the hon. member will allow me, I will answer his question.

Mr. CROTHERS: Answer that one.

Mr. GRAHAM: I will say that it need never have been done, it need never have been mentioned, just like the payment of the Farmers' Bank depositors, promised by my hon. friend has never been carried out.

Mr. CROTHERS: My hon. friend attempts to answer my question by asking another. I asked how came it that one of his colleagues declared on the platform that they agreed to introduce closure.

Some hon. MEMBERS: No.

Mr. CROTHERS: Or that closure would be introduced if you succeeded. Would he have made that statement had not the leader of the Opposition agreed to it? My hon. friend has said something about the Farmers' Bank. I am quite prepared to discuss the question of the Farmers' Bank and justify every word I said on the public platform on it.

Some hon. MEMBERS: Order.

Mr. GRAHAM: We will take that up another day. That is of vital importance. I cannot move the adjournment of the House because it has been moved, but we will discuss it at some time. I do not know that any colleague of the Prime Minister stated that closure would be introduced but I do know that the then Prime Minister, now the leader of the Opposition, was always opposed to the closure in any form, and I think I am safe in saying that if a government had been returned with him as Prime Minister, there never would have been any closure.

The Prime Minister shortly before he assumed office made the statement that he defended absolutely and was proud of obstruction. That being the case what happened? The then Prime Minister could have introduced the closure had he so desired, he could have done what this Government has done and could have used his majority in the same manner as this Government propose to use their majority. Then what would have happened? The reciprocity measure would have gone through and would to-day be on the statute book. I am not going to argue whether that would have been a good or a bad thing for Canada, that was settled by the people, in a measure, in 1911. But what is the position of the hon. gentlemen opposite? The then Prime Minister did what this Government ought to do, he submitted the question to the people of Canada. What was the result? The opinion entertained by the majority of this House at that time was not entertained by the majority of the people of the Dominion of Canada and Canada to-day is free from an arrangement which the people of Canada said should not have been entered into. Had it been otherwise Canada to-day would have had what the election showed the people of Canada did not want to have. If this Closure Bill goes through and the Navy Act is forced through by means of it, the people of Canada will have on the statute-book and become committed to an expenditure which I believe they do not want and are opposed to. I want to read three or four quotations from the speeches of prominent men on this question of closure in 1908. This was before the discussion of 1911. This was in 1908 when there was a discussion in this House in relation, I think, to an amendment of the Election Act. I will first read a few words from the speech of a very prominent gentleman in this country. They are as follows:

> But, so far as the English practice is concerned, they go indefinitely further than I hope we shall ever be obliged to go in this country. If we carried out the English practice to the full we would adopt the English system of closure, under which the passage of the estimates would be reduced to very little more than a farce.

These words were spoken by the present Prime Minister in 1908. My right hon. friend will of course argue that we are not going so far as the British House of Commons. In my humble judgment, if clause 4 remains in the rules, we are going further than the guillotine methods in the British House of Commons in the matter of putting estimates through. Let me read another quotation:

> Rumours have been prevalent for some time past in the Government press that the Government intended to revise the rules of the House at an early date, and to introduce what is known as a closure. I would like to ask the First Minister if that is the intention in this revision of the rules. I would like to say that so far as I can judge the temper of parliamentarians generally, they regard the freedom of debate as one of the dearest rights of the representatives of the people, and if any attempt is made under the guise of amending the rules to prevent the freest discussion of all public questions, I can only say that in my judgment the Government will invite a good deal of trouble.

These words were from a speech of your own, Mr. Speaker, in 1908. Now, Sir, I will quote another prominent gentleman:

I for one have no idea at all of submitting without protest to any of the well-defined liberties of the House as a parliamentary body being infringed upon.

These were the words of the present Minister of Trade and Commerce (Mr. Foster). Here is another quotation, and I am sorry that the independent member for South York is not here, because he rose in his place the other day and mightily smote us with his vote in an attempt to put the gag on us. Here is what he said in 1908:

I trust that this committee will in no way interfere with the liberties of Parliament, and especially with the liberties of individual members of this House. In the United States to-day we see that the popular Chamber has lost its liberties, and has passed under the domination of a Speaker who is now known as a Czar, and consequently that chamber, which should have been the model chamber throughout the world, has lost its prestige and its power, that power having passed to another body. I do not wish to see a repetition of that history in this country.

These were the words of the hon. member for South York in 1908. These quotations are just a few that I picked out at random. They express the opinions of men who were giving their attention to the question at that time as they saw the situation in this Parliament, and in spite of the apologies made on the other side of the House, these views stand unrefuted and uncontradicted to-day so far as logic and reason are concerned. What are we doing in this House at the present time?

An hon. MEMBER: You are doing well.

Mr. GRAHAM: I would not like to go the length of saying that I am making as good a speech as my hon. friend the Minister of Finance, but I think I am giving a better speech than my hon. friend has been allowed to make since the gag went on the government side. My hon. friend the Minister of Finance related to us in detail how in a gentlemanly, soft, kid-glove manner the leader of the Opposition was metaphorically sand-bagged. It was done in a genteel way, and no person ought to take offence at the way in which it was done, he said. It was legal and constitutional, and according to the rules, and there was no intention of injuring the feelings of the leader of the Opposition. No such feeling inhabited the breasts of hon. gentlemen opposite or lurked in the persons of members on the Government benches. I have known a man to be killed without any intention on the part of the killer, and the man was dead just the same.

An hon. MEMBER: How funny!

Mr. GRAHAM: What happened, Mr. Speaker? Every hon. member in this House knows what happened, and disguise it as they will and apologize for it as they may I say it was an affront upon the oldest member of the House who has been the most prominent man in Canada both in Imperial and Canadian affairs. The Minister of Finance asks how could that be that when the rules permitted it. Sir, there are rules deeper than even the Ten Commandments. There are rules deeper than can be implanted on the books or statutes of any parliament, and one of those rules is the courtesy that ought to be extended by one man to another in this House or out of it. A good deal of play has been made on the action of the Minister of Marine and Fisheries, and associated with him was the Minister of Railways and Canals. Do not let that be lost sight of. The Minister of Railways and Canals seconded the motion of my hon. friend the Minister of Marine and Fisheries, and if there is guilt or credit attached to the action he must equally share it with the Minister of Marine and Fisheries. When the right hon. gentleman the leader of the Opposition had risen to his feet, a man to whom the country has listened, to whom the British Empire has listened, to whom the world has listened for over a quarter of a century, he was confronted with a motion from the hon. member for East Hastings, ordering him to sit down and let another man speak in his place. Is that courtesy? What was the reason? Simply that some person might move an amendment. Infallibility is claimed by hon. gentlemen opposite, and we on this side of the House are to be governed by rules in regard to which we are not allowed to make a single amendment or any practical suggestion. And my hon. friend the Minister of Finance calls that fair play. Suppose that an amendment had been moved by my hon. friend. I want to ask you, Mr. Speaker, I ask any hon. member in this House, I ask any man in the Dominion of Canada, who is better fitted to move an amendment to the rules governing Parliament than the man who has been longest in this House? Suppose he had moved an amendment. I leave it to the judgment of this House, whether it would not have been more in keeping with the dignity of Parliament and more to the credit of the Government if he had moved an amendment, if we had discussed it for three weeks, than to have such an incident as that which took place and which has been talked about all over the British Empire. There are some things, Mr. Speaker, that are stronger and higher even than getting a measure through the House of Commons to gag part of it, and however much hon. gentlemen may attempt to laugh it off they will find when they go to their constituents throughout Canada they may be forgiven

for applying the gag, they may be forgiven for telling us there was an emergency when there was no emergency, they may be forgiven for putting through a measure of closure which we think should not go through, but down in the hearts of the people of Canada, as the father and mother and children sit around the fireside and talk about it, my hon. friends will never be forgiven for the insult which they offered to the right hon. leader of the Opposition.

Some hon. MEMBERS: Oh, oh.

Mr. GRAHAM: My hon. friends seem to have found their speech for the moment, but this gag will apply to them as well as to us when the Government want to put some measure through and want their followers to keep off the grass. What does this closure mean? It means the contravention of every principle underlying representative government. Go where you will, the lowliest citizen in this Dominion has the right through his representative to a voice in the legislation under which he is to live, and we on this side of the House are the only citizens of the Dominion of Canada to-day, who are told legislation shall be passed to govern us, in which we are not allowed to have any voice whatever. Representative government exists no longer in Canada. We are not even allowed to amend the rules which are forced on us for our guidance. The Prime Minister did not answer the question put by the right hon. the leader of the Opposition, and he knows it. The Minister of Finance made a speech; I think we will admit a good speech, but he talked of everything else except the rules now under discussion. I say that if the interpretation put on the rules by the leader of the Opposition is right, then not a man on that side of the House can deny that we are robbed of our rights as representatives of the people.

An hon. MEMBER: A great pity.

Mr GRAHAM: A member of this House who would make such a remark on an occasion of this kind does not take his position seriously. I believe, Sir, that the right hon. the leader of the Opposition has interpreted these rules as they can be applied, and, judging from the experience of the past few weeks, as they will be applied if the necessity arises. The moving of the previous question has prevented our offering an amendment, and we are forced to sit here without changing the proposition submitted to us in one word or syllable. We on this side of the House have had nothing to say in the preparation of these rules; Mr. Speaker; you yourself have had nothing to say about them, and I submit that the men who prepared these rules are not in the same impartial position to interpret them as is a member of this House who takes them exactly as they are. Who in this House, unbiased by partyism who would take the interpretation of these rules from younger members of the House, no matter how able, in preference to the interpretation of them by a distinguished parliamentarian who has been half a century in Parliament; who has been Prime Minister for fifteen years; who himself has taken part in making rules to govern our procedure ? I leave it to the wisdom of the country if the interpretation placed upon these rules by so able a parliamentarian is not more apt to be correct than the interpretation put upon them by certain gentlemen who helped to draft them and have their minds focussed in one direction. Sir, we on this side of the House have been deprived of our rights. Much as I respect the Prime Minister, I do not wish to stand in this House to voice the views of my constituents by the grace of any man. I have rights that the majority cannot take away from me as a member of this House. There are certain rights under the British constitution and under parliamentary practice and usage that can be taken from me if the majority so wills, but the moment that is done this is not a parliament; the members of this House become a mob and not a parliament. I have rights in my sphere as a representative of the people that are just as sovereign within that sphere as the rights of the king on his throne. The majority has no power to deprive me of these rights.

Mr. WHITE (Minister of Finance): Did my hon. friend hear me read the remarks of the Hon. Mr. Fielding ?

Mr. GRAHAM: I heard the present Minister of Finance state again and again that the majority must rule.

Mr. WHITE: I quoted that from Mr. Fielding.

Mr. GRAHAM: The Minister of Finance will have to read the 'Hansard' in the morning to find out whether he made a good speech or not, but I tell him there are certain limits within which the majority must rule, and outside of which they cannot rule. The majority of people in my neighbourhood cannot enter my house and rob me by force, because the moment they do that they become a mob, nor can the majority in this House encroach on my rights as a British subject.

Mr. CURRIE: Does the hon. gentleman say that he has rights in this House beyond those which the House gives him?

Mr. GRAHAM: When the majority attempts to make rules that are not in accordance with British practice and which invade the right of members of this Parliament, they are overstepping their powers and are acting unconstitutionally. I have a perfect right to stand up here and object to the utmost of my ability to the attempted forfeiture of my rights under the constitution and under parliamentary and representative government. I say, Sir, that not only cannot the majority in this House take away my rights, but they cannot take away the rights of Mr. Speaker, and Mr. Speaker cannot take away my rights either. The member for North Simcoe (Mr. Currie) tried to take away our rights, but the House would not let him. I leave it to every student of the British constitution and of parliamentary government if there are not certain rights to which I am entitled in this Parliament and which no majority has authority to take from me, no matter how big that majority may be. As a member of the Opposition I cannot be forced to rise in my place and say: by the grace of the majority may I be allowed to voice the opinion of my constituents. I want the rules to be stated in plain language so that I may know what my rights are and so that I may be able to defend them. I ask no quarter from the Government and no man on this side of the House asks quarter from the Government. The Government with its majority has said that it would no longer agree to the old principle that has been followed in this House of Government by agreement between the parties, and of rules decided by agreement between the parties. They throw that practice of years to the winds, and they now say: We will depend on our majority, and by brute force we will put this rule through. I say to them: Do it.

Mr. SPEAKER: I call the attention of the hon. member to the fact that such a statement as he has made is out of order and ought to be withdrawn. It is not in order for him to say that any members of this House have applied brute force; it is in my opinion a reflection on Parliament. The hon. member for the sake of his own good standing in this House should withdraw that remark.

Mr. GRAHAM: I bow to your ruling, Mr. Speaker, and I shall use the words 'physical force.'

Mr. SPEAKER: That is quite parliamentary. I think the hon. member, for the sake of his own standing in the House, ought to withdraw that remark.

Mr. GRAHAM: I meant to withdraw what I said. I understood that I was withdrawing at your request.

To come back to my point again, I want to point out that the Government and its majority have said: We will not have any more agreements with the Opposition as to the carrying on of business; we are going to depend upon our supreme force and upon our overwhelming majority. I do not complain about that; but, as that is the stand taken in regard to these rules, I hesitate to accept the position that I am to be placed in of rising to ask the permission of anybody if I can speak on any question, if I think I am in order under the rules. When the Prime Minister tells me that these rules shall not be interpreted as my right hon. friend the leader of the Opposition thinks; that they cannot be so interpreted, and that they never will be, I say that is not the pound of flesh. We have been held to the rules. Rules have been enforced in this House that have never before been put in execution since I have been a member. We have had decisions in the Chair that will not be upheld by anybody. I wish now in the midst of the debate on these rules to have it distinctly understood that we want to have rules that can be literally applied; and, if there is any difference of opinion, that ought to be sufficient reason for my right hon. friend to withdraw these rules and to let these differences of opinion be harmonized, not as to the application of closure but as to what the meaning of these rules is, because nobody in this House at the present time knows what they mean. It has been made an excuse that this resolution has been introduced in order that the Naval Bill may be put through Parliament. I say that that is not the case. Clause 4 has nothing to do with the Naval Bill. It relates to discussion when the House is moved into Committee of Supply and it restricts our rights on Thursdays and Fridays, say what any person may. If this resolution were only for the putting through of the Naval Bill, we would object strenuously; but it would not have this added sting that our rights are to be curtailed in discussing public questions on a motion to go into Supply. My own position is this, and I state it very frankly. I do not believe that this House has any right to pass this resolution. I believe that the Government are bringing it in in an unfair manner; they are bringing it in contrary to the usage and practice of the British House, previous to 1867, which our rules say they cannot do. I believe they are violating the constitutional practice of Great Britain; that they are violating our own rules and that they are violating every principle of representative Government. So far as I am concerned, I intend to oppose this resolution in every legitimate manner. I think I have a right to do so and I believe that, if the people of Canada had a chance to pronounce, they

would pronounce against the adoption of any such rules in this House.

There is only one way out of the difficulty. The Government have introduced this resolution. The Government have introduced the Naval Bill. The people of Canada are interested in these two questions. If the Government believe that they are right and that they have the people behind them, let us get rid of this vexed question of closure. Let us retrace our steps and place this Parliament where it has always been, able to do business without any gag or closure. Let us recall that closure, and appeal to the people of Canada, because it is their business and their views should be allowed to find expression at the polls before action is taken.

Hon. T. W. CROTHERS (Minister of Labour): Mr. Speaker, I am a little surprised at the superficial idea of individual rights which my hon. friend from South Renfrew (Mr. Graham) seems to entertain. He knows very well that the rights of an individual have to give way when they infringe upon the rights of others. I suppose that a member of the British House of Commons prior to the year 1881 had the right to speak for any length of time that he might choose, just as our hon. friends opposite have for the last three or four months exercised such a right. When rules were introduced into the British House of Commons limiting the length of debate, the right that a member had prior to the introduction of the rules had to give way in the interests of the public. My hon. friend from South Renfrew has waxed very eloquent and is apparently determined to fight to the bitter end to preserve his rights; but his rights must give way to the rights of others, when he infringes upon their rights. That is what has happened with every member of the British House of Commons. They did not go to lunatic asylums and mad houses because the rules were changed. I suppose there was a time when the House of Representatives at Washington exercised certain rights that were taken away from them when the rules of debate were changed. Hon. gentlemen opposite talk about their rights being taken away and fighting and wading through blood ankle deep, because the majority happens to say that the exercise of their individual rights is infringing on the rights of the majority and that therefore their individual rights must give way. Hon. members opposite have been telling us for weeks that the people of Canada will go to the eternal bow-wows if there is any limitation of their right of debate. What has become of free speech in old England during the last thirty years under rules limiting debate, very much more drastic than these rules? Have the people of England lost all right of free speech? Have the people of the United States lost free speech, because it was found necessary in the interests of public business that there should be a limit to debate? Has the British Parliament become a mob, as my hon. friend from South Renfrew says we shall become, because rules limiting debate have been introduced there? Are we to become a mob if we prevent speeches by the hour and by the day and repetition a dozen times on the same subject. It is impossible to find parliamentary language adequate to express the conduct of the members of the Opposition during the last four or five months in this House; but the people are not limited by any rules as to the language they shall use, and they are using language to-day in regard to members of the Opposition that could not be repeated in this House.

I do not think that there has been introduced into this House during the last twenty years a resolution or a motion so popular as this motion to limit debate. I have heard almost daily for the last quarter of a century denunciations of the length of time that we take up in this House in doing the business of the country. We are spending five or six months a year, and it is quite evident to anyone who has sat in this House that the business of this country could easily be done and be done much better in three months than it is being done in five. It is not necessary in order to enable the members of the press gallery to grasp an argument, that it should be repeated a dozen times by members of the Opposition. When a member of the press gallery does grasp an argument that is any good, he will very readily find means to give it to the public. But during this session we have arguments repeated dozens and scores of times, ad nauseam to everyone who had to listen to them. And why? For the mere purpose of obstruction. We have had it admitted by the leader of the Opposition that the game of the Opposition during this session has been obstruction. Earlier in the session if the word 'obstruction' was mentioned, hon. gentlemen on the other side flew off at a tangent and worked themselves into indignation because of it. But since they heard their right hon. leader admit that they had been obstructing, they say nothing more. And what excuse is given for it? It seems almost necessary to repeat some of the arguments given in this House at the beginning of the session; it has been so long since, and hon. members on the other side have been so long talking that they have actually convinced themselves that what they say is the truth. They say that the reason why they have been obstructing is that we obstructed in 1911. But what occurred in 1911? I had the honour, with several other hon. gentlemen I see before me, of having a seat in that Parliament. And let me say, what is known to every hon. member present who was in that Parliament, there was not a member of the then Opposition who spoke twice on the reciprocity question. We had before us a very important question, one

that affected the best interests of every man, woman and child in Canada. On that question almost every one in the House desired to speak. And yet there was not a member of the Opposition who spoke on that question twice, and not half of them spoke even once. But what have we seen this session on the Naval Bill? Members speaking four, five, six, eight, times, and from one to five hours each. And the circumstances were entirely different. When we were opposing reciprocity in this House we were opposing a measure which the people of Canada had rejected three times and which was being thrust upon them by the Government of the day. You will remember that the leader of the Opposition, when he was leader of the Government, declared in 1899 that the people of Canada did not want reciprocity with the United States in natural products. He not only declared that they did not want it, but he gave the reason why. He said there had been a time when we wanted reciprocity with the people of the United States, but that time had gone by forever; we did not want it now because we had become independent of the markets of the United States. He declared that to all the people of Canada from the Atlantic to the Pacific. He went to the country a few months afterwards. In November, 1900, with that declaration on his lips, and the people of Canada declared: You are right , we do not want reciprocity with the people of the United States in natural products. In 1903, when he was introducing the measure for the construction of the National Transcontinental railway, he again said in substance, that the people of Canada did not want reciprocity in natural products with the people of the United States. He declared that we must construct this road at once—we must not wait a day, an hour, a minute; we must build it because an ever-vigilant competitor was seeking to cause our trade to run north and south, while we wanted the road in order to continue our trade east and west. He declared also that we had done everything possible to force the trade into British channels and out of American channels. On such a declaration he was, in substance, opposed to reciprocity with the United States. And in 1904, the people again said: You are quite right, we do not want the trade of this country to be diverted north and south——

Mr. SPEAKER: I think the hon. gentleman is not keeping to the question before the House.

Mr. CROTHERS: I am trying to follow the member for South Renfrew (Mr. Graham), who has been talking about almost everything. He introduced this question of our alleged obstruction in 1911, and I was trying to show that the circumstances were entirely different; we were not obstructing. I say that at that time we were justified in saying to the Government: You are trying to force upon the people something that on three occasions they have declared they did not want. But hon. gentlemen declare that they want to go to the country. They seem to have forgotten that we have been to the country. We went to the country on the 21st of September, 1911. On that occasion this question of the navy was before the people of Canada. If hon. gentlemen opposite will turn up the speech of the leader of the Opposition on the 13th of February last in this House, they will find that he declared in so many words that the leader of the present Government had gone before the people in that election with his naval policy and the right hon. gentleman (Sir Wilfrid Laurier) went with his, and the policy of the late Government was defeated. You will find a similar declaration at page 1063 of 'Hansard'. When the right hon. gentleman was asked why he had not proceeded to let the contract for the building of the cruisers for which he had asked tenders, what reason did he give? He said that an election was pending, and this was one of the isssues between the Government and the Opposition, and he knew that if the then Opposition succeeded at the polls, they would reverse his policy and therefore he did not think it in the interest of the country to let these contracts. Still, the hon. member for South Renfrew repeated several times: Let us go to the country. Hon. gentlemen opposite have been shouting that so often that they have persuaded themselves that the election on the 21st of September, 1911 this naval policy was not before the people, although their leader has declared that it was before the people. The people of Canada declared that they wanted our policy; your leader said so. The people of Canada said they did not want your policy; your leader said so—what more do you want? Hon. gentlemen opposite talk about going to the country; we have been to the country. I received a letter the other day from one of the leading men of the province of Ontario, not now in public life, who said that if the Government went to the country to-day the Liberal party would not obtain four seats in the whole province of Ontario. The people are utterly disgusted with the obstruction in which hon. gentlemen have been engaged in respect to the Naval Bill.

At least fifty and perhaps one hundred times during the course of this debate, it has been said by hon. gentlemen opposite that we were all one in 1909 when the resolution of March 29 was passed. I want to say that the Conservative party in this House never assented to the resolution of March 29 as subsequently interpreted by

the Liberal party. How did hon. gentlemen opposite interpret this resolution when they came to put in force under the Naval Act of 1910? They interpreted it to mean that we should have a navy which would not necessarily have anything to do with any war in which England might be engaged. This resolution as it was first presented to the House by the right hon. Prime Minister, now the leader of the Opposition, excluded any possibility of a contribution, and, at the instance of the present leader of the Government, the resolution was so altered as to make it possible under certain circumstances, for the Government of Canada to make a contribution instead of proceeding to build a Canadian navy. If hon. gentlemen will refer to the issues of the Toronto Globe of March 31, and April 5, 1909, published after the resolution was passed on March 29, they will find that that newspaper, which in many instances has been substituted by my friends opposite for the Bible, advocated the construction of dreadnoughts to be sent to England, notwithstanding the resolution passed on March 29. But in the Naval Bill of 1910, hon. gentlemen opposite provided that Canada should not necessarily be at war when England was at war; they practically declared their adherence to a separatist policy, and the Conservative party withdrew from it at once. In that same session, the Conservative party brought forward a resolution in favour of a contribution of $25,000,000 for the construction of dreadnoughts. The Naval Bill was discussed during that session, and our suspicions were confirmed by speeches delivered by followers of the right hon. Prime Minister, now leader of the Opposition. One of his followers, sitting behind him on this side of the House, declared that he supported the naval policy of 1910 because he regarded it as a step in the direction of Canadian independence, and the right hon. Prime Minister of that time, sitting where the leader of the Government sits to-night, heard that follower of his in one of the back benches make this declaration, and he sat tight in his seat and did not rise and declare that he had no sympathy with such principles. Another hon. gentleman who sat behind him declared that he supported the naval policy of 1910 because it put us in a position to fight the British navy if we ever desired to do so, and the right hon. leader of the Government of that day sat tight in his seat and did not rise to repudiate that doctrine. Where is the follower of the then Prime Minister who declared that he was supporting the Naval Bill of 1910 because he wanted a weapon with which to fight the British navy when Canada should desire to do so? He has been rewarded for entertaining and expressing those ideas in this House by being placed upon the bench of the Supreme Court in the province of Quebec, and he occupies that position to-day.

A great deal has been said by my hon. friends about the Drummond and Arthabaska election, which was the first election held after the Naval Service Act was passed in this House. The present leader of the Opposition had lived in the county of Arthabaska for forty years; it was his adopted home, and he was well acquainted with the people of that district. One would have supposed that, when his Naval Bill was being submitted to the people of Canada for the first time, he would have gone down to his old home and told the people what the Naval Bill he had introduced and carried through this House meant. And did he? He did not appear amongst the people once during that campaign in Drummond and Arthabaska. Why? His followers carried forward that campaign, and the burden of their song on every platform on which they spoke throughout the constituency was that the naval policy of the then leader of the Government meant separation, and had been adopted with a view to putting the people of Canada in a position to take care of themselves as soon as they became independent. That was the doctrine preached from every platform in Drummond and Arthabaska during the first election held after the Naval Bill was introduced and carried in this House in 1910. Any hon. gentleman who desires to verify my remarks may do so by referring to the columns of the Montreal Herald and the Montreal Witness, both Liberal papers, where they will find, in the reports of the meetings held throughout Drummond and Arthabaska, that the Government of that day were preaching Canadian independence; and the right hon. leader of the Opposition, not desiring to incur in the English-speaking provinces the odium of supporting that doctrine, and not desiring to go into the constituency and say anything that would not be popular with the people, kept out of it altogether. What do hon. gentlemen think of a prime minister who, having introduced such a measure as the Naval Bill of 1910, and the first election after the passage of his Bill taking place in the constituency in which he lived for forty years, plays the coward, and keeps out of the constituency altogether? Having regard to the declaration in the House that under the Bill we would not necessarily be at war when England is at war; to the declarations of the right hon. gentleman's followers in this House that they supported the Bill because it meant independence, and because they wanted to establish a

navy with which to fight the forces of Britain, was it unreasonable that the Conservative party of this country withdrew entirely from the policy upheld by the Government, and opposed it to the bitter end? We did go to the country, and it is not necessary for me to state the result. There was not an intelligent man in the Dominion of Canada who was not familiar with the views of my right hon. friend the present Prime Minister on the naval question. In this House he declared to the people of Canada what he would do if returned at the polls. He would go to England, consult the British Admiralty, and, if he found that conditions were grave, he would at once ask Parliament for immediate aid. In London, Ontario, where the opening meeting of the campaign in that province was held, he repeated this statement, and made others along the same lines, and they were published in every newspaper throughout the province of Ontario and even as far east as Montreal. So that, when hon. gentlemen opposite say that the naval policy was not discussed at the last election, they are reckoning without their host. But I must give them the credit of believing they do not know any better, because, if they did, they would not have taken that stand. This matter, therefore, has been before the people, a large majority of whom have declared that they desire that the present policy should be carried out. I might tell my right hon. friend that the rules of the House as they stand to-day were framed for the guidance of reasonable and patriotic men. No man adopting rules or establishing rules for any other class would adopt the rules as they stand to-day in this House. It has become necessary that these rules should be changed in order that the majority should have their rights. The hon. member for South Renfrew (Mr. Graham), is not the only man in this House and is far from being the only man in this country. There is a large majority, counting him on one side and all the rest of the people of Canada on the other; and that large majority want the business of this country to be carried on. When that large majority say that they want that business to be carried on, my hon. friend's right will be swept away in the right of the majority. We have introduced these rules, mild rules, for the limitation of debate in this House to prevent tedious repetitions, to prevent one man from speaking six times on the same subject and repeating himself twenty times. The people of this country have become disgusted with that, this is the most popular move we could make in this House. My hon. friend's rights must be set aside in the interest of the great majority of the people of this country and they have determined that his rights shall be put aside; if necessary, in order that the business of this country shall be carried on, they have determined that not only shall his rights be put aside, but the rights of the whole Opposition shall be put aside in the interest of carrying on the business of this country. We have made a proposal for the amendment of these rules. That proposal let me tell my hon. friends opposite—and this is not for the gallery, but only for the ex-ministers in the House and those out of the House—we have proposed these amendments to the rules, these amendments are going to be carried. We proposed a Naval Bill and that Naval Bill is going to be carried. The sooner you make up your minds to that the better. The people of this country have told us that that is what they want, and what they have told us they want is going to be carried out, and going to be carried out this session—and don't you forget it.

Mr. F. B. CARVELL (Carleton, N.B.): Mr. Speaker, I at least congratulate the Minister of Labour for being candid. I think we are accomplishing something in this debate. We are getting down now somewhere near where we have been trying to get for some time. Something has happened in the last week that has given courage to my hon. friends opposite. For the last three weeks you could fling almost any kind of an epithet across the House in reference to the navy and you could not raise one of them but now the Minister of Labour talks on it for nearly half an hour when it is not under discussion and he would not obey the Speaker when His Honour tried to get him back to the subject. When the Speaker brought him away from the reciprocity question as being out of order he talked for another half an hour about the navy. He will not consider me discourteous if I do not follow his highly technical explanation of the rules. I thought the object of moving the adjournment was to get some information as to the construction or conception of these rules but the Minister of Labour thinks that it was moved in order that he could have a chance to rehash his old speech on reciprocity. I do not intend to talk reciprocity. I have had an opportunity of discussing that on the address and possibly if the Minister of Finance ever screws his courage up to the sticking point and brings down the budget I may have another opportunity but I shall try to confine myself to the matter immediately under discussion and not to transgress the rules. The object of moving the adjournment was to get some information from the Prime Minister and any other gentlemen in the House as to the real meaning of these rules. On this side of

the House we have an idea that they are unfair, unjust and I go so far as to say unconstitutional. I have an opinion that these rules were devised and created by certain gentlemen—of course I do not know exactly who they are, but I think I can make a shrewd guess—for the express purpose of meeting the position that they thought existed in the Parliament of Canada at the present time. I do not say that offensively, but rather in a complimentary way to them, but the right hon. gentleman did not, I think, know the real significance of these rules until it was pointed out to him from this side of the House. I have some doubt if he really has realized yet the actual meaning and the real venom hidden away in some of these clauses. If you look at the clauses you will find that they have been devised entirely for the purpose of meeting the condition of affairs which has existed here for some time regardless of whether that is necessary or what the future will require. If you want any evidence on that you will find it in the second line of the first section, which reads:

> Every motion heretofore debatable made upon routine proceedings except adjournment motions.

The very first thing they take away from the Opposition is the right to debate adjournment motions of the kind we are discussing this evening and this afternoon. The Minister of Labour says that these rules are going through. He may be right, but I might remark in passing that if anybody had asked him about the 1st of January or the 3rd of March he would have said that the Naval Bill was going through right away—but it did not go through. Possibly there may be other surprises in store for the Minister of Labour. It is never wise to be too positive about things in this world. The very first thing they are taking away from us is the right to discuss a question on the motion to adjourn. The Prime Minister would try to make us believe that these rules are not one half as bad as the English rules, but I want to point out that, as bad as the English rules are, the right to move the adjournment of the House or of the debate is retained to members as you will see in rule 148. It is true that that is subject to some extent to the discretion of the Speaker, but in England where they have a Speaker who acts as a judge, a man who is not in politics, who is chosen as Speaker and then has no more politics because his position is for life, there is justice and adjournments of the House may be moved subject to the discretion of a gentleman who has no feeling or ambition except to hold the balance absolutely true between the two parties. The Prime Minister tried to say: oh, that does not make any difference, you have still the right to discuss motions to adjourn the House and on such a motion to discuss a matter of important public interest. My right hon. friend did admit to the hon. member for South Wellington that even then we are subject to the discretion of the Speaker. We had a case here within the last month when a member on this side attempted to adjourn the House to discuss a matter of urgent public importance and the Speaker held it was not such a matter and did not come within the rules and would not allow him to discuss it. That is the position we shall be in because we cannot move to adjourn the House to discuss any matter. My right hon. friend says: We will interpret this rule liberally, we will give you every right you possibly should have, we are going to be generous about it. We do not want any of his good wishes, we are not here to take good wishes from him or from any other man. We are in no different position than any other opposition. If the positions were reversed, and my hon. friends were over here, they would not want to ask the grace of being permitted to discuss a matter which is a matter of right. They would want to have the right to discuss it, and that is the first thing that is being taken away from us by this resolution. Why is it, I wonder? Go back a little while, and you will see why. My hon. friends will remember that on the 3rd day of March we entered upon a session which lasted for two weeks with the exception of the Sabbath day. When it was attempted to apply the 'steam roller' on the Friday evening, when a man was put in the Chair who had no right to be there, and when that man without any reason whatever, without any logic, and simply to carry out the behests of his superiors, ruled out of order two resolutions which we had been discussing for a fortnight, and which my hon. friends had been discussing, they were checkmated by the ingenuity of the hon. member for St. John (Mr. Pugsley) who moved the adjournment of the House. They were held up for twenty-four hours, and driven out of this House in disgrace, and then the bright minds, which attempted to change these rules, decided to put the matter so they would never be driven out of the House again by a motion to adjourn the House, and the first thing they did to meet that contingency was to try to take away the right which we have always enjoyed, and which has always been enjoyed in England. Let us follow the matter a little further. My right hon. friend the leader of the Opposition stated this afternoon that in his judgment, if these rules were adopted, we would not be allowed to move an amendment to the third reading of a

Bill. I do not think my hon. friend from Portage la Prairie (Mr. Meighen) will deny that proposition.

Mr. MEIGHEN: Oh, yes, without the slightest hesitation.

Mr. CARVELL: Then I do not give him so much credit for real judgment as I did. It may be that my hon. friend feels that he is bound to follow the unreasonable interpretation given by his leader this afternoon; I am willing to be generous enough to my hon. friend from Portage la Prairie to say that he is loyal enough to follow the lead of his leader, but, of course, I reserve my own opinion as to my hon. friend's real interpretation of these rules which possibly he may give us some time in the future. I know one gentleman who will not deny that interpretation, and that is the hon. gentleman who sits in the Chair. We will probably find out before many moons have passed what his interpretation is. I am finding no fault with the hon. gentleman who occupies the Chair. He will interpret these rules as they ought to be interpreted, and that interpretation will be the strictest that can be given to them. I think I am within my rights when I say that there has not been an occasion during the present session of Parliament on which the hon. gentleman who sits in the Chair has not strictly interpreted the rules of this House. We have all had experience; we have been called to order, and so have hon. gentlemen on the other side. The hon. gentleman who occupies the Chair has hewed to the line every time, and he will hew to the line in the future, and if he does, he will be compelled to rule that there is no possible power of amending a Bill on the third reading. We may move an amendment, but there will be no opportunity of debating it under this rule. I go further, and here is where my ingenious friend gets in his work a second time. You will remember that when the Naval Bill was moved into Committee of the Whole House, and we asked for an adjournment of the House on the Monday evening, while the Prime Minister was willing to agree to it, the Minister of Public Works opposed it, and said: Go on and make progress. The right hon. the leader of the Opposition moved an amendment, and a few hours later that was followed by a sub-amendment, moved by the hon. member for North Cape Breton (Mr. McKenzie). We discussed that amendment and sub-amendment for a fortnight while the Bill was in committee. Now, Sir, I make the statement, and I do not believe that the hon. gentleman who is responsible for the introduction of these rules will deny it, that the intention of this rule, and the true interpretation of it, is that in future we will never have an opportunity to discuss an amendment moved to a Bill in Committee of the Whole. If this rule goes through, the next time a public Bill is moved in committee, if the Government so desire, the Opposition will have no opportunity whatever of discussing an amendment moved to any clause or section of that Bill while it is in committee. I take the literal meaning of the words of sub-section 2, leaving out everything that is unnecessary in order to make a complete sentence so far as amendments are concerned.

> Every motion for the adoption in Committee of the Whole of the resolution, clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

I have read the rule as it is only with reference to the amendment of a clause or section of a public Bill in Committee of the Whole House. When the Naval Bill was moved in Committee of the Whole House, it consisted of a title, a preamble, and general clauses. That was the whole Bill under consideration by that committee down to the moment when the right hon. leader of the Opposition moved his amendment, and that is the only thing which can be discussed in the Committee of the Whole House. Any other motion is not debatable. What would be another motion? I will give my hon. friend one. The amendment which was moved by the right hon. the leader of the Opposition is one. His motion in substance was that the money should be applied towards a navy in close relation to the British navy. The moment that amendment was moved, and was put by the Chair, it became another motion, and that is one of the 'other motions' which cannot be debated. Therefore, Sir, if I am right, and I know I must be, and even my hon. friend from Portage la Prairie will not deny it, the result will be absolutely impossible to discuss amendments to any section or clause of a public Bill in Committee of the Whole House.

I want to know whether my hon. friends desire to go to the country as the authors and perpetrators of an act of injustice like that upon a minority, or upon the people they represent. My hon. friends who created this rule must have done so intentionally and wilfully, in order that an amendment like that moved by my right hon. friend the leader of the Opposition will never be moved again. They were held up for a fortnight. We tried to show the country the vices of the proposals before the House, and we were able to show the people the insincerity of the Government. We were able to show them that the Government had not the nerve to defend their own conduct. After ten o'clock or eleven o'clock on the Monday night there was

not a man on the other side who would open his mouth and say one word in defence of the Government's conduct. They sat like mummies for twelve days, day and night, while the members on this side of the House were showing the people the iniquities and vices of the proposition. Then they made up their minds, and I say this advisedly, that never again would the Government now holding the reins of office be placed in that position, and therefore they decided to introduce a rule by which it would be impossible to move amendments to public Bills in the Committee of the Whole House or at all events to discuss them. I will give an illustration of how it will work out. You will remember on Monday evening, the 3rd of March, we had discussed clause 2 of the Naval Bill in Committe of the Whole from half-past ten in the evening until two o'clock in the morning, and my friend from Guysborough (Mr. Sinclair) had the floor when in walked the Manitoba wonder and said: the hon gentleman is out of order; we have discussed this long enough. Fortunately we had our amendment in and we were able to tell the people of the iniquitous proposition that was placed before us by the Government, and for two weeks we kept at it until at last the Government were afraid to appeal to the people. But, after they get this resolution through, we will never have such an opportunity again and the Minister of Public Works will be able to walk in to the House any time he likes and say: I guess this discussion has gone on long enough, I will shut down the lid, and that's the end of it. The more you study this rule the more you see the real venom in the mind of the man who created it. I do not believe the Prime Minister knew what was behind this rule; I may be too generous to him but I give him the credit for having more fair play in his makeup. Perhaps the Prime Minister is not deserving of my encomium because were he the right kind of a man, and were he sincere, he would admit these things when they are pointed out to him, but probably he has lost control, and he is compelled himself to force the thing through and choke off free speech in this Parliament. The hon. member for South Wellington (Mr. Guthrie) has pointed out—it would be an extreme case he admitted—but he has pointed out that it would be quite possible to introduce a Bill, give it its first and second readings, consider it in committee, give it a third reading and rush it through the House, without giving the Opposition an opportunity to discuss it for one moment. I do not say the Government will do that, but I say they could do it if they wanted to. There may be some question as to the conditions which would have to prevail before the gag is applied, but as I construe the rule all the Government would have to do, taking the Naval Bill as illustration would be this: We are now engaged in discussing clause 2, and when it is called again the Government can rush through clauses 3, 4 and 5 without giving us an opportunity to move an amendment to these clauses. That is the kind of power the Government is assuming under this new rule. The result is, therefore, that after we have discussed only one clause of a Bill, the Minister can give this notice, and he can railroad the Bill through without further discussion. The Prime Minister told us that clause 4 of the rule only means that you cannot move an amendment to Supply on Thursdays and Fridays. He said, and I took down his words: on three days of the week when the Government has taken all the days, the House will be moved into Committee of Supply, but no doubt what he meant was that the Government might, if it so desired, move the House into committee on these three days. I make the statement here to-night that it is possible to have all the Supply of the session put through without giving the Opposition a chance to move a single want of confidence motion. All you have to do is to get the consent of the House that supply shall be taken on Thursdays and Fridays, and once that is done there is an end to discussion, so far as the Opposition is concerned. The hon. the Speaker a few days ago gave voice to a sentiment which he partially retracted. He stated fairly that it was an offhand opinion, and that opinion was that there were fourteen occasions in every session when the Opposition would have the right to move amendments in going into Supply. Let us see if that is a true interpretation of the rule? Clause 4 says:

> (4) On Thursday and Friday when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday or Friday.

How is that rule to work out? The Prime Minister knows there has never been a session since he has been in the House when Supply has not been first taken on civil government items for the different departments. The first time the House was moved into Supply this session, was late at night as the Prime Minister wanted to get certain items through and we considered the items of civil government for his department, the items for the North-west Mounted Police, the items for the Justice Department, and for the High Commissioner's office in London. Three or four departments were considered that night in probably half an hour as a matter of ordinary routine procedure. The

next time when we went into Committee of Supply was some weeks later. Then we took up at least four or five departments and passed the civil government branch of each of them. If the Government do not want to give the Opposition a chance to discuss public grievances, we can move an amendment to the motion to go into Committee of Supply, discuss it and then go into Supply and they can go right down the list from A to Z; they can discuss every department there is. When they have done that, they comply with the conditions of the rule, because these departments will first have been taken up on a day other than Thursday or Friday. When that is done, our mouths are absolutely closed as far as discussing grievances is concerned. The Government are at perfect liberty to bring up on a Thursday or a Friday every department that has been discussed on the previous occasion, and we have nothing to say about it. Mr. Speaker, does this agree with your idea of British fair play, or has it been done by hon. gentlemen opposite for the purpose of meeting what they thought were present conditions and of applying rules which might help them out under present conditions but which would be unfair to every constitutional parliament and to every person who might happen to occupy a seat on this side of the House. What is the answer to all this argument? We have had an answer to-night from the Minister of Labour (Mr. Crothers) who never pretended to discuss the rules at all. Then we had a speech of an hour and a half from the Minister of Finance (Mr. White). I do not know whether the hon. gentleman was trying to be witty or whether he was amusing himself alone, but he certainly kept as far away as he possibly could from the interpretation of the rules under discussion. I was somewhat surprised that Mr. Speaker did not call him to order. We could get no information or light from these two gentlemen. That brings us back to the intimation which we were able to get from the Premier. It is true that he gave one interpretation. He says: I do not believe it prevents amendments on the third reading of a Bill. Although I think he is wrong, I give him credit for having given us one opinion as to the interpretation of these rules. In regard to all other interpretations, he practically admitted: Yes, the proposed rules are bad; there is no doubt about that, but I am not going to enforce them. My right hon. friend has nothing to do with the enforcing of them. Of course, he would have something to do with regard to clause 4. So far as clauses 2 or 3 are concerned, he has nothing to do with enforcing them. That is in the hands of Mr. Speaker. Mr. Speaker considers it his business to strictly enforce the rules. If he comes to the conclusion that there ought not to be an amendment, he will say so, and it will not make any difference what may be the private opinion of the Premier or of any other gentleman who happens to be leading the House. No man has a right to be in the Chair unless he will enforce the rules. That is what he is put there for. There is no use my hon. friend coming here with nice protestations of fairness, because, no matter how fair he wants to be, he will not have a chance to work out his ideas of fairness. I do not want to be unkind to my right hon. friend. I took occasion one day last week to give my views of his conduct when these rules were introduced. I am not going to go over that again. I just want to point out some of the things that might happen, no matter how fair a man he might be. My right hon. friend says: No fair-minded man would venture to interpret those rules in the way you say; if there are two ways, he will take the fair way, the reasonable way, and therefore you are drawing on your imagination; you are conjuring up bugaboos; you are trying to cry 'wolf' in the country, and to make the people believe that an outrage is being perpetrated upon you. Suppose that my right hon. friend the Premier had been the originator of rule 18, which says:

(1) A member addressing the House shall, if called to order by the Speaker or by any other member, sit down while the point of order is being stated, after which he may explain. The Speaker may permit debate of the point of order before rendering his decision, but such debate must be strictly relevant to the point of order taken.

If my right hon. friend were introducing that as a rule, and we challenged him on its severity, and said that there might be some doubt about the word 'may,' and suggested the substituting of the word 'must,' I have no doubt he would say that no reasonable man would interpret that in any other way and that the word 'may' means 'must.' He would say that that is the common sense of it.

Mr. FOSTER (Kings): Does it not mean 'must'?

Mr. CARVELL: I am talking to the Premier. I will answer my hon. friend later.

He would say that the word 'may' must be construed as 'must;' that it would be contrary to the spirit of the British constitution to say anything else; that it would be violating every principle of fair play; that no parliament would say that that word means anything but 'must.' He would say: There is no necessity for your going into hysterics or conjuring up bugaboos; you will not be hurt so long as I am Premier; I will see that that word is properly construed, and that it means 'must.' Suppose my hon. friend from North Simcoe (Mr. Currie) happens to be the Prime Minister of the country. It may be a violent assumption to suppose

that he will ever be in any position of responsibility. We had an illustration of what he would say about it. We had the first attempt to apply the gag in this House by my hon. friend from North Simcoe and on the construing of that very clause. I have only to mention a few things like that to show the Premier that, what he thinks may be fair, his followers may not think fair.

Mr. BORDEN: I thought my hon. friend said a moment ago that neither I nor the hon. member for North Simcoe would have anything to do with the enforcing of the rule, that it would be the Speaker who would have to do so.

Some hon. MEMBERS: Hear, hear.

Mr. CARVELL: My friends opposite cheer. As they get so few chances to cheer my right hon. friend, I do not blame them very much. Unfortunately my friend from North Simcoe was in the place of the Speaker on that occasion. That is where the trouble lies. It might be possible that my hon. friend from North Simcoe would be the real Speaker, and then Heaven help us. That is what might happen if the member for North Simcoe were in the Chair. It is the Speaker who interprets these rules and not the Premier. The Premier does not seem to be able to understand me. It is only an ordinary illustration of what I said when he was out of the House a moment ago. I do not believe he realizes the real venom behind the resolution. It is only when it is brought to his attention that he tries to get out of it as best he can. He is not the leader; he is being led. Suppose the hon. member for North Simcoe were the Speaker under these rules, where would we be? The most of us would be down with Miller, I think.

Mr. CURRIE: That is where you should be.

Mr. CARVELL: That is a matter of opinion.

There is another rule of this House which shows how my right hon. friend might be deceived, subsection 1 of rule 13, which says:

A chairman of committees of the House shall be elected at the commencement of every Parliament, as soon as an address has been agreed to in answer to His Excellency's Speech; and the member so elected shall, if in his place in the House, take the Chair of all committees of the Whole.

Then it says:

In the absence of the Chairman of Committees of the House the Speaker may in forming a Committee of the Whole House, before leaving the Chair appoint any member chairman of the committee.

If I were to ask my right hon. friend for an interpretation of that rule, he would say certainly that means that the gentleman who was chairman of the committee must assume the duties of Chairman of the Committee of the Whole, but he would say also that in the absence of the Chairman when a committee is formed, the Speaker designates some other gentleman to perform the office of Chairman. Of course, he would say that nobody would conceive the idea of any other interpretation. But what do we find? What did we find one night in the absence of the right hon. gentleman? While the Deputy Speaker was here in the House, after he had taken his place as chairman of the Committee of the Whole and was carrying out the duties of that office, another gentleman in this House was put in his place, a man who has a great deal of legal acumen, a man brought in here for a certain purpose and who carried out that purpose, a man who ruled out of order all the amendments we had been discussing for a fortnight.

Mr. CURRIE: Why did not you appeal it?

Mr. CARVELL: We wanted to get in another amendment, if the hon. gentleman wants to know. And we got it in.

Mr. BOYCE: An opportunity for obstruction.

Mr. CARVELL: My right hon. friend was prepared to construe that in the right way, but the trouble was when another man got a chance he construed it in the wrong way. The right hon. gentleman had to admit that that gentleman was wrong, and we put up such a serious kick that he got scared and ruled this gentleman out of order and brought back the real chairman. These things only show that we cannot trust my right hon. friend. He will do things wrong until you actually show him that he is wrong. He has not as much nerve as the Minister of Public Works; when the situation gets too hot he surrenders. And he surrendered on Saturday morning about seven o'clock and put the real Chairman in the Chair. These are only illustrations to prove that we need rules that do not have to have a special construction in order to secure justice and fair-play for every member of the House. And that is what we are complaining of. The object of this rule is to have a gag and prevent free speech by members of the Opposition. We are convinced that it is not well for us to take the professions of fair-play made by my right hon. friend no matter how sincere he may be. We have the right to have rules, that, fairly construed, will secure the rights of every member of the House in this Parliament or any future Parliament. We find in every statement and every act of this Government for the

last three or four months evidence of a desire to place the Opposition at a disadvantage. Perhaps the most glaring evidence of this has been furnished in the present debate by the Minister of Finance. We had been demanding the bringing down of the West Indian Treaty. We asked time and again that it should be brought down. My hon. friend from St. John (Mr. Pugsley) had told this House that he had an amendment to propose; I had told the House the same thing. And we really meant what we said. About two weeks ago, I think it was, we were told that the West Indies Bill would be brought forward for the third reading. The matter under discussion just before that was the ratification of the treaty with Japan. That matter was cleared away a few minutes after ten o'clock in the evening, and the right of way was given for the Minister of Finance to bring down his West Indian Treaty Bill with a view to putting it through its third reading. We agreed to put it through that night; no attempt was to be made on our part to obstruct the measure, and we sent word to the Government whips that it was understood that the measure was to go through.

Mr. REID (Minister of Customs): An amendment was to be moved.

Mr. CARVELL: Certainly, there were two amendments. But the agreement was that these were to be voted down and the Bill was to go through.

Mr. REID: No, no.

Mr. CARVELL: I say that is true. But the Government adjourned this House soon after ten o'clock rather than bring that Bill down. What is the reason? There must be something about these amendments that they are afraid of. And here is where the real sting comes in; the Minister of Finance knows that when he gets this closure rule through the hon. member for St. John will not have a chance to move his amendment nor shall I have a chance to move mine. There can be no discussion about them, and the hon. gentleman will get his Bill through without having the inconvenience of a discussion on amendments which might not be very pleasant for him. That is the best evidence of the construction of these rules, no matter how fair my right hon. friend may be or may wish to appear to be. We can only judge these gentlemen by their conduct and not by their words, I am sorry to say; we have had so many evidences this session that the only way to judge of them is by their conduct and not by their words that we are forced to that conclusion.

Now, I have discussed this matter longer than I intended. But I have tried to keep to the subject under discussion and have not talked about the navy nor about reciprocity. I have tried to point out to the right hon. leader of the House some of the things that appeared to me not to be fair; I am afraid that if I used the word that really expresses my opinion, it might not be parliamentary. The conduct of the right hon. gentleman and of his followers reminds me of a custom they have in Mexico. When they do not wish to go to the trouble of giving a prisoner a trial, they take him off to jail, or pretend to take him off to jail, and when they get him at a convenient place they give him his liberty and tell him to run, and when he runs they shoot him in the back as an escaping prisoner. So hon. gentlemen opposite assure us that these rules are the fairest that could possibly be in the world. The right hon. leader tells us that there is no danger, that as long as he is Prime Minister we shall get fair play. But the moment we start out for fair play, we get it in the back, or in the neck, if he can give it to us. That is what will happen every time the hon. member for North Simcoe (Mr. Currie) gets into the Chair, and I am afraid that there are other hon. gentlemen around him who are not much better. I should be almost afraid to trust even my smiling friend from Algoma (Mr. Boyce). As for the hon. gentleman from Portage la Prairie (Mr. Meighen), forgive me if I hope the time will never come when that hon. gentleman will be in the Chair in this House so long as we are in opposition, because I am afraid that a man who has the ingenuity to conceive such a set of rules as we have before us would have the intellect to land us all in jail before two sessions of the House are over. It may be paying him a compliment to which he is not entitled—if it is a compliment—to assume that he devised these rules. If that is a compliment, I give it to him freely. Now, I admit that this was one of the finest examples of an attempt to deliberately take away from Parliament the rights of expressing the wishes of its people that I have ever heard of in my life. When it comes to the application of the guillotine, the English rules cannot for one moment compare with those now proposed by hon. gentlemen opposite. It is all very well for my right hon. friend the Prime Minister to say that he is willing to accept the English rules, but he has himself given reasons why this would not be possible. He knows that he is safe in putting forward such a proposition, because he is aware of the fact that neither side of the House could afford to accept the English rules unless the conditions and customs attaching to the office of Speaker of this House of Commons are entirely changed. If I am wrong in my interpretation of these rules, I hope that some hon. gentleman will set me right, but I am sure that I am right, and I am sure my hon. friends realize it. I think, even at this late stage, that the only reasonable

and fair course my right hon. friend can take is to withdraw this measure, or at least appoint a committee and give hon. gentlemen full opportunity for the discussion of the proposed rules. Of course, if my hon. friend the Minister of Labour is authorized by this Government—and I presume he is—to make the statement that these rules are going through, and that the Naval Bill is going through, then I claim the right to express the opinion as to what I and other members on this side of the House will do in such a case. I want my hon. friend to remember that the rules of this House are not framed for the members of the Government only; they are designed for the guidance of the whole House, the members of the Opposition as well as the Government. The rules of the House are supposed to be fair to all members, and to be made and approved by the whole House. My hon. friend cannot point to a case in the English Parliament, at least down to 1867, or to any case in this Parliament, in which the rules of the House have been amended in the slightest degree except by a Committee of the Whole House, taken from both sides, and acting in conjunction with the Speaker. That is the unalienable and almost constitutional right of the people of this country, and when my right hon. friend brings in a guillotine measure such as this, without having consulted the members of the Opposition, and without giving them a chance to be heard, I say he is taking away from us the constitutional right of free speech. But if the members on this side take a leaf out of the book of the Minister of Labour, they will say that they do not propose to be bound by these rules, and if the time should come when this is demonstrated, I hope my right hon. friend will not feel aggrieved, or consider that he has not received due and reasonable notice of the attitude taken by the Opposition in regard to these drastic rules.

Mr. ARTHUR MEIGHEN (Portage la Prairie): It is with some hesitation that I ask the House to bear with me for a few minutes to-night—hesitation born out of the very patient hearing which I obtained a short time ago on the same subject. However, there have been some attempts, to which we might at least accord a reply, in the debate that has taken place to-day to criticise the rules now before us. Thinking that I might engage for a very few minutes the time of the House at a stage of the debate perhaps not so important as any time that might be so occupied to-morrow afternoon, I venture to do so. I have listened with more than usual interest to the remarks of the hon. member for Carleton (Mr. Carvell), and I may say that he did attempt, as he usually does—and he succeeded—to at least cling very closely to the subject under discussion. The same remarks apply, as I believe they always do, to the right hon. leader of the Opposition. The hon. member for South Renfrew (Mr. Graham) has some gifts, but I must say that, so far as I can observe or am able to judge, they do not go to the extent of enabling him to establish a point before he feels it his duty to thunder it out with awful emphasis upon the House. The hon. member for South Renfrew has mastered this art—if it is an art—he is able to repeat conclusions, times without number, with an emphasis that is almost fearful, before he has made any attempt to establish any of those conclusions, although at the same time they appeared to be perfectly apparent to him and be sincere in his own mind. I had thought, until the hon. member for Carleton sat down, that the initial attacks on these rules had been abandoned by hon. gentlemen opposite. I was about to congratulate the hon. First Minister of this House, who is entitled to all credit for the perfection of the rules now brought down, that all phases of the attack first levelled against these rules by hon. gentlemen opposite have been abandoned one after the other, and that they are coming around the circle to an entirely new set of objections. I remember that on the first night on which they were introduced, the hon. member for St. John arose in the heat of anger and denounced these rules because they would forbid the introduction of a motion levelling a charge against a member of this House, and the debating of that motion. In tones that almost brought fear to our hearts, he told us that the purpose of the Government was to shut out all such motions levelling charges against members, and that the effect of clause 1 was to so shut them out. That argument appears to have been abandoned, and it is creditable to the sane second thought of hon. gentlemen opposite that they have turned their backs on that proposition. It has been shown, and no one has attempted to refute it, that ever since these charges have been a matter of practice in this House they have been brought in and debated under routine proceedings, and the same course is still clearly and specifically open to all hon. gentlemen. I presume I am right in assuming that not only the hon. gentlemen who have spoken to-day, and those who have addressed the House on a previous occasion have abandoned that position, but that the hon. member for Carleton has abandoned it as well, because he sits in his seat and does not dispute it.

Mr. CARVELL: I do not want the hon. gentleman to make any such violent assumption. The mere fact that I do not re-

peat everything I said on a former occasion is no evidence that I have in any way abandoned any ideas which I have hitherto entertained.

Mr. MEIGHEN: I had almost given the hon. gentleman credit for more than that; I did not think he advanced such a preposterous theory when he spoke before. What the hon. gentleman said was that it was at least a subject for debate, and he said that in very chastened tones, quite at variance with his ordinary custom and manner. However, in view of what has been done in the past, and in view of the invariable practice for twenty years in this House to bring such motions under that heading, I venture to hope no hon. gentleman will seriously advance the argument again.

Mr. PUGSLEY: Has my hon. friend forgotten that Mr. Speaker ruled the motion of the hon. member for Edmonton (Mr. Oliver)—a motion of censure of the Minister of Public Works in connection with the Donaldson homestead—out of order on the ground that two days' notice had not been given, in which case it would have been placed on the Order Paper under a different heading than that of routine proceedings? It was only by reason of the consent of the Prime Minister to move the House into Committee of Supply the next day that the hon. member for Edmonton was allowed to make his motion.

Mr. MEIGHEN: The hon. member knows that the matter of notice is of no concern whatever in the present argument. The hon. member for Edmonton, during the progress of a debate, wanted to bring in a motion to adjourn the House for the purpose of discussing some other matter entirely alien to that debate, but Mr. Speaker held that, if that were to be allowed, we might as well set fire to the rules of this House, because, at the will of any hon. member, no matter what subject the House might be engaged in discussing, the consideration of that subject might be abandoned and the discussion of any other subject on earth taken up. Even though under the proposed rules notice may be necessary, there is nothing said as to whether it shall be or shall not; the matter is just in the same position as it was before, and no one will seriously dispute that, with notice at all events, and without notice, as has been the invariable custom of the House, according to Bourinot, these motions may be made under routine proceedings, and shall be exactly in the same position as to being made and debated after these rules are in force as they were before. The hon. member for St. John had another and very serious objection. Why, he said, you are revolutionizing the whole proceedings of this House by the way you are going about it; you are instituting these rules without reference to a committee and in doing that you are doing violence to the rules of Parliament because the rules of Parliament say that if we have no rule to govern a particular situation we must go back to the British rules of 1867, and under the British practice of that day there were no cases where the British House had amended the rules except by the appointment of a committee to act in conjunction with the Speaker. I hoped that that position had been abandoned by hon. gentlemen opposite but it was revived by the hon. member for Carleton. That contention is absolutely incorrect. Not only since 1867 but before that date the rules of the British House were revised without reference to a committee. In 1833, which is before 1867 if I can count aright, the rules were revised in this way. On, I think, the second day of the session of 1833, Lord Althorpe introduced a motion and made no reference of that motion to a committee. That motion was:

> That the House should meet every day, except Saturday, at noon, and sit until 3 p.m. for private business and petitions. That not later than 3 p.m. the Speaker should adjourn the House till 5 p.m. and leave the Chair without putting any question for adjournment. (Then follow some regulations showing that it was then thought difficult to get together a quorum of forty before the hour fixed for the beginning of public business.) At 5 p.m. the House was to proceed to the business of the day set down in the order book.

That is at pages 75 and 76 of the first volume of Redlich. In another passage Redlich says:

> On the 21st of July, 1856, without previous investigation on the part of a committee, the House incorporated the following further provisions among its rules:—
>
> 1. That no amendments not being merely verbal shall be made to any Bill on the third reading.
>
> 2. That on Wednesdays and other morning sittings of the House all committees shall have leave to sit, except while the House is at prayers during the sitting, and notwithstanding any adjournment of the House.
>
> 3. That this House will not receive any petitions, or proceed upon any motion for a charge upon the revenues of India but what is recommended by the Crown.

There are two instances in a few minutes in which the British House of Commons revised its rules without reference to a committee. In 1877, 1878, 1880, 1881, 1882 and 1888 and other years the House of Commons of England revised its rules repeatedly and in no case after reference to a committee. These rules were revised at the instance and on the motion of Sir Stafford Northcote on the first of these years and of Mr. Gladstone in the next and in no case was there criticism that the rules had not been revised by a committee. If the

House of Commons had power by usage and custom to revise the rules without reference to a committee in 1877, 1880 and 1881, surely they must have had the same power in 1867. But this House has revised its rules without reference to a committee. In 1868, on motion of Mr. Duncan and Sir George Etienne Cartier, rule 22 of this House, a permanent rule, was permanently amended without reference to a committee. That is to be found at page 144 of the Journals of that year. In 'Hansard' of 1877, at pages 3 and 4, it will be found that Sir John A. Macdonald clearly affirmed the principle that the House could at any time by motion change its rules upon due notice. That was established by the practice of this House and by the practice both prior to 1867 and since then, we have ample power to alter the rules if we so desire without reference to a committee. I do not pretend to argue that the other method, that of reference to a committee for a report, would not also be quite within our power and both methods are certainly available under some circumstances—one method would be preferred and under other circumstances the other; but when an Opposition sits in front of a government, under the authority of its leader and the additional authority to-night of his lieutenant, avowedly in an obstructionist position, in a position to prevent the vote on the Naval Bill as well as on the closure, it is the duty of the Government to see to it that the rules followed will prevent, so far as we can prevent, the success of obstruction. Hon. gentlemen opposite have conjured up new objections in their minds to-night. This first one is that violence is being done to the rights of the minority because they are not permitted to debate adjournments and the leader of the Opposition to-night went so far as to say that if any motions by their nature required discussion and debate, motions to adjourn did. The hon. member for Carleton says that inasmuch as you are preventing us from discussing motions to adjourn, such as we are now debating, you are making our rules worse than the English rules. That is his position. Well, Mr. Speaker, in the name of common sense, what serious injury can be done to Parliament even under the most strained circumstances, even in the most extreme cases, by the refusal ordinarily to discuss adjournment? Motions to adjourn are in the main purely formal motions. There may be cases where perhaps they serve another purpose, but those cases are amply provided for and the opportunity for discussion is amply preserved by the first rule which we now propose to insert, cases where it is desired to discuss matters of urgent public consequence under a motion to adjourn. But what violence can be done to the rights of the minority, how do we injure the procedure of this House, by saying you shall not be allowed in open debate to move adjournment for the purpose merely of throwing the House into committee so that a man can talk as often as he likes on any subject? Surely once is sufficient. But says the hon. member for Carleton, N.B., they have in England the right as we have had the right to move an adjournment for the purpose of giving hon. gentlemen a chance to speak twice. Surely that is not right. I showed him that two weeks ago, but I think he was out of the House. In England they have no right to move adjournments for the purpose of discussing any thing at all except the reasons why they should adjourn. That is abundantly clear from the British rules. They have the right, as we have it, to move adjournments for the purpose of discussing a definite matter of public urgency. If a member of the British House moves the adjournment of the House at any time, he can support that motion ordinarily by reasons why the House should adjourn, but he cannot revert to the main motion, as we are doing, and discuss the main motion. That right has been taken away from him in England for many years, and no one has complained as to the result. Not only have they no right to discuss anything except reasons for adjournment on a motion to adjourn, but they can be forbidden to discuss that before a gentleman rises at all because immediately the motion is put by Mr. Speaker, to the House, any hon. member may rise and demand that the closure be applied. In Great Britain, no hon. member can discuss even the reasons why the House should adjourn except by the will of the majority, let alone discuss ad infinitum the main motion, such as we are doing now. But my hon. friend from Carleton, N.B. says, you are taking from us the right to move motions to adjourn for the purpose of discussing matters of urgent public importance, inasmuch as you have put it in the power of the Speaker to decide whether or not it is a matter of urgent public importance, and therefore within his power to refuse the right to discuss such a matter. In the first place, it was the hon. gentlemen opposite themselves who put that within your power, Mr. Speaker. It was hon. gentlemen opposite themselves who appointed the committee which in 1906, I think, revised the rules and inserted clause 39, which places it within your discretion, Mr. Speaker, to measure the importance of the subject which an hon. member desires to discuss. So if they have any complaint, it is against themselves. But surely we are not getting into the invasion of individual rights more than they are in England. Is the hon. member for Carleton aware that the rule in England is word for word the

same as it is here in this very regard? In England no member can move the adjournment of the House for the purpose of discussing a matter of public urgent importance except with the consent of Mr. Speaker, so that there, hon. gentlemen are exactly in the same position as they would be here.

Mr. CARVELL: That is an additional right there.

Mr. MEIGHEN: What is?

Mr. CARVELL: The right of moving the adjournment of the House under rule 148.

Mr. MEIGHEN: Certainly, he has the right to move the adjournment of the House under rule 148 and if he does so, even with the consent of the majority, all he can discuss is the reasons why the House should adjourn. An hon. member here has the right to move the adjournment and with the consent of the House he can discuss something else, and if it is a matter of urgent public importance, you are bound, Mr. Speaker, to permit him to discuss it.

Mr. CARVELL: He will not have that right after this rule goes through.

Mr. MEIGHEN: Rule 39 is utterly unimpaired by the amendment.

Mr. CARVELL: Does my hon. friend say that a member will have the right to move the adjournment of the House or of a debate except under the rule which provides for the discussion of urgent public matters?

Mr. MEIGHEN: Certainly, he has the right to move it at any time. All that is cut off is the right to debate, and what is the use of debate unless it is of a matter of urgent public importance? I think I have properly apportioned the objections that have been offered to-night, and which hon. gentlemen opposite say are rooted in venom. They say that there is venom behind these resolutions. I am only concerned with the venom, if there is any, that is in the resolutions. I do not care what is behind it. I read the resolutions and I endeavoured to find out what they meant. It is what they mean that counts. My hon. friend says that the venom in the resolution consists in this that if we press these rules they could never amend a Bill on its third reading, and discuss the amendment, that they could not amend anything in committee at all and discuss the amendment. The hon. member for Carleton solemnly asserts on his responsibility as a member that that is the effect of the first clause that we purpose to insert. What is the first clause?

> Every motion heretofore debatable made upon routine proceedings, except adjournment motions and every motion standing on

> the order of the proceedings for the day, or for the concurrence in a report of a standing or a special committee, or for the previous question, or for the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption in Committee of the Whole, or for Supply, or of Ways and Means, or the resolution clause, section, preamble or title under consideration shall be debatable.

All these shall be debatable, and the third reading of a Bill shall be debatable. But says my hon. friend, you do not say that a Bill is amendable, and consequently it is not amendable. It is amendable now. Any hon. member can amend a Bill on its third reading. What is there in that resolution to take that right away? Unless it is taken away in that resolution, he has the very same right as he had before. A Bill is amendable on the third reading. But says my hon. friend, you may be able to amend it, but you cannot discuss the amendment. When the third reading of a Bill is moved a debate is precipitated, if hon. members wish to have a debate. If an amendment is moved what is the subject of debate? The third reading and amendment, and it so appears in the Orders of the Day. When that goes in the Orders of the Day it appears: Debate resumed on the motion of hon. minister so-and-so, that Bill so-and-so be read a third time and the amendment thereto of the hon. member for Carleton to such and such an effect. That is the subject of debate inserted in the Order Paper of the next day. That is the subject of debate according to the theory of this Parliament. Immediately an hon. member moves an amendment to the third reading, he adds to the subject of debate. It might be that in certain circumstances amendments must be debated one at a time as Mr. Speaker has ruled. In cases where you only amend a certain part and do not strike out everything after the word 'that,' you must debate that part first, and come back to the main motion, but on the Order Paper, and in the theory of practice in this House, there is one subject for debate only. It appears there as the main motion for the third reading, and the amendment thereto, whatever it may be, and if there is an amendment to the amendment that also is added, and becomes consolidated with the subject of debate, the whole being thrown open for debate. That would have been perfectly clear to the hon. gentleman if he had gone over the Votes and Proceedings of this House, and ascertained the principle on which debates proceeded. But he says that in committee you cannot move an amendment at all. What would stop him, unless these rules stop him? The motion in committee is this: we are at clause 2 of the Naval Bill, for example,

and a motion is made that the clause we are discussing should pass. An hon. member moves that the clause be amended and that becomes the subject of debate similarly as an amendment becomes the subject of debate in the House. The motion that the clause pass, the amendment, the sub-amendment if there is one, all become consolidated together and become a subject of debate. The motion is debatable, the amendment is debatable, the sub-amendment is debatable, all are debatable. So much for the objection that no amendment would be allowed.

Let me come to another point. The hon. member for South Wellington (Mr. Guthrie) seemed very determined in his motions this afternoon. He almost took a fit as he thought over these rules and he said: You could stop debate altogether and you could put through a Bill to burn the House of Commons, to disband the army and scatter the navy, and to destroy the Transcontinental railway, all in three days. Of course he told us that was an extreme case. First let us see whether under these rules debate could be altogether shut out. The first clause says there shall be debate on a long list of subjects, and I submit that this includes every subject of substantial debate that the wit of man could imagine. The rule says these are subjects of debate and consequently they may be debated unless there is something absolutely inconsistent with that in another part of the rule, and which overrides it. But is there? The next clause of the rule says that any minister may rise in his place and give notice that at a certain time in the future, the next day perhaps, he will move that the debate be not further adjourned, or that the clauses which have been postponed be not further postponed. I cannot see how that is inconsistent with the provision that there shall be a debate. It says the minister may move, but he cannot move unless the provisions of the first clause have been lived up to and under that clause there must first of all be a debate. There must be a debate before the minister is empowered to rise in his place and move that a debate be adjourned. I would recommend the hon. member for South Wellington, if he has no better opinion of the meaning of the word 'debate' to go to a dictionary; a debate necessarily implies a speech on one side and a speech on the other side desired, at the very least. I submit that within the fair meaning of the word 'debate' the Government of the country would be bound, and will see to it, that there has been such debate as to reasonable men will appear sufficient for the subject in hand. There certainly must be debate and there can be debate at all stages of a Bill. There can be debate on the introduction of the Bill, there can be debate on the second reading, there can be debate in committee, there can be debate on the third reading, to say nothing of the debates that may take place in the Select Standing Committees of this House. There is plenty of room for debate, and after the Government of the country have considered that the debate having proceeded to a reasonable length and obstruction having reared its head, there must be a motion, and even after that the Opposition have a subsequent day in which they may discuss that Bill and its clauses. Surely there can be nothing unfair about that.

Hon. gentlemen opposite tell us that the rules now proposed are worse than the British rules, but in the British House there does not need to be a word of debate on one side or the other before the motion is put. Before there is one word of debate in the British House a motion may be made that the question be put; nay, as soon as the question is put from the Chair, the motion may be made and that motion may be made not by a minister but by any private member. Let me read the English rule for fear hon. gentlemen will doubt my word; it is rule 133 and it reads:

> After a question has been proposed, a member rising in his place may claim to move. 'That the question be now put,' and unless it appears to the Chair that the motion is an abuse of the rules of the House, or an infringement of the rights of the minority, the question. 'That the question be put,' must be put forthwith.

Mr. PUGSLEY: And Mr. Speaker can refuse to put it?

Mr. MEIGHEN: Yes, and in one breath the hon. member (Mr. Pugsley) blames us for not importing into this House that discretion of the Speaker, and in the next breath the hon. member for Wellington (Mr. Guthrie) and the hon. member for Carleton (Mr. Carvell) say you cannot import it here because the Speaker is elected by a majority in this House and it would not suit us. What do hon. gentlemen opposite mean anyway? Here is complaint from the hon. member for St. John that we have not left the discretion with the Speaker, and have placed the responsibility on the Government.

Mr. PUGSLEY: In England there is, by reason of the method of selection to the office of Speaker and the permanency of his tenure, that safeguard, and you do not impose any such safeguard by this resolution.

Mr. MEIGHEN: And the hon. member for South Wellington says you cannot impose that safeguard here, and if you did it would be worthless.

Mr. PUGSLEY: If you cannot do it you should not apply the guillotine.

Mr. MEIGHEN: And instead we place the responsibility directly upon the shoulders of the Government who are responsible to the people of the country, and furthermore we say that no government can at any time, even after debate, say that debate must close, but must give twenty-four hours' notice and allow reasonable debate even after that. That is the safeguard we apply. Now, I would like to know from hon. gentlemen opposite whether in the closure they intended to pass they were going to import the British discretion which is left to the Speaker, or were they going to introduce such closure as we now propose. Will the hon. member for St. John tell us that? Will the hon. member for South Renfrew who was in favour of closure once upon a time when his Government was in power, tell us whether they intended to give that discretion to the Speaker?

Mr. GRAHAM: Where has the hon. gentleman authority for the statement that I was in favour of closure?

Mr. MEIGHEN: Right here in front of me. Here is what the hon. member (Mr. Graham) said at Port Hope on the 12th of September, 1911; he will remember the speech.

Mr. GRAHAM: I do not.

Mr. MEIGHEN: Here is what he said:

Under the present rules of the House of Commons business that could be done in three months was extended to nine months. He strongly favoured amending the rules.

Mr. GRAHAM: Hear, hear; I do not change that one iota if the rules are amended in a proper way.

Mr. MEIGHEN: The hon. member is now in opposition and he wants the rules amended so that he could drive a coach and four through them; that would be the proper way to amend the rules for him now.

Mr. GRAHAM: My hon. friend will now take back his statement that I was in favour of closure and that he had the authority before him to show that I was.

Mr. MEIGHEN: I have nothing at all to take back. I tell the hon. gentleman that if he is going to provide that business which took nine months in the House of Commons should only take three months, by amending the rules as he said he was, and as he now admits he said, he could do it by closure and by nothing else. That was my hon. friend's opinion. He says: they can shut out debate, and, worst of all, they can shut out amendments. He says: These rights are the very bulwarks of the Opposition and rules that would make it possible to shut out amendments and to shut out debate are the worst things which I have ever heard of; they have destroyed parliamentary government and made it the government of the mob. Let me tell the hon. member for South Renfrew and the hon. member for South Wellington that by the extreme exercise, but by the perfectly correct exercise of the present rules that are the very epitome of perfection according to the leader of the Opposition, you can shut out amendments and shut out debate to your heart's content. Let me show hon. gentlemen how it can be done.

Mr. PUGSLEY: Then why apply the guillotine?

Mr. MEIGHEN: Because it is not the reasonable interpretation of the rules, nor are the extreme cases cited by the hon. member for South Wellington the reasonable interpretation of these proposed rules. Under the present rules, whenever there is a motion before you, Mr. Speaker, we can immediately have the previous question moved and you can shut out every amendment. Those are the rules of the House as they stand to-day. The leader of the Opposition says that the best rules in the British House of Commons are such rules that the majority can entirely shut out amendments. We are exactly in the position so terribly deplored by the hon. member for South Wellington; but you can shut out debate by the minority as well if you want to. How do you do it? Just as soon as a member opposite rises to speak, somebody on this side rises and we move that our man be heard. That is our rule to-day; that is in the rules to-day and they are not debatable, thanks to the judgment of the leader of the Opposition himself, so that by a weapon forged by the leader of the Opposition we are to-day able to do the very extreme so much deplored by the hon. member for South Renfrew and the hon. member for South Wellington. No Government would do it.

Mr. GRAHAM: They have done it.

Mr. MEIGHEN: Under extreme circumstances, the rule could be applied.

Mr. PUGSLEY: You did it the other day.

Mr. MEIGHEN: The Government have not done it. They have not prevented any hon. gentleman from speaking. They have had the previous question moved to shut out amendments. They have been compelled to use rule 17 in order to get the previous question moved. I appeal even to the ingenuity of the hon. member for St. John to say whether or not in the history of this Parliament he could imagine a case where

the previous question was more necessary than it was in this case.

Mr. PUGSLEY: I answer my hon. friend courteously and I say that in my judgment it was entirely unnecessary and entirely unjustifiable.

Mr. MEIGHEN: My hon. friend did not answer the question at all. I asked him to devise in the amplitude of his ingenuity any possible case where the previous question could be necessary if it was not necessary here, and also to devise any possible event or any possible contingency that might have been in the mind of his hon. leader when he inserted rule 17 in the form in which it now stands in the rules, if it was not just to cover such a case as this.

Mr. PUGSLEY: I will answer my hon. friend again. The previous question was invented for the purpose of avoiding a decision on the main motion, never for such a purpose as that for which it was applied.

Mr. MEIGHEN: My hon. friend has now elevated himself into the position of a reviewer of Sir Thomas Erskine May. Sir Thomas Erskine May says that the purpose of the previous question in England is two-fold—he is discussing conditions in England—first of all to avoid the decision on the main question and next to prevent amendments. I read it no later than this forenoon. In England, what is the previous question? Not that the question be now put, but that the question be not now put, and that is the reason that in England it has the two-fold purpose. In Canada, the previous question takes the form that the question be now put, so that its clear purpose is only to prevent amendments. That at all events was the only purpose in this case. In what possible circumstance could rule 17, which on the 9th of July the right hon. leader of the Opposition took under his eye and said: It does not suit me in its present form, because it is debatable; I want it not debatable and I amend it and put it in that form—in what possible circumstances could it be used except in just such a contingency as it was used in last week? Is it an advantage that the hon. member for North Ontario (Mr. Sharpe) should speak before the hon. member for Carleton (Mr. Carvell) under ordinary circumstances? Why, no; as every one knows, if there is an advantage to one speaker in this House over another, it is the advantage of coming after him, not of coming before him. So that the only imaginary contingency where there could be any practical use of rule 17 is just such an event as occurred last week when it had to be exercised in order that the previous question might be moved and this resolution rescued from the turmoil of indefinite and interminable obstruction.

The hon. member for South Wellington, who, I presume, in terror of the operation of these rules has taken refuge somewhere outside the House, conjured up the very destruction of Confederation by the extreme exercise of these rules. Inasmuch as he said that could be done—although it could not be done—inasmuch as there was possible, he said, the disbandment of our army, the destruction of the transcontinental, the taxation to death of our banks, &c., therefore we should shrink from this position, because we will be under turmoil and mob rule as soon as it goes into force. I should like to direct the attention of the hon. member for South Wellington to the real condition in this country at the present moment, and I will show him under no less an authority than Bagehot in his work on the English constitution that at the present time there rests in the Crown just such awful authority as he is afraid to vest in the Parliament of this country. What is it? After reciting what may be done, Bagehot says:

> Recent discussions have also brought into curious prominence another part of the constitution. I said in this book that it would very much surprise people if they were only told how many things the Queen could do without consulting Parliament, and it certainly has so proved, for when the Queen abolished Purchase in the army by an Act of prerogative (after the Lords had rejected the bill for doing so), there was a great and general astonishment.
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> But this is nothing to what the Queen can by law do without consulting Parliament. Not to mention other things, she could disband the army (by law she can engage more than a certain number of men, but she is not obliged to engage any men); she could dismiss all the officers, from the General Commanding-in-Chief downwards; she could dismiss all the sailors too; she could sell off all our ships of war——
>
> Even, Sir, the Niobe and the Rainbow.
>
> —and all our naval stores; she could make a peace by the sacrifice of Cornwall and begin a war for the conquest of Brittany. She could make every citizen in the United Kingdom, male or female, a Peer; she could make every parish in the United Kingdom a 'university'; she could dismiss most of the civil servants; she could pardon all offenders.

That is what the Queen, or the King now, is empowered to do under the constitution of this country.

Mr. PUGSLEY: He would not like to endeavour to do it.

Mr. MEIGHEN: No, nor would any sensible government. This is a case, this determined obstruction of hon. gentlemen opposite, where it is excellent to have the strength of a giant, though it may be tyrannous to use it like a giant. Now, hon. gentlemen opposite are very much

afraid of closure, and the hon. member for South Renfrew repeated again that no matter how he and others may have wandered from the path the right hon. leader of the Government had stood true to the principles of Fox and against closure in every shape or form. I am afraid I must be compelled to doubt the hon. member for South Renfrew, and I produce authorities for doubting him. I produce first the hon. member for Rouville (Mr. Lemieux) who does not speak without authority either on the stump or in this House. But the hon. member for Rouville made the statement, as a member of the Government, at St. Hyacinthe, and was man enough not to dispute it in this House when it was referred to here, that if the Government of Sir Wilfrid Laurier was returned, Sir Wilfrid Laurier himself would introduce closure. The hon. member for Rouville knows that he took a manly position in this House, and he does not attempt to wiggle out of it, and he does not say that he is opposed to closure. All he says is that he is opposed to the way we are going about it and that if we had rereferred this to a committee of the House to consult you on it, Mr. Speaker, he would vote for it, but that our course is entirely against his conscience and he is bound to oppose it. The ex-Minister of Agriculture, Hon. Sydney Fisher, said that not only was he in favour of closure, but the entire Government was in favour of it. He pledged his word that the Government if returned to power would introduce closure and put it into effect. And the hon. member for South Renfrew was one of the ministers in that Government. These two gentlemen sat in the Cabinet councils discussing this matter with Sir Allen Aylesworth, who was Minister of Justice, and others who were committed to the conclusion that they had to put closure into effect as soon as they were returned to power, as they thought they would be in the reciprocity election. The hon. member for South Renfrew would like to tell us that it was not going to be closure, that it was going to be the amendment of the rules that would not close debate in any way. He says in effect: I thought they were going to amend the rules in a way which I cannot quite describe, but the idea was to have a three months' session instead of a nine months' session; and this was to be done without closing off debate. That is the way the hon. member for South Renfrew understood the decision of the Cabinet council. The hon. gentleman to-night gave us at least one reason why he should be considered next to the right hon. leader of the Opposition in command of the party—he entirely repudiated the tactics of hon. gentlemen behind him who are now endeavouring to say, face to face with the people of this country, that they have not been obstructing the Naval Bill. He says to the House—and he will dispute me if I am wrong—that they have been obstructing the Naval Bill and obstructing it for a long time. He knows they have been obstructing and it would be foolish to say otherwise notwithstanding the attitude of the hon. member for St. John. Now, what a Cabinet we had, if we had only known it, in the last Administration. Here was Sir Allen Aylesworth, who was Minister of Justice, and who, if anyone, would have had the framing of any closure rules had that Government been returned, and who, possibly, for anything I know, did frame such rules—this man said:

> When a member of Parliament so far forgets his responsibility, his duty to his country and the people who send him there that he deliberately descends to the level of obstructing public business, he deserves to be gagged, and I am ready to do it.

So, according to the hon. member for South Renfrew, this was the state of affairs in the late Government. He stood at one side, the champion of obstruction while in opposition and while in power intending to oppose to obstruction rules that would prevent without preventing it, that would close debate without closing it. And opposite to him sat the Minister of Justice, who said: You are degrading the whole parliamentary procedure: you have descended to defy the people, and have become a mere obstructionist; you have to be gagged, and I am ready to gag you. And the right hon. leader of that Government says: No, I am an adherent of Fox. —who never heard of obstruction—and I will have nothing to do with it. No, says the hon. member for Rouville who was Postmaster General, you are all wrong, and I will tell the people that you are wrong; my interpretation of the result of this Cabinet Council is that you, Sir Wilfrid Laurier, are in favour of closure and I am going to commit you to put closure into effect.

There is no doubt that not only under this Government but under previous governments obstruction has been practiced in this House. There is no doubt it was practiced in the British House, practiced to such an extent that closure became a necessity. It became more necessary as the years went by. Closure as first introduced proved ineffective and in later times it has been stiffened, and hardened, and amplified ever since until now it is the doctrine of both parties and of every member of both parties. That is a fact I can prove by referring to the records of the British House. In the last session of the House, there were no less than one hundred and eight applications of closure, to say nothing of the application of what are known there as the kangaroo and the guillotine—one hundred and eight applications of closure, and only a small fraction of them moved by members of the

Government. And yet I do not know that they have had a revolution in Great Britain; I have not heard that a mob is in control of the House; I have not heard that free speech has been smothered; I believe that they have good government in Great Britain to-day. Closure was applied daily; as often as twice a day; as often as three times a day; as often as five times a day; and this by the Liberal Government of Britain. And I affirm, and I invite contradiction, that there is nothing made possible by the extremest exercise of the rules introduced by the right hon. the leader of this Government that is not made possible in a stronger way under the British rules. I ask for a single instance. What is made possible by the exercise of the extreme authority of the majority here that cannot be brought about under the British rules? Absolutely nothing. These hon. gentlemen talk about shutting off debate at two o'clock. Why, under the British rules they can shut off debate at any minute. In the British House they can move amendments, and those amendments need not be debated except at the mercy of the majority. They do not even need to be put to the House except at the discretion of the chairman. The chairman can take a list of the amendments and say: I strike out the first one, but I take the second, because it seems to have some common sense in it, and I will let the House vote on it. I strike out three, four and five, and I come to the sixth: I will take that and put it to a vote. That is within the power of the Chairman under the British rules; is that within the power of the Chairman of the majority under these rules? Not at all. I again assert that even the extremists exercise of power, within the imagination of hon. gentlemen opposite does not cover a single instance under these rules that cannot be covered under the British rules. Hon. gentlemen say: It is true you have offered us the British rules, but you know that it is absurd to offer us these rules, because we have not a permanent Speaker. The right hon. leader of the Government has said: If the Opposition, any time after these rules are put in force, think they would prefer the British rules, they are welcome to them. They do not need to say they prefer the British rules to the rules as now existing without amendment; all they need say is: We prefer the British rules to these rules you have now enforced. If the Opposition at any time take the stand that the rules of the British House are more palatable to them than these rules, they can have them; that is a standing offer, and so long as hon. gentlemen in this House get up and say they will not avail themselves of this offer, they are proclaiming—and there is no getting away from it—that they know these rules are more lenient than the British rules. I again ask hon. gentlemen to tell us what rules they proposed to introduce to close debate? What were the rules that they formulated?

Mr. PUGSLEY: The late Government did not decide to introduce closure.

Mr. MEIGHEN: I am asking the hon. member if they were formulated.

Mr. GRAHAM: Never.

Mr. PUGSLEY: They were never considered by council.

Mr. MEIGHEN: Oh, what must the hon. member for Rouville (Mr. Lemieux) think of the hon. member for St. John! I may tell the hon. member for St. John that the hon. member for Rouville is not the man to go down to St. Hyacinthe and say to the people that the Government of Sir Wilfrid Laurier would pass a closure measure if returned to office if he did not have the authority of council to do so. Has the hon. gentleman stated that such rules were not formulated by the late Government?

Mr. PUGSLEY: I said they were not.

Mr. MEIGHEN: We will have to wait for the developments of time. In the light of what the hon. member for Rouville has said; in the light of what the late Minister of Agriculture has said; in the light of the words of the late Minister of Justice, who would himself have formulated the rules if they were formulated; in the light of these facts I am compelled to say that there is no logical conclusion possible in my mind except that the rules were formulated, whatever they were.

In the past we may have erred on both sides. So long as you have fixed and defined rules of parliament, and so long as under these rules you have party government, it is inevitable, while human nature remains as it is, that this party or that will take advantage of those rules for its own aggrandisement, but that is no reason why a strong government, when it attains office, should not so amend those rules as to make it impossible for any party, no matter how determined its attitude may be, In the past we may have erred on both sides. to so abuse the principles of government as to defeat the will of the people and the progress of useful legislation. The duty of the Government is clear. We have to decide whether or not we shall proclaim our cause as hopeless at the hands of an Opposition hungry for office and burning with lust for power; whether we shall have to admit that we are going to lie here 'in cold obstruction and to rot' or whether we propose to purge this Parliament of 'this obstruction which begins to stop our very veins of life'. Let us look at what was done by a greater parliament than this after

they turned the way this Parliament is now about to turn. Let us look at the immense volume of legislation so massive and so splendid, that has been achieved and is now being achieved in the British House. Let us look also at the path over which this ponderous burden is being carried; a path blazed first by that great Liberal chieftain, perhaps the most illustrious leader that ever adorned that Parliament, and followed later by them all

Mr. ARTHUR LACHANCE (Quebec Center): (Translation.) Mr. Speaker, the Opposition has once more, this afternoon, given the Government an opportunity to clearly set forth its views in regard to the purport of the resolution now, and for a few days past, under the consideration of the House. Thanks to the motion of adjournment introduced by the hon. member for Missisquoi (Mr. Kay), the right hon. leader of the Opposition has been able to put some precise questions regarding the correct interpretation of the new rules. However, what happened under our eyes? The right hon. Prime Minister, realizing the full force of the remarks made by the leader of the Opposition and feeling that he was unable to answer them without implicating himself, evaded the question and took refuge in repetitions and generalities, the effect being to further confuse matters. So we are more than ever justified in looking askance at the motives which are said to inspire the promoters of those three new rules embodied in the resolution, and in continuing to oppose them with all our might.

The resolution referred to was introduced in this House on April 9th instant. The Prime Minister himself, before all others, attempted to impress us with a favourable view of its hazy, but rather awe-inspiring provisions. The object, we are told, is to amend, by improving them, the rules which govern the proceedings of this House. Obviously, however, the end in view is a mistaken, false and objectionable one. Its purpose, it is claimed, is to ensure a greater measure of fairplay in the conduct of the business of the House; as a matter of fact, however, the principle embodied in this resolultion implies a rank injustice, and an abuse of power; it gives full sway to brutal force, to despotism, to tyranny itself. In order that tyranny should firmly take root, it is necessary to have recourse to despotic means. That is what the Government has done. Those who were present at the sitting of April 9th inst. will agree with me, if they are sincere; those who have witnessed how promptly the leader of the Opposition was deprived of his right to address the House, will ever be satisfied of the truth of my statement. As honourable gentlemen will remember, the Prime Minister had just closed his speech in support of the proposed regulations; he had put in action all his resources to clothe them with a semblance of plausibility.

Barely had Mr. Speaker read through the resolution which the Prime Minister had handed to him, than the leader of the Opposition was on his feet to answer him. It was his unquestionable right. For over five hundred years that parliaments have existed in the British kingdom, always and without exception it has been the practice to allow the leader of the Opposition to answer forthwith the leader of a government submitting an important proposition. If then, as will be readily admitted, a long standing usage is equivalent to a right in matters relating to British institutions, and particularly to Parliamentary institutions, the leader of the Opposition could, not merely as a matter of grace, but as a matter of indisputable right, address the House, following immediately on the leader of the Government, to extend his approval or express his disapproval, whether in the form of an amendment, or in any other shape recognized by the rules of parliamentary procedure.

Nevertheless, within the view of the whole country, the Government refused him that right; not only that, but the Government deprived him of that right while in the exercise of it. Indeed, the leader of the Opposition had been on his feet for a few seconds when the hon. Minister of Marine end Fisheries rose in his turn. Hon. members must have all noticed that so characteristic attitude of his, with head thrown forward, as if intent on grasping some object; he was, as a matter of fact, preparing to lay hands on something quite precious; he was preparing to lay hands on the freedom of speech and on the rights of the Opposition. The Speaker gave the floor to the leader of hon. gentlemen on this side of the House and in doing so was doubly justified by the old-time practice which I referred to, and by the fact that the leader of the Opposition had been on his feet for some minutes. The latter gentleman having thus been adjudged the floor by the Speaker, rose once more and proceeded to address him in the usual terms: Mr. Speaker.

So I am justified in stating that the leader of the Opposition had already begun his speech. In the ordinary course of affairs, a member thus having the floor cannot be interrupted without his consent, unless it be on a point of order. In this case, then, the Government, through the brute force of the majority, silenced the leader of the Opposition after the latter had begun speaking and was availing himself of his right to answer the Prime Minister.

To justify that flagrant violation of an usage centuries old, the Government invoked rule 17 of this House; and through the honourable member for Hastings (Mr. Northrup), moved that the leader of the Opposition be deprived of his right to speak and this right attributed to the hon. Minister of Marine and Fisheries (Mr. Hazen). This afternoon, the hon. member of Finance (Mr. White) contended that no insult had been offered to the leader of the Opposition, in thus depriving him of his right to speak, considering that rule 17 authorizes such a course. The hon. minister is mistaken; the enforcement of that rule, under the circumstances which I have stated, was improper and illegal. Rule 17 reads thus:

When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place: but a motion may be made that any member who has risen 'be now heard,' or 'do now speak,' which motion shall be forthwith put without debate.

So then, when several hon. gentlemen rise at the same time to address the House, the Speaker gives the floor to the one who was on his feet; and, as stated by authorities on parliamentary procedure, it is improper after that to interfere with the Speaker's choice. Bourinot, at pages 457 and 458 under the title 'Precedence in Debate', thus expressed himself:

The Speaker of the Commons will always give precedence in debate to that member who first catches his eye.

When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place; but a motion may be made that any member who has risen 'be now heard,' or 'do now speak.'

It is usual, however, to allow priority to members of the Administration who wish to speak and in all important debates it is customary for the Speaker to endeavour to give the preference alternately to the known supporters and opponents of a measure or question; and it is irregular to interfere with the Speaker's call in favour of any other member.

If, moreover, the member who has been given the floor by the Speaker has risen, and not only is on his feet but has begun to speak, that motion provided for in rule 17 cannot be made any more; as the member cannot be interrupted, save in connection with a point of order, and that motion is not on a point of order. So then, on April 9th, not only did the Government deny to the leader of the Opposition a sacred right, but in order to deprive him of that right it committed a breach of usage, it acted unlawfully and had its course approved by the brute force of a majority. And that devious and hateful course, the Government adopted it deliberately, in order to force the previous question on the Opposition and to prevent the latter from changing a single line, a single word, in the new regulations; and at the same time it deprived the House of any suggestion emanating from hon. gentlemen on this side of the House.

After recalling those facts, am I not justified in stating that under the circumstances the action of the Government is equivalent to deeds of despotism, inspired by a spirit of tyranny; yes, tyranny, let us not shrink from using the word, when these gentlemen in power do not hesitate in doing the thing, do not recoil at the thought of violating the rights of the Opposition, though they cannot attain that object without being guilty of improper and illegal conduct.

I may give some further evidence of the arbitrary character of these proceedings. In his speech, the Prime Minister, of course, attempted to justify this resolution by alleging the desirability of ensuring the more speedy transaction of public business in this House. In that respect, his contention may appear to be plausible to a certain extent. I have not had sufficient experience in this House to be able to state 'urbi et orbi' whether he is right or wrong. I would rather abide by the opinion of members who have ben sitting in this House for many years and have personally ascertained whether there are deficiencies in some respects. But, of the latter, there are a good many in the ranks of the Opposition, and relatively a larger number than on the Government side. Such is not evidently the opinion of the Prime Minister, at least his acknowledged opinion. If we are to judge by his action, any idea, any suggestion, respecting the efficiency of the rules of the House cannot and should not emanate from any others than himself and his followers.

On the other hand, however high his estimate of himself and of his friends in that respect, I venture to bring forward, without hesitation, as superior to theirs, the experience, the knowledge, and the ability of the leader of the Opposition, who has been a member of this House for forty years, and, for twenty-five years, has been the leader, either of the Opposition, or of the Government. Why has the Government, by moving the previous question, deprived itself of the help of the leader of the Opposition and of a number of his supporters, highly qualified, they also, by their experience and their knowledge of parliamentary procedure? If the Government acted candidly, if its motives were true, above reproach, why has it thus brutally closed the mouths of those hon. gentlemen and their leader?

What then was the terrible proposal which that leader intended to make? The simplest, the most sensible proposal, and that consecrated by the longest usage: The appointment of a committee made up

of members from both sides of the House, which, and rightly so, would have comprised a majority of Government members, a committee which would have looked into the question with a view to arriving at conclusion acceptable to both parties; in other words a procedure sanctioned by immemorial usage in British parliaments, and particularly in ours.

But precisely that is what this Government was adverse to. The reasons alleged in support of the speedy passing of this resolution have no foundation; the Government's primary object is to, in the first place, force through the $35,000,000 contribution bill for the benefit of Great Britain, which has no need for it; and then to deprive us of all freedom of speech. The Government realizes that fight put up by the Opposition has discredited, and rightly so, that legislation in the eyes of the public; it hesitates accordingly to submit it to the people, satisfied that it will there meet with defeat. On the other hand, the Government is aware that the Opposition, thus supported by public opinion, cannot and should not concur in that proposal, and that more than ever it is its bounden duty to oppose it by all constitutional means; hence, the fury of the Government and the extreme steps taken by it in its wrath.

That resolution besides constitutes an injustice and breach of faith towards the Opposition. The latter has taken up the glove on the ground where the Government had placed it, and has made preparations for resistance under rules which it was understood would hold good to the end; and now, on a sudden, in the heat of the fray, the Government realizing that its fate is sealed, dares to alter those rules, in the hope of ensuring a victory which is becoming more doubtful as time goes on, and avoiding a defeat the certainty of which increases from day to day.

Well, that is evidence neither of bravery nor loyalty; it is a back-down, a giving up of the sponge. The Government has already given that impression to the public; it is possible that by gagging the Opposition, by using its majority to strangle it, it may succeed in getting this resolution through, and accessorily the contribution bill; but in any case it will be a paltry victory and one which cannot restore to it the confidence of the people, the people which this contribution bill has estranged from the Government and whose good will the Government is about to entirely lose, as a result of its resorting to arbitrary means.

If that resolution had come up in the opening days of a session, or even in the ordinary course of a session, but while no other important measure was in suspense, and if the Government had followed the ordinary procedure, I mean the appointing of a committee or if, in any event, it had not prevented the Opposition from expressing its views, some measure of sincerity might be credited to it.

It is in vain that the Prime Minister has striven to find a justification to this resolution in views expressed by some Liberal candidates in the course of the electoral campaign which ended on September 21, 1911. The Prime Minister should not entertain the idea that he can satisfy a single member of this House as to the existence of any similarity between the circumstances of that time and those of to-day; he should not seriously think of passing off such views as a sop to hon. gentlemen on this side for being coerced. What were the circumstances? The Liberal ministers and members were then facing their constituents, defending a trade arrangement with the United States, in respect to which the members of the then Opposition had carried on systematic obstruction from January to July, 1911; an obstruction which had induced the Liberal Government to take the question before the people. The Liberals would say: If you return our party to power, if you approve of that trade arrangement, it will be necessary to ensure its passing through the House, and if we meet with a resistance similar to that which brought on this election, it will be incumbent on us to find some way out, and possibly the only way of settling the matter will be by amending the rules of the House. Now, the Liberal party was defeated; so that from the constitutional viewpoint that arrangement has been condemned, as also the proposal to modify the rules of the House towards ensuring its adoption. How then can the Prime Minister claim he has justification of his stand in that proposed revision of the rules which was condemned by the electors on September 21, 1911? Not only is he without a mandate to submit that resolution, which itself is intended to permit the forcing through of the $35,000,000 contribution bill, in respect to which, as well, he is without a mandate, but he is going beyond the mandate he holds in forcing through this resolution, the principle of which has been condemned by the people on September 21, 1911.

So that we are confronted with a series of hateful deeds emanating from this Government. What other result might have been expected from the present methods of this government? They started out with the contention that it was urgent to aid Great Britain and provide $35,000,000 for her. That is false; from falsity they proceeded to arbitrary action and exasperation, when obstacles were met on the way; from exasperation they proceeded to violence, from violence to brute force, from brute force to despotism; they will

probably go as far as tyranny, if their interests warrant it.

But the Government should not delude itself with vain hopes; let it not expect any compromise on our part; we shall resist arbitrary action, brute force, despotism by all means open to us under the law of the country, and even, should that prove insufficient, under natural law; and should that even be of no avail, we shall appeal to the people, the absolute and almighty master in this country, to take in hand their own cause and drive from the sacred temple of the nation's liberties those who defile it and put it to vile use.

I shall not go into a detailed analysis of the three clauses of this resolution; several hon. members have already thoroughly considered their portent, as well as their probable outcome; they have shown peremptorily that they embody an arbitrary, dangerous and abusive principle, quite irreconcilable with British parliamentary institutions. The attentive reading of these three clauses definitely suffices to confirm that view. They are added to clause 17 which I quoted above. These three clauses read as follows:

(2) Every motion heretofore debatable made upon routine proceedings, except adjournment motions and every motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or a special committee, or for the previous question, or the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means of the resolution clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes, in any such adjourned debate; or, if in committee, on any such resolution, clause section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

(4) On Thursday and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the Estimates of each department shall be first taken up on a day other than Thursday or Friday.

In short, the following conclusions for instance, are implied in clause 3. Heretofore, the rights and privileges of members in the exercise of their duties as representatives of the people in this House were placed under the direct protection and safeguarding of the House itself and its Speaker; in future, those rights and privileges will be at the tender mercies of some minister of the Crown; a mere notice from him in relation to a subject then under discussion will be sufficient to forcibly close de plano the debate on the day following. How easy it will be on the day following to keep the House busy considering some other questions until two o'clock in the morning, and thus forestall the further consideration of that business which the minister is anxious to hide from the searchlight of the Opposition.

The Government itself through its most prominent exponents, admits that it might have recourse to such a scheme. I have evidence of it in the speech delivered by the hon. member for Portage la Prairie (Mr. Meighen) in connection with this resolution on April 10. The hon. gentleman does not deny that he had something to do with the wording of this resolution; he even seems to glory in it; what a small thing to glory about! Obviously he was entrusted with the duty of covering up the dangerous features in these resolutions, of concealing whatever might be deemed objectionable in them. To that gigantic task he devoted himself with all his might, but unsuccessfully; his statements, however melliflous, had only one object which was discernible: to try and hide the subtle venom which those three resolutions contained. Accordingly, pressed with inquiries, driven to the foot of the wall, he was forced to admit that clause 3 might in the end enable a minister of the Crown practically to forestall the discussion of any issue, and, moreover, to force through in a few minutes all the clauses of a measure: bill, resolution, estimates, &c., &c.

I quote herewith his own words in answer to remarks from the mouth of the hon. member for Welland (Mr. German):

Mr. GERMAN: Could not the Government keep off the discussion on that second day until, say, 1.30 in the morning, or twenty minutes before two o'clock, and practically shut off all discussion?

Mr. MEIGHEN: I see the point of the hon. gentleman and I am coming to it because it

was belaboured by the hon. member for Carleton, (N. B.). The hon. gentleman means that they could continue the discussion on some other subject?

Mr. GERMAN: Yes.

Mr. MEIGHEN: The Government of this country could do that if they were willing to take the responsibility, but what would be the object? Let us consider the question and see how it would work out.

Mr. GERMAN: It could be done.

Mr. MEIGHEN: Yes, but what could be the object? In order that there might be a short discussion on something that has been already discussed, the Government are themselves going to obstruct some other business and prolong the discussion over it. What object have the Government to serve by that? If it were possible within reason to put it within the power of even an insane government to do such a thing it could be done.

Mr. GERMAN: I did not say it should be done. I was asking the hon. gentleman if, under these rules, it could be done?

Mr. MEIGHEN: Yes, but it would be absurdity itself if it were done.

Mr. GERMAN: The resolution says:

Any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so do to, may move that the debate shall not be further adjourned, or that the further consideration of any resolution, or resolutions, clause or clauses, section or sections, preamble or preambles, title ou titles, shall be the first business of the committee, and shall not further be postponed.

Now, the second clause of the Naval Aid Act is under discussion. If a motion is made that the debate be not further continued, does the hon. gentleman understand that that simply adjourns the debate of that clause, or does he think that it terminates the debate on the whole Bill?

Mr. MEIGHEN: No, just on that clause——

Mr. GERMAN: That is what I understand.

Mr. MARCIL: But it says: clause or clauses.

Mr. GERMAN: Could they not give notice as to the whole Bill and stop the discussion on every clause?

Mr. MEIGHEN: This it what can be done; clause 2 is under discussion, say for two weeks or three weeks or five weeks, as would suit hon. gentlemen opposite; clause 2 is under discussion and the motion to postpone the consideration of that clause is made. Then it would be in order I would think, for the committee to pass to clause 3, and clause 3 would then have to be discussed and a separate motion would have to be made as to clause 3.

Mr. GERMAN: In the same way on the twenty-four hours' notice?

Mr. MEIGHEN: Yes.

Mr. GERMAN: As to each clause.

Mr. MEIGHEN: Exactly.

Mr. DEVLIN: That is not the rule.

Mr. MEIGHEN: But, of course, that is the notice. A motion is made that consideration be postponed on one clause; then, after the other clause has been discussed, another motion is made, of course all within the responsibility of the Government, that the consideration of that be postponed. Then notice is given that the clauses so postponed be on a certain day no further postponed. That is to say, notice is given that a motion will be made on some subsequent date stated, that the consideration of these clauses, so postponed, be not again postponed, and these clauses then must be taken up on that day.

Mr. DEVLIN: And vote on the whole Bill and all the clauses?

Mr. GERMAN: That means discussion on the whole Bill could be stopped on twenty-four hours' notice. I would like to get more information. Clause 2 of Navy Bill is now under discussion; the discussion of clause 3 will not be taken up until clause 2 is disposed of, discussion on clause 3 will not be begun. Surely it cannot be the intention of the Government, simply with one notice, to say that on such a day the discussion on clause 3 shall terminate and on such a day the discussion of clause 4 shall terminate, and consequently wipe out the whole thing on that day?

Mr. MEIGHEN: I do not know that I understand the question but I will repeat what I have said and I think the hon. gentleman will understand me. Clause 2 is under discussion and the Governement have reason, by what they have observed to see that it is being obstructed, or on reasons that appear to them good, they move that the discussion be adjourned.

Mr. GERMAN: On clause 2?

Mr. MEIGHEN: Yes. Nothing however is done at that time and they pass to clause 3. That is the next thing to do, without a doubt. Clause 3 then becomes the subject of discussion in the committee. Clause 3 is under consideration and the committee discussed it also for a time, and the Government takes the responsibility for the length of that time. Then, if the same conditions develop; if the Government deem it is their duty as the custodians of the rights of the people of this country, they can move that the consideration of that clause be postponed. Then the commitee passes to clause 4 and it is in the same category, and nothing is done as yet except merely to move the postponement. A debate has taken place successively on each clause and then when we have got all through the Bill and all has been debated clause by clause, the Government, or a member of the Government, may give notice that he will move on a certain day that these clauses, all of them, be the first business of that committee and be not further postponed, and then all the clauses must be taken up on that last day and concluded by two o'clock. I think that is absolutely clear.

Mr. GERMAN: It is worse than I thought it was.

Mr. HENDERSON: You mean it is better than you thought it was.

Mr. MEIGHEN: I am putting that as what would be within the power of the Government to do. Even that, the extreme exercise of its power, would be to give a day's discussion beyond what is permitted under the British rules. The Government does not need to do that. It can have one adjourned and then, if it is reached, it can take it up and finish it on a certain day, vote on it and then take up the other. Either way can be adopted. The extreme exercise of the rule would be to give to the Opposition of this House a day's discussion beyond what is given under the British rules. Within that day, the Opposition have it within their power to organize themselves and to discuss the Bill within that time to the

best possible advantage. It is provided—because I presume it was anticipated that hon. gentlemen opposite would say, why, on the last day you have us right in your grip; you can put up some hon. member on the Government side and he can go on and discuss the Bill until two o'clock, it is not provided in this clause that no hon. member shall speak longer that twenty minutes, and that their will be no reasonable possibility, unless the Speaker becomes a conspirator with the Government, of refusing discussion on the last day.

Mr. GERMAN: You may not give us longer than twenty minutes to speak. You can quite easily do that.

Mr. MEIGHEN: He is satisfied with the last and he returns to the first objection that the Government might obstruct itself on one clause until one o'clock in order that it might not be obstructed on another until two o'clock. I do not think that the hon. gentleman seriously anticipates that any such thing could or would be done by a sane government. However you put it, even assuming the worst that you can assume against the Government, there is certainly a latitude allowed beyond what is allowed in the Old Land.

So then, there is not the least ambiguity about it. The hon. member specially designated by the Government to show those resolutions under the most favourable light, is forced to admit that the full exercise of the powers conferred by clause 3 leads to the worst of tyrannies in connection with parliamentary institution: That which consists in preventing the Opposition from discussing the acts of the Government. The only corrective which that honourable gentleman can suggest to that despotic principle, is that no Government will dare make use of it; but all the same it is within its powers to enforce it, nad that alone is a dire prospect.

Let us take our present ministers. What will become of the rights and privileges of the Opposition when they are left at their discretion? On April 9 they gave us a dramatic illustration of their idea of good faith and fair play as regards opponents in the minority, and we are justified in expecting to be the victims of all sorts of grievances as soon as they are the only masters, the supreme arbitors of freedom of speech and discussion. But even supposing them to be better than they appear to be, and with the best intentions, I still maintain that under no consideration should we abandon the exercise of such power to the will of a minister of the Crown however straightforward, honest and enlightened. A minister of the Crown is a political partizan; a knowledge of the past, as well as of the present, shows to what injustices, to what abuses, to what moral vagaries, partizanship may lead at times. That is why, from the very beginning of humanity, governments of all kinds and of every age have been obliged to legislate to enforce the observance of certain rules of justice between individuals and now, in this nineteenth century and in this free parliament of a free Canada, it is proposed to-day to clothe a successful politician with unbounded and unlimited powers, powers of which even an angel could not but abuse. I say that such a departure is scandalous, immoral, tyrannical, and it is one of those cases when a member of Parliament or a citizen is justified in crying out: 'Non serviam', when a citizen or a member of Parliament is justified in resisting by all means the action and control of the government.

And what shall we say now of clause 4? That is something worse than the gag. It is strangling pure and simple. In the first place, let us look into the interpretation of that clause, always according to the honourable member for Portage la Prairie. I quote herewith his answer to some questions put by the honourable member for Bonaventure (Mr. Marcil):

Mr. MARCIL: Does the same rule apply to a discussion of the estimates? As the rule now stands, the estimates are taken up one after the other. Would it be possible for a minister of the Crown to give notice that on a certain day the whole estimates of one department or of all the departments might be called automatically or put to the House.

Mr. MEIGHEN: Referring to the first part of the hon. gentleman's remarks, consideration of the estimates in analoguous consideration of clauses in a committee. In the estimates, resolutions are substituted for clauses. Consequently in clause 3, the term 'resolution' and the term 'clause' are both used. The Government could take the same course with regard to a resolution as with regard to a clause; that is, after it has been discussed for a length of time—and I earnestly hope the Government will allow more than fifteen minutes to a discussion of $200,000 of salary, which was the limit left by the hon. member for Carleton (Mr. Carvell) when he was on the Government side—after a resolution for a vote of a certain amount, say a salary, has been discussed for a certain time, the Government can move the adjournment of the discussion and can pass to another item. After it has been discussed for a certain time the Government can take the responsibility again if conditions develop to warrant such action, and move the adjournment, and so on. The Government can move three, four or more, and then, having moved those, can give notice that on a subsequent day those that have already been discussed be discussed on that day but that the discussion stop before two o'clock.

So then, this clause, in theory and in practice does away entirely with all the means of attack and defence of which the Opposition disposes in regard to governmental acts; then this Government may besides have recourse to clause 3 whenever a minister is anxious to prevent the consideration of any item of supply or of the estimates. It is the ruin of the primary and most essential right and privilege of the people, that of ventilating and obtain-

ing redress for their grievances against the Administration previous to holding the moneys required for the public service.

So this resolution puts us face to face with a most grievous situation and a most perilous one to the future of the parliamentary institutions of this country. It is the indisputable right of us, Liberals, at all times, and in all places, friends and trusted defenders of liberty, to denounce that resolution in the strongest terms and to draw the attention of the people to the tyranny of which we are the victims, as members of the Opposition, and which is an infringement on our constitutional liberties.

On the Government benches this plot was laid down towards ensuring the adoption of this resolution, the object and outcome of which is to deprive the Canadian people of their rights, by doing away with freedom of speech in this Parliament. That plot was evolved and worked out by the Tory-Conservative party, and how painful to think that it was the work of the advisors of His Majesty. Should not the prestige inseparable from those lofty attributes be secured against anything which might detract from it? Should there not be attached to it a nobleness of demeanour which adds to its lustre, a courage which increases in proportion to difficulties and which, at any rate, never thinks of resorting to expedients and never seeks as its extreme way out of difficulties violence and brute force?

Is that the estimate which future generations will make of our present ministers? I doubt it very much. Will they not say as already the present generations is whispering, at the sight of what is going on before their eyes that they were not courageous, that the mantle of the statesman did not fit them, that they were short-sighted and without an ideal, that the first serious difficulty which opposed their progress so discouraged them that they had recourse to the most extreme and even dispotic measures to stifle the voices which they were unable to silence. But these voices of the Opposition will not be stifled until mine, however humble, is raised to protest with all my might against the violence we are subjected to, to protest in my name and also on behalf of the thousands of electors whom I represent here. I feel it is an imperious duty which I am fulfilling in their name, I feel that I am meeting the wishes of my constituents, I feel that I am doing homage also to that liberty which we can never cherish too much, which we can never defend too ardently.

Mr. P. A. SEGUIN (L'Assomption): (Translation.) Mr. Speaker, whenever a power abuses its strength and interferes with some franchise, whatever that power may be, and whatever that franchise may consist in, every citizen has the right, and the imperious duty as well, to raise his voice in protest.

So it is with a view to protesting that I rise just now. And in rising, it is not only in my name that I protest against the blow which is aimed at freedom of speech; it is also in the name of those honest people whom I have the honour of representing here.

Mr. Speaker, I am aware that my protest will not change matters. A majority, which rests more confidence in its strength than in its rights, has decided that freedom of speech should be done away with, so that it may have a freer hand in destroying the autonomy of Canada.

I know that the deed will be consummated and that it is only a question of hours. A reprieve may be hoped for, but not a commutation of the sentence of death pronounced against liberty. But before liberty dies, it is only right that she should know who are those who demanded that a death warrant be issued against her. History, that impartial avenger will be able to descry the true friends of justice and liberty.

Mr. Speaker, the grounds taken to justify the action of the Government in proposing this resolution which does away with freedom of speech, are all more or less futile; they prove only one thing: the assurance which the Government has of a moral defeat, should there be a referendum, or of an actual overthrow, should there be an election.

So it may be said that freedom of speech is sacrificed, not in order to permit an act of generosity towards the Mother Country, not to favour the defence of the Empire on account of some emergency which might become more pressing as days go by, not on a question of principle, but purely and simply on account of the fright—a blue fright—experienced by the Government at the thought of the outcome of an election or of a referendum.

Mr. Speaker, Liberals have been charged with carrying on a disloyal obstruction against this government measure. That charge is foundationless. The Government has based its proposal on facts which are more than questionable; since it was unable to support its contention, in regard to an emergency for instance, the only thing for it to do, was to withdraw that hateful proposal, a danger to the autonomy of our country, and a most dangerous precedent to enact. So the Liberals were justified in opposing this plan by all means available under the constitution. The ardent struggle, strenuous at times, and at all times, painful, which we have gone through, shows too well how desperately the Government is intent on getting this scheme through the House.

In vain, a sensible element of the British

people itself have clearly shown their dislike of the Bill opposed by the Liberals, in vain did Lord Churchill state that his memorandum had been supplied only at the request of the Prime Minister of Canada; in vain did Mr. Asquith state that the British government was unwilling to meddle with Dominion politics, thus giving clearly to understand that he never had applied for dreadnoughts or millions; in vain, on the other hand, did one half of the political press and nearly all the economic publications in Canada raise their voice against the proposal of the Government; in vain did numerous voices make themselves heard in protest against the Nationalist vote which gives the Government its majority, when the Government knows full well that these same Nationalists—some of whom are ministers and bear the title of honourable—have been returned in their constituencies on the formal pledge they gave to fight any proposal for a contribution or for the establishment of a navy; in vain did all that give the Liberals the right to oppose with all their might that contribution scheme—I was going to say that alms scheme—the Government has been unwilling to open its eyes, Mr. Speaker, and when it found that it could achieve success by brute force only, it did not hesitate to have recourse to that means.

Let rather freedom of speech perish! Let rather the constitution be violated! But that resolution must be passed. Well, Sir, freedom of speech will be sacrificed tomorrow. Of course, it will. The Government majority will then carry through their famous bill; and honourable gentlemen on the other side will make the welkin ring with their cheers. Very well, they will have succeeded; for when numbers are intent on scoring a victory over justice and right, they always begin by strangling liberty.

They will have scored a victory, and what then? The people will always be there. The people will always be there to decide finally. And it is that decision, which they are in so great fear of, that we on this side of the House will await with firmness and impatience. For they have resolved to kill liberty, but they have forgotten that liberty cannot die.

Motion (Mr. Kay) withdrawn.

On motion of Mr. Carroll, the debate was adjourned.

On motion of Mr. Rogers, House adjourned at 12.55 a.m. Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, April 23, 1913.

The SPEAKER took the Chair at three o'clock.

QUESTIONS.

(Questions answered orally are indicated by an asterisk.)

HOMESTEAD ENTRIES.

Mr. OLIVER:

1. What was the total number of homestead entries made during the year ending March 31, 1913?
2. What was the total number of pre-emption entries made during the year ending March 31, 1913?

Mr. CROTHERS:

1. 33,611, not including entries made in Grande Prairie and Peace River agencies during the last week of March, as returns for that period have not been received.
2. 8,577.

PICTOU MAIL CARRIER.

Mr. MACDONALD:

1. Who is the mail carrier between Pictou post office and the railway station there?
2. What amount is being paid per trip?
3. Is there any amount due contractor? If so, how much?

Mr. PELLETIER:

1. Peter F. Foley.
2. Twenty-five cents per double trip, i.e. a trip from the post office to the railway station and return to the post office, or vice versa.
3. Nothing is due the contractor. By a mistake in the inspector's office the contractor was paid at the rate of twenty-five cents per single trip which was not in accordance with his tender, with the notice inviting tenders or with the contract sent to him for execution. There is still a small balance due the department.

GOVERNMENT BOATS AT PICTOU.

Mr. MACDONALD:

1. What amount was paid at Pictou during each of the months the winter boats were on duty during the past season for the handling of freight?
2. What amount was paid in each of said months on said service for the placing of coal on board at Pictou?
3. What amount was paid in each of said months for placing coal on board at Charlottetown and Georgetown, respectively?

Mr. HAZEN:

1. December, $219.73; January, $1,434.84; February, $1,019.47; March, $1,355.19.
2. January, $505; February, $912; March, $888.03; April, $232.80.
3. None.

GOVERNMENT RAILWAYS.

Mr. MACDONALD:

Does the Government intend to introduce any legislation to carry out the pledge contained in the platform of the Conservative party in 1908, in the following words:—

'The operation and management of our Government railways by an independent commission free from partisan control or influence'.

Mr. COCHRANE: The operation and management of the Government railways are free from partisan control and influence now.

QUEBEC AND SAGUENAY RAILWAY.

*Mr. LEMIEUX:

1. Has the officer of the Department of Railways and Canals been recently appointed to investigate and report on the Quebec and Saguenay railway?
2. If so, what is his name?
3. What is the object of such an investigation and report?

Mr. COCHRANE:

1. No.
2. Answered by No. 1.
3. Answered by No. 1.

MAIL BAG LOCKS.

*Mr. MACDONALD:

1. Is the new padlock for mail bags superior to the old one, as improved by the disc pattern metal bar contracted for with Edouard Lapointe on the 23rd September, 1912?
2. What is the price of the new padlock?
3. What is the price of the disc metal bar per hundred?

Mr. PELLETIER:

1. No new locks and no acceptable new bars have as yet been supplied.
2. Although the new lock will be a great improvement, the department will not pay for same any more than the price of 80 cents, which was fixed by a former Postmaster General in 1907.
3. Five and one-third cents a bar was offered, but no acceptable bars were supplied.

*Mr. EMMERSON:

1. How many disc pattern metal bars were required to improve the old padlocks in use by the Post Office Department?
2. Were not said metal bars sanctioned and adopted by the Post Office Department on the 23rd September, 1912?

Mr. PELLETIER:

1. No accurate answer can be given to this question. The controller of postal stores estimated that the quantities mentioned in his letter of September 23 would be needed.
2. The letter of September 23, together with the answer given to-day about it, speak for themselves.

*Mr. BUREAU:

1. Has any postal delivery of disc metal bars been made to the Post Office Department by Edouard Lapointe between the 23rd September, 1912, and the 2nd April, 1913?
2. Did said metal bars fit the lock then used by the Post Office Department?
3. Was any test made of the old locks as improved by the addition of said metal bars?

Mr. PELLETIER:

1. Yes. Four hundred and eighty-four were offered on March 6, 1913, but they were all returned because the controller of postal stores did not find them to be in accordance with the specifications.

2 and 3. No bars having been delivered which could be accepted, such a test was not practicable.

*Mr. CARVELL:

Has the following letter been sent to Edouard Lapointe, under the instructions of the Postmaster General:—

1092—A.

Post Office Department, Ottawa.
Postal Stores Branch,
Ottawa, April 2, 1913.

Sir,—

I am, by direction of the Postmaster General, to notify you that owing to the unreasonab'e prolonged delay on your part in filling the order of the 23rd September, 1912, for 90,000 metal disc bars for letter mail bags, notwithstanding you were requested some time ago by the department by letter and telegram, to hasten delivery, he has cancelled such order, which accordingly has absolutely ceased and determined, and on which the department must decline to accept any deliveries whatever.

I have the honour to be, Sir,
Your obedient servant,
Sydney Smith,
Controller of Postal Stores.

Mr. Edouard Lapointe,
9-11 Desjardins Street,
Quebec.

2. Have any other letters been sent by the Post Office Department to said Edouard Lapointe since September 23, 1912, urging him to hasten delivery of the 99,000 metal disc bars ordered?
3. Has Edouard Lapointe filed any claim against the Post Office Department?

Mr. PELLETIER:

1. The Postmaster General did not dictate this letter, but the controller of postal stores had conferred with him in a general way before writing same. Moreover, the letter as it reads in the question is not accurately reproduced. It will be brought down with the other papers.

2 and 3. Yes. Moreover, Mr. Lapointe had been told in the letter of September 23 that those bars should be brought into use with the least possible delay. He came several times to the office of the controller of postal stores, and was urged to act promptly. However, at the end of March last he was still asking other people to make those bars for him. Finally he wrote raising a racial cry and asking for the dismissal of the controller of postal stores, who, he said, was persecuting him. The papers which will be brought down will further explain the whole thing.

*Mr. CARVELL:

1. Has the following letter been sent under instructions of the Postmaster General:—

(True Copy)

G. C. No.—X—1092A.

Post Office Department, Canada,
Office of Controller of Postal Stores,
Ottawa, September 23, 1912.

I am, by direction of the Postmaster General, to advise you that he has sanctioned the adoption of the disc pattern metal bar submitted by you, on which it is understood you hold a caveat from the Canadian patent office, and has directed that you be paid for these bars at the rate of 5½ cents each, $5.33 per hundred, and to convey to you authority to make and supply to this department:—

18,000 metal bars, 4 inches, for bags, 22 x 32.

45,000 metal bars, 4½ inches for bags, 26 x 36.

36,000 metal bars, 5 inches for bags, 30 x 48.

These bars to be made as to pattern state, length of bar and size of disc strictly in accordance with the samples, one of each size (4 in.-4½ in.-5 in.), of which goes to you by concurrent registered mail.

It is of the utmost importance that the dimensions, width and size of the disc hole correspond exactly with specimen, otherwise will fail to fit the lock, (as to the disc) and the bags, (as to the length and width of each bar).

As it is the intention of the minister that these disc bars shall be brought into use with the least possible delay, I am to request that you will please be so good as to advise the department by return of mail, how soon shipment to this department, of a supply of the three sizes specified may be executed and in what quantity.

Very truly yours,
Sydney Smith,
Controller Postal Stores.

Mr. Edouard Lapointe,
9-11 Desjardins Street,
Quebec, P.Q.

2. For what object were said metal bars ordered?

3. Were any of them delivered?

4. Was said order for metal bars cancelled? If so, at what date and for what cause?

Mr. PELLETIER:

1. The Postmaster General did not dictate that letter, but the controller of postal stores had conferred with him in a general way before writing same. Moreover, the letter as it reads in the question is not accurately reproduced. It will be brought down with the other papers.

2. Because they were expected to minimize one of the objections to the lock.

3. A small quantity were offered, but they were not acceptable to the controller of postal stores.

4. The letter of the 2nd April, together with the answer given to-day about it, explain themselves.

SALARY OF OPPOSITION LEADER.

Mr. EDWARDS:

1. Is the Government aware that the Indemnity Act provides for the payment of $7,000 each year to the recognized leader of the Opposition?

2. Can the Government inform the House to whom the above mentioned salary will be paid this session?

Mr. BORDEN:

1. Yes.

2. To the Right Hon. Sir Wilfrid Laurier.

CIRCULATION OF MONEY.

Mr. BELAND:

Are there in existence any statistics relating to the monetary circulation of Canada, of Dominion notes and bank notes and metallic moneys?

Mr. WHITE: Particulars of the circulation of Dominion notes and bank notes are to be found in each issue of the Canada Gazette. It is impossible to ascertain the amount of metallic money in circulation in Canada, but there are statistics as to the amount of metallic money coined for use in Canada.

CACOUNA STATION WATER.

*Mr. GAUVREAU:

1. Has the Department of Railways and Canals authorized Mr. C. S. Rioux, of Fraserville, to apply to the council of the parish of Cacouna, for the laying of the pipes of the aqueduct for the purpose of bringing water to the station of the Intercolonial railway at Cacouna?

2. If so, what will be the length of the pipe?

3. Where will they take the pure water?

4. What will be the cost of the works?

5. Who asked for the execution of such work?

Mr. COCHRANE: No.

INTERCOLONIAL RAILWAY—RATING OF EMPLOYEES.

Mr. MACDONALD:

1. Has any change been made in the rating or standing of the employees of the Intercolonial railway by changing the district in which it is determined from a division to a province?

2. If not, is any such change contemplated?

Mr. COCHRANE:

1. No.

2. No.

POST OFFICE DEPARTMENT LAW CLERK.

*Mr. CARVELL:

1. Is there a law clerk attached to the Post Office Department at Ottawa.

2. Who has been appointed to that position and what is the salary of said law clerk?

3. What are his functions?

4. When was said office created?

Mr. PELLETIER:

1. Yes.
2. E. L. Fiset; $2,800.
3. Law clerk.
4. By the Supply Bill of last session.

POST OFFICE DEPARTMENT—RENTED OFFICES.

*Mr. TURRIFF:

1. What offices have been rented by the Post Office Department in the city of Ottawa since January 1, 1912?
2. What is the space occupied and the rental paid in each case?

Mr. PELLETIER: None. That is done by the Department of Public Works for all the departments.

UNDISCUSSED AND UNOPPOSED MOTIONS.

For a copy of all documents bearing on the flag incident at Matapedia, Quebec, in connection with which the Minister of Militia expressed regret, and which was referred to in the answer given by the minister to a question put on April 9 last.—Mr. Marcil.

For a copy of the charges made by Messrs. J. A. Mousseau, A. Godbout and J. Blondin, against Joseph E. A. Landry, keeper of the lighthouse at St. Omer, Quebec, on which he was dismissed for alleged political partisanship.—Mr. Marcil.

For a copy of all letters, telegrams, papers and documents in any way relating to the purchase of property at Long Beach St. Mary's, Digby county, N.S., for a lobster pond.—Mr. Law.

For a return showing all leases or permits granted to clubs or individuals to erect or maintain boat houses on the Rideau canal between Laurier Avenue bridge and Hartwells Locks, the date of such leases or permits, to whom granted, and the rental in each case; together with a copy of all correspondence between the Government, or any member thereof, and any person or persons with respect to such leases or permits and the cancellation thereof.—Mr. Murphy.

INSPECTION AND WEIGHING OF GRAIN.

On motion of Hon. G. H. Perley (Acting Minister of Trade and Commerce) it was ordered that the House go into committee to-morrow to consider the following proposed resolution:

Resolved, that it is expedient to amend the Canada Grain Act, chapter 27 of the statutes of 1912, and to provide in connection with Bill Y-2, intituled, An Act to amend The Canada Grain Act, passed by the Senate and now before this House, that whenever application is made to the board to arrange for the inspection of grain, or the weighing of grain, or both, at a place which is not a terminal point of an inspection division or of an inspection district, the board, if satisfied that such an arrangement should be made and that the applicant is a responsible person, may order such arrangement as it deems proper, on condition that, besides the fees payable, the excess, if any, of the costs of carrying out such arrangement over the amount of such fees, shall be paid by the applicant in such manner and at such times as the board may determine; and that the provisions as to the inspection and weighing of grain, and as to the appointment of inspector and weighmasters, and of any rules and regulations made under the said provisions, shall apply at every place with respect to which such an arrangement has been made; and also that the annual license fee payable by the proprietor, lessee or manager of any terminal elevator shall be twenty-five dollars; the annual license fee payable by the owner of an elevator engaged in the manufacture of grain products in the western division shall be five dollars; the annual license fee payable by the owner or lessee of a country elevator shall be five dollars; the annual license fee payable by an applicant to carry on the business of grain commission merchant in the western division, shall be five dollars; and the annual license fee payable by any person to carry on the business of a track buyer shall be five dollars.

PRINCE ALBERT HOMESTEAD ENTRY.

Mr. OLIVER: Before the Orders of the Day are called, in the absence of the Minister of Public Works, I wish to draw the attention of the Prime Minister to the fact that the information in regard to certain files, to which reference was made on Thursday last, has not yet been given to me by the Minister of Public Works. I am anxious to get that information as soon as possible in order to move for a return of the papers affected.

Mr. BORDEN: I will direct the attention of the Minister of Public Works to my hon. friend's request.

QUEBEC AND SAGUENAY RAILWAY.

Mr. GRAHAM: I notice a despatch in one of the newspapers to-day which states that the Quebec and Saguenay railway has been taken over by the Mackenzie and Mann interests, and that they have guaranteed the Government that they will construct a number of miles this season. Will the Minister of Railways tell us if that is correct?

Mr. COCHRANE: I have no official knowledge of it. I have heard rumours of it and saw the despatch in the Montreal Gazette to-day. No pledge has been given to me, or to any member of the Government to that effect.

UNION LIFE ASSURANCE COMPANY.

Mr. W. M. MARTIN (Regina) asked for leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the financial condition of the Union Life Assurance Company of Toronto, and the urgent necessity, in the interest of the policy holders, of the Govern-

ment advising the public of the result of any investigation which may have been held into the affairs of the said company.

And leave having been granted:

He said: I have no intention to take up more than a very few minutes of the time of the House in discussing this question. My reason for bringing it up at all, is that I have had representations made to me by policy-holders who reside in the same city as I do to the effect that in view of the statements that have appeared in the Monetary Times, the Toronto Saturday Night and other financial papers in Canada, they do not know whether they should make to that company further payments of their insurance premiums. Only a few days ago, I had a letter from one of my constituents who is a policy-holder in that company to the extent of $6,000, and who is a business man in the city of Regina, not apt to be taken by storm very easily by anything he reads in the newspapers, and he does not know whether he should make any further payments to the Union Assurance Company. I asked a question of the Minister of Finance yesterday—I have no doubt that he has taken the position which he believes is in the best interests of public policy at the present time—I asked him across the floor of the House for some information with respect to what the Government had been doing in regard to investigating the affairs of that company, and I think he stated in substance—his answer appears in 'Hansard'—that it was not in the best interests of the public, or in the interests of public policy, to make any statement at the present time in regard to the matter. In the list of questions on the Order Paper to-day there was a question in regard to the same matter, and the Minister of Finance made a similar statement.

The position I take on this matter is that it may be in the interest of the Union Life Assurance Company that nothing should be said in regard to it at the present time; but there is another side to the question. It is being advertised in the company's literature, and I presume the statement is correct, that there are in Canada 150,000 policy-holders in the Union Assurance Company, and I submit with all deference to my hon. friend the Minister of Finance that if this company is, as some newspapers say, on its last legs, and if the Department of Finance has any information which would lead those policy-holders to come to one conclusion or another in connection with the further payment of their insurance premiums, the policy-holders of that company are entitled to the information which is in the possession of the Government. All the information I have in connection with this company I have obtained from the Monetary Times, which contains figures taken from the last report of the Superintendent of Insurance in connection with the affairs of the leading insurance companies in Canada. All the figures I will give to the House are taken from the report of the Superintendent of Insurance. I wish to refer to two or three points taken up in the Monetary Times, points I submit, which if true, indicate that there must be something wrong with the affairs of the Union Life Assurance Company, and if any investigation which the department has held in accordance with the provisions of the Insurance Act into the affairs of that company shows that there is something wrong, or that the company is not in good financial standing, it would be better to let the policy-holders know than have the matter drag along for two or three years and then have the policy-holders, who have put thousands of dollars of their savings into that company, find that it was not in a good financial condition. I have here clippings from the Monetary Times, but I am not going to take up time reading the whole of them. I have the Monetary Times of February 8 and of March 29, and the Toronto Saturday Night of March 29. What appears in the Monetary Times shows that this company from year to year, during the past five years, has written a tremendous amount of life insurance. In 1911 it obtained new business amounting to $19,333,496, but in the same year the business of that company which lapsed amounted to $12,875,475. Let me read to you what the Monetary Times says in regard to it. I am not an insurance expert, and I will not express my opinion as to the meaning of such a large amount of insurance lapsing. The Monetary Times says:

> The new business is certainly large and is almost entirely 'industrial,' but the business lapsed is also surprisingly large and it is to be accounted for probably by the fact that in order to show large figures of new business and to lessen the reserve liability the management appear to have resorted to the cheap and easy method of selling term insurance in place of the usual life and endowment policies as in other industrial companies, for out of some seventeen millions' dollars of industrial business written in 1911 over thirteen millions was nothing more than term business. Industrial business even on the level premium plan is notoriously non-persistent but when term insurance is resorted to it is evident the elements of stability and profit-making are largely absent.

Then it goes on to refer to the management of the company. These are matters I do not wish to refer to. With respect to what the company's financial position was then, the Monetary Times was drawing its conclusions from the report of the superintendent of insurance. It goes back to the years 1907-8 and comes down to the year

1911. In the year 1911 the total paid up capital of the company, according to the report of the superintendent of insurance, was $741,232. The impairment of capital in 1911 was $403,802, or almost 60 per cent of the capital of the company. The premium income of the company in 1911 was $631,845 and the expenses of management were $631,426, so that the company had in the year 1911 the magnificent sum of $59 to put to the reserve fund for the purpose of paying policies. The report of the superintendent of insurance shows that a large portion of the assets of this company are invested in building societies. It is not customary to invest insurance funds in building societies. They are generally placed in bonds, debentures and first mortgages and, when you can get eight per cent per annum on first mortgages on first class real estate, I cannot understand why an insurance company would invest $141,595 in building societies. Let me read what the Monetary Times says in regard to the financial condition of this company. It appears that in 1907 there was only a paid-up capital of $100,000. The manager recognized that they must get more capital in order to carry on the business and he went over to England and in 1911 succeeded in increasing the capital stock of the company from $100,000 to $741,000. This is what the Monetary Times says with regard to the matter:

The method resorted to in order to enable the company to secure capital and so to continue in business was ingenius. President Evans resolved to tap the pockets of English and Scotch investors in whose mind Canadian securities were becoming so rosy about 1909. To the metropolis of the British Empire accordingly sailed the president of the Union Life and succeeded in launching a stock proposition at which British investors appear to have bitten eagerly. It is necessary only to examine the list of stockholders in the Government blue book to see that President Evans swept Great Britain from Land's End to John O'Groats and succeeded in bringing back to Canada over half a million additional capital for his company. Just what were the representations on which this money was secured, we do not know.

The year 1911 shows still further paid-up capital was secured to the extent of over $100,000 presumably from the same source, this bringing the paid-up capital up to $741,232. The column in the foregoing table entitled 'Impairment of Capital,' is instructive. It shows that between 1907 and 1911 the impairment of capital has grown from $70,000 to over $400,000. To be sure the business of the company has also increased and if the business were regular level premium business in place of being largely term business, the result would be less disquieting. An examination of the expenses of management shows the extraordinary result that during the last two years these expenses have used up practically the whole premium income, so that during 1911 the impairment of capital increased about 200,000.

Mr. MARTIN (Regina).

Then it goes on to say that the capital was secured in Great Britain by paying a premium of 20 per cent on each share of stock.

An interesting sidelight on the faith of the British investor is shown by the fact revealed by the Government returns, that the new capital was secured at a premium of about 20 per cent., for of the $641,232 new capital secured in Great Britain in 1910 and 1911 the large additional sum of $122,815 was paid as premium on capital. On the other hand the still larger sum of $145,420 was spent in the effort to secure this new British capital.

Were the interests of the British investor properly safeguarded when this money was secured?

Then it goes on to speak about investments:

Turning to the investments, we are not a little surprised to see so much money invested in the stock of building societies, as the following indicates:—

It gives a table of the investments in building societies and says:

When so many excellent bonds and debentures can be now secured at good rates of interest and when it is so easy to loan money at high rates of interest on safe mortgage it seems somewhat perplexing to discover the reason why the management of the Union Life should have departed so far from the beaten track of approved life insurance investing. We venture to think President Evans would have increased the public confidence in his company and besides made better returns in the long run by following the practice set by other older and larger companies in the character and distribution of his investments.

But now the question arises what of the future? Rumours of amalgamation have been in the air. It is also stated that President Evans has been abroad, endeavouring to enlist further capital or other interest in his enterprise. Although the whole situation of the Union Life and Home Life demands his presence and efforts here, he is still abroad. In the meantime, we have confidence that the Government Insurance Department is keeping a close scrutiny on the operation of both companies so that the best interests of their policy-holders may be maintained.

We submit, however, that President Evans owes it to himself and to the name of Canadian life insurance to disclose his intentions as to the future of these two companies and what steps he and his co-directors are taking to conserve the grave interests committed to their care. The Monetary Times would like to have placed at its disposal a complete report of the statements submitted to foreign investors in England or France as a basis for investing in the stock of the Union Life; a statement of the movement in loans and investments for the past year in both companies; information as to the subsidiary companies in which Mr. Evans is interested and their relation, if any, to the Union Life and the Home Life; and an official statement as to what general policy is being formulated to place these two companies more fully in the public confidence, or otherwise to safeguard the security of the policy-holders.

I would not pay very much attention to statements of this kind appearing in an ordinary newspaper; but when these statements appear in the Monetary Times, which is recognized as one of the leading authorities on financial affairs in Canada, they deserve some attention on the part of the insurance branch of the Department of Finance. I find the following in a later edition of the Monetary Times:

It is quite evident that the affairs of the Union Life need attention right way, but everywhere almost we hear that 'Mr. Evans, the president, is away.' It is time Mr. Evans, the president, was home again, setting his financial house in order. If he does not recognize the need of his presence in Toronto, the Department of Insurance should.

Now, I desire to call the attention of the House to what appears in Toronto Saturday Night. I do not know how well qualified Toronto Saturday Night is to discuss questions of insurance, but I know that when the man, who writes the financial column of Saturday Night, speaks with reference to affairs in western Canada, he generally strikes the nail on the head and I would not be surprised if he again strikes the nail on the head with reference to the affairs of this company. On March 29, 1913, Saturday Night contained the following:

Another disquieting feature of the Union Life financial statement is that a very considerable proportion of the assets consists of securities of, or loans against securities of, companies which are controlled by H. Pollman Evans. These stocks to a certain extent, greater or less, depend again on other Pollman Evans' companies. They are, in fact, so interwoven that it is impossible to form even an estimate of their relations and values. However, some light can be thrown on the situation by the statements covering the National Land, Fruit and Packing Company now in liquidation, and of which Mr. Evans was the promoter. We have before us a report issued on December 9, 1911, which showed assets of $1,485,825, and liabilities to the public of $62,000, yet a few months after it was in liquidation the later report of the liquidator shows liabilities of $165,459, and the assets, excluding orchard leases, are $206,389, and 'this should be materially reduced.' One item of assets, $372,956 investment account, appears to have disappeared altogether.

Saturday Night goes on to say:

Taken all together, there appears to be a pretty mess which sooner or later will take a deal of straightening out on the part of the Insurance Department, for it does not take a prophet to tell where the Union Life is headed for.

I said at the outset of my remarks that I did not know anything personally about the Union Life Assurance Company and that I did not know any of the men who are interested in it. From letters which I have received from policy-holders residing in my part of the country, I know that there is a great feeling of unrest as to what they should do in regard to their insurance premiums. The Minister of Finance knows the terms of the Insurance Act. I refer particularly to sections 36, 37 and 38. Section 36 of the Insurance Act, chapter 34 of the Revised Statutes of Canada, says:

The superintendent may under orders from the minister make inspection visits to companies.

It goes on to provide that he can make examinations under oath. Section 38 provides:

If it appears to the superintendent that the assets of any company are insufficient to justify its continuance of business under the requirements of this Act in that behalf respecting the amount of deposits and assets, or that it is unsafe for the public to effect insurance with it, he shall make a special report on the affairs of such company to the minister.

Then sub-section 2 of section 38 says:

If the minister, after full consideration of the report, and after a reasonable time has been given to the company to be heard by him, and upon such further inquiry and investigation as he sees proper to make, reports to the Governor in Council that he agrees with the superintendent in the opinion so expressed in his report the Governor in Council may, if he also concurs in such opinion, suspend or cancel the license of such company.

Then sub-section 3 says:

Such company shall, during such suspension or cancellation be held to be unlicensed and unauthorized to do further business.

I would not have brought this matter up at all if I thought it would do any injury to the company. I brought it up simply in the interest of the policy-holders, of whom there are about fifty thousand according to this report. I submit to the Minister of Finance that, if an investigation has taken place and if the company has been found to be on a solvent basis, then the policy-holders of the company should know it. If the company has been found by the investigation conducted by the Government to be on an insolvent basis, then the policy-holders are equally entitled to the information in order that they may protect themselves in future. I simply urge upon the Minister of Finance, if no investigation has taken place, that there should be some investigation owing to the statements made in the Monetary Times.

Hon. W. T. WHITE (Minister of Finance): I must say that my hon. friend has taken a very unusual course—I shall not characterize it in any other way—in passing a note over to me about three or five minutes before he started to speak, telling me that he proposes to discuss this matter.

Mr. MARTIN: I did not know that I was wrong in not advising the minister. I

offer my apology. I understood that all I had to do in a case of this kind was simply to give a copy of the resolution to the Speaker. I would not have written the note to the minister if he had not written to me.

Mr. WHITE: My hon. friend does not require any advice from me as to the propriety of what he did. If I had known that my hon. friend proposed to discuss this matter, I would have made myself acquainted with the facts and have had some memoranda here in order to give information to the House. As it stands, I have to rely upon my memory, which happens to be fairly clear. As my hon. friend states that he intended no discourtesy in the matter, I accept entirely his explanation.

My hon. friend has stated that he believes the course that he has taken is in the interest of the policy-holders. If my hon. friend has the interest of the policy-holders very much at heart, I think it might have been advisable, in view of my statement to him that I considered it inadvisable in the public interest to bring down an answer to the question which he placed on the Order Paper, to have consulted with me before taking the very unusual step that he has taken in calling attention in this very public way to the matters which have been dealt with by him in his speech. It is true that there has been a great deal of discussion in certain of the financial papers with regard to the affairs of the Union Life Assurance Company. The articles which my hon. friend has read have been brought to my attention upon more than one occasion. As he has referred to section 38 of the Insurance Act, I may say to him that the provisions of that particular section have been observed to the full by the Insurance Department. The Insurance Department has been exceptionally diligent in connection with the case of this insurance company, because its affairs have been discussed, as my hon. friend has stated, in the financial press of this country upon more than one occasion. As long as a year ago, I took up the matter myself personally, and I may say that actuaries of the Insurance Department visited Toronto; that an extension of the license of the company was granted for a period of only three months, and for shorter periods since; that in every case the extension was granted upon the report of actuaries of the Insurance Department after a very full investigation of the affairs of the company. I should think—I am speaking now from memory—that the actuarial officers of the Insurance Department have been in Toronto quite a dozen times during the past year looking into the affairs of the company and making reports thereon. The information which they have obtained has been passed on to me in memoranda, and in every case their recommendation for an extension of license for a limited period has been acted upon and has been claimed to be in the best interests of the company and of its shareholders. My hon. friend has stated that in his opinion it is very desirable that a statement, substantially in answer to the question which he placed upon the Order Paper, should be made by the minister. The reason why I did not deem it in the public interest that the information should be given, and why I do not deem it in the public interest that this discussion should take place at this particular time, is this: We have been in cable communication with certain of the English shareholders who have expressed a desire to increase the assets of the company by paying in further amounts on account of their subscribed shares. In addition to that, there have been negotiations on foot in Canada, which may come to a conclusion by the end of this week, whereby the financial position of the company will be very materially improved. It is by having regard to those two matters that the Insurance Department has been dealing with the company in the manner that I have indicated. I think my hon. friend will agree that it is very much better that a company should be saved than that it should be destroyed, if it is possible to save it; that is, it is in the interests of both the shareholders and the policyholders that, if the position of the company can be strengthened in the manner that I have indicated, that should be done. It is just possible that the unusual course taken by my hon. friend—I do not desire adversely to criticise it, as it is within his right to take it—may have the effect of terminating these negotiations, which I have every reason to believe will materially strengthen the financial position of the company.

Mr. GRAHAM: The hon. member for Regina (Mr. Martin) discussed the paid-up capital. Can my hon. friend tell me what the subscribed capital is? It might make a difference.

Mr. WHITE: If my hon. friend had taken what I deem to be the usual and courteous course in this House of giving me notice, I think I could have had all the information before the House. But I think that my hon. friend from South Renfrew, who is an experienced parliamentarian, will realize that there is some degree of unfairness in bringing on a motion of this kind without any notice whatever to the minister. I am unable to say at the moment how much is paid and how much unpaid, but I am able to say that I have reason to believe that negotiations are at present proceeding in Canada, apart from the English situation, which, if they eventuate favourably will materially strengthen

the position of the Union Life and probably enable the department to continue the license for a limited period.

Mr. GRAHAM: I desire to put myself right. I was not trying to say anything to injure the company, but trying to get out the information that possibly the subscribed capital might be so far in excess of the paid-up capital that the company would be in a much better financial position than it might seem to be.

Mr. WHITE: I regret very much that, in view of all the circumstances in which this matter is being discussed, I have not had an opportunity to prepare a memorandum form in which I might have informed the House and my hon. friend as to the matters referred to. I think I cannot add to the discussion anything useful to what I have said. We had hoped that by these negotiations and the cutting down of the annual expenses the condition of the company would be so improved that the department would be justified in continuing, as I have said, for a short period, and afterwards for a longer period if found desirable, the extension of the license. And I must repeat to my hon. friend—who, as I have said, is quite within his right—that a discussion of this kind based upon newspaper articles with regard to a financial company, especially under the circumstances mentioned, is, in my judgment at all events, not in the best interests of the public, or the shareholders or the policyholders.

Hon. FRANK OLIVER (Edmonton): I do not think it matters so much in this connection what details of information may be available to us in regard to the life insurance company. What is important is to know how far control by Government of life insurance companies acts as protection to the holders of life insurance policies. The shareholders of the company may be trusted to take care of themselves, but the policy-holders, the people who contribute the money for the upkeep of life insurance, are the people in whom, I think, especially this Parliament is interested, and who are entitled to look to some degree to Parliament and to the Government for protection of their interest. At this point it is desirable that there should be information as to just what responsibility is assumed by the Government in the protection of the interests of the policy-holders of life insurance companies. I must say, if I may be permitted, that the attitude assumed by the Minister of Finance is not the attitude that I think is generally expected under the responsibility of the Government in regard to these companies. I think it is generally assumed that the inspection and control by Government—because there is not only protection but also control—is a substantial measure of protection. I am bound to say that what I have gathered from my hon. friend's statement is that in his view the Government have no serious responsibility, no means of substantially and effectively protecting the policy-holders. I do not wish to enlarge on this question. But I submit that the class of people who contribute life insurance money, the interests on whose behalf that money is contributed, the purposes held in view by those who contribute the money, make the question of the control of life insurance companies one very especially under the review of Parliament, and under the supervision and control of the Government; that is to say, conditions are such that if there is anything in Canada that should be looked after carefully by the Government it is the protection of the policy-holders of life insurance companies.

Mr. WHITE (Minister of Finance): Is the hon. gentleman aware that the assets of this particular company that has been complained of were all acquired during the regime of the Government of which he was a much respected member?

Mr. OLIVER: I was not aware of that fact.

Mr. WHITE: We had better post ourselves on those things.

Mr. OLIVER: I really do not see what that has to do with the question. I am discussing this question without regard to what government is in power, and I want my hon. friend to understand that. I am not criticising his attitude from a partisan point of view. I assume that he has made a statement on behalf of this Government that would probably have been made under like circumstances by his predecessors. I am discussing the general question and trying to discuss it from the standpoint of the public interest and the interest of the policy-holders, not from a partisan standpoint. If the condition is such that the policy-holders are entitled to, but do not receive, protection from that supervision and control which is the responsibility of the Government under our law, then I take this opportunity to give my opinion that we should amend the law, that we should provide that there shall be a substantial measure of protection so far as it can be given, having regard to the absolute impossibility of those who are either the contributors to or the beneficiaries of life insurance funds protecting themselves. I say again, if there is anything that this Parliament and the Government should have regard to it is this matter of life insurance.

Now, in regard to the offence that is supposed to have been committed by my

hon. friend in bringing this matter to the attention of the House and the possibility of disarranging negotiations in progress which might be beneficial, it seems to me that, the facts being before the country, as they are—because the facts which the hon. gentleman stated are taken from the report of the Insurance Department and have been published in the leading financial paper of the country—it surely cannot make any difference that these statements are repeated on the floor of this House. The purpose in so repeating them is not to place the facts again on record, but to secure from the Government a statement as to what their action is to be. I do not wish to make any partisan criticism, and I will say that I am not entirely familiar with life insurance, but it strikes me, as an outsider, that when a life insurance company is in a position which permits the Department of Finance to extend its license only from month to month, the time has arrived to secure a settlement of the outstanding affairs of that company, so that the policy-holders who have already paid their money into the company, shall not be in danger of losing further sums, and so that persons who have not become policy-holders shall not be induced to become associated with an institution which, within the knowledge of the Government, is not in a substantial or sound financial condition. I do not wish to put that forward as any special criticism of the hon. Minister of Finance or the Government, but I want to put it forward as a concrete case, bearing upon this great question, and as demonstrating, as it appears to me, the fact that there should be a supervision and control and substantial protection in this regard that does not exist at the present time.

Motion (Mr. Martin) negatived.

THE RULES OF THE HOUSE—LIMITATION OF DEBATE.

Consideration of the proposed resolution of Mr. Borden, to amend rule 17 of the House of Commons, and the proposed motion of Mr. Hazen, that this question be now put, resumed from April 22.

Mr. W. F. CARROLL (South Cape Breton): I am glad to have an opportunity of discussing briefly the iniquitous resolution that was moved in this House by the Prime Minister on the 9th day of the present month, and to have the privilege of adding to the remarks already made a word of protest against the adoption of that resolution. I shall endeavour, in the course of my remarks, to show that the proposed amendment to the present rules of this House is unjust, unwise, unreasonable, and wholly unwarranted. Considerable discussion has taken place on this resolution since its introduction, and the matter has been fairly discussed by hon. gentlemen on this side of the House. It has been fairly discussed by a few hon. gentlemen on the other side, but, excepting the speeches of the right hon. the Prime Minister and the hon. member for Portage la Prairie (Mr. Meighen), there have emanated from hon. gentlemen sitting at your right, Mr. Speaker, no remarks of an enlightening or educative nature in so far as this proposed resolution is concerned. In the early stages of this debate we had a pronouncement from an hon. gentleman who, from his position, I would assume would be well quaified to discuss a question of such importance. The hon. Minister of Justice (Mr. Doherty) undertook to discuss the resolution, but, in so far as I have been able to follow his utterances, I do not find in them anything which goes to show how these rules may be reasonably applied, and whether or not their adoption by this Parliament is justified. It is true that he contended that the rights of the majority in this country should be protected, and that the Opposition in this Parliament have, by their methods of debate, infringed upon the rights of the majority. Although a young member of this House, I wish to say that I absolutely fail to see how the Minister of Justice could reasonably make such a declaration, and where he has received the facts upon which he founded the statement I am unable to tell. Nothing has taken place during this present session of Parliament which would warrant the hon. gentleman in making such a pronouncement, and I do not know whether anything has ever transpired in the Parliament of Canada which would justify any hon. gentleman fo this House in making such an assertion. The facts of the case are that the rights of the majority have not been infringed upon during the present Parliament; that their rights were never infringed upon, and, even if the rules as they at present exist were to be continued, I do not think there would be any possibility that the rights of the majority in this House would be encroached upon. It is not an encroachment upon the rights of the majority that we in this House have to fear, but rather an infringement upon the rights of the minority. The hon. Minister of Justice in discussing this matter said there had been obstruction during the present session by the members of the Opposition, and that in the last Parliament, when the reciprocity agreement was being considered in 1911, there was no obstruction. I want to be fair in this matter, and I put a proposition which I think will appeal to you, Mr. Speaker, and to the members of this House, when

I say that if there has been obstruction of the Naval Bill during the present session of Parliament, there certainly was obstruction of the reciprocity agreement in the session which came to a conclusion in 1911. I do not think there was obstruction in either case, but I want to make the further remark that, as far as I am personally concerned, I do not care whether or not I am charged with having obstructed the Naval Bill during the present session. I take the ground, and take it readily and heartily, that I was prepared to obstruct the passage of the Naval Bill in this House, and that I would be, and am now, willing to oppose by obstruction the passage of this Bill. So long as I am a member of this House, so long as my constituents send me to this Parliament as their representative, if they are of the same mind as they are at the present time, I shall continue, so far as I am allowed, my obstruction to the passage of this Bill. As I have said, I do not think there has been obstruction in either case, particularly if we accept the definition of obstruction as laid down by a very eminent Speaker of the English House of Commons, Mr. Brand. This is his definition of obstruction:

The distinctive mark of obstruction lies in the indiscriminate and incessant resistance of an extremely small minority to proposals of the most diverse kinds.

No action of ours, taken in this House, could be construed as coming within that definition of obstruction. If there was obstruction of the Naval Bill during the present session, there certainly was obstruction to the passage of the reciprocity agreement in 1911, because, as I understand it, the reciprocity Bill was introduced some time about the middle of January, and up to the 19th of July the Bill had not been reported. The Naval Bill was introduced on December 5 last, and for the last four or five weeks, since this resolution was introduced, there has been no discussion on that question so that there was not more time devoted to the discussion of the Naval Bill than to the discussion of the reciprocity agreement. But, the Minister of Justice says, that was a very important measure, it dealt with the fiscal policy of this country. We must conclude from his remarks that the Naval Bill is not an important measure. As to the importance of the two pieces of legislation, reciprocity in some form or other has been before this country since 1872 and all political parties in Canada since that date have been in favour of a reciprocity agreement with the United States of America so that the people of this country were thoroughly familiar with the subject; they knew it was not interfering with our independence or our rights of responsible government. But what about the importance of the Naval Bill? It is a new departure, a departure wholly unwarranted by anything which has transpired in this country since we have had the right of responsible government. It is a departure which, on the floor of this House, was negatived in 1909 by unanimous resolution. Thus on the question of the relative importance of the two questions, in my humble way of thinking, the naval proposals before this House are far more important and their effects more far-reaching than could have been the reciprocity agreement of 1911. The Minister of Justice goes on to say that there is a clamour throughout the country for some amendment to the rules, for some form of closure in this House. I fail to see where the clamour is. If it is a clamour it has not the sound of the ordinary clamour when one arises in this country. In so far as I can see at the present time, the Liberal party and the Independent party and some of the Conservative party are absolutely opposed to a measure of closure such as this resolution imposes upon this House. There has been no Liberal newspaper which has not stood by our honoured leader in the discussion of and opposition to the imposition of this closure. The labour people of this country are opposed to it, there is no doubt in the world about that. There is only one way in which the labour unions of this country can bring grievances before this House; this is the proper Parliament in which the grievances of labour should be heard because we have, in this Government as in the past Government, a Minister of Labour. I would like to tell the Minister of Justice that when he says there is a clamour in this country for the imposition of closure he is speaking without authority to speak for the great masses of the workmen and artisans of Canada. He may be speaking for the multi-millionaires of Montreal and the multi-millionaire manufacturers of Toronto but he has no mandate from the labouring population of this country which, as a matter of fact, constitutes the majority of the people, to say that there is in their ranks a clamour for the imposition of a closure Bill upon this House of Commons. Other hon. gentlemen opposite have spoken on this question. We have had two very notable deliverances from the hon. member for Portage la Prairie (Mr. Meighen). I wish to say, in justice to that hon. gentleman, that he was one of the two gentlemen who approached this question in the manner in which it should be approached; that is he dealt with the rules, explaining the rules as he saw them according to his light. But there were some observations in both the utterances of that hon. gentleman which

call for a passing remark from hon. gentlemen on this side. In his first speech he tried to defend the action of the hon. Minister of Marine and Fisheries in moving the previous question and thus debarring the right hon. the leader of the Opposition from bringing in any amendment to this resolution. One of his utterances at that time was that they were justified in moving the previous question because he had heard that there were ninety-six amendments which were to be moved by hon. gentlemen on this side of the House to the resolution. I have only to say that the sense of hearing of my hon. friend from Portage la Prairie must be very highly developed because we on this side of the House, who are certainly in as close touch with the leader of the Opposition as that hon. member, never heard of any ninety-six amendments; but we did hear of one amendment, which was a constitutional amendment, and one only, and I say that in that remark the hon. member for Portage la Prairie was drawing upon his imagination rather than upon his fund of knowledge. Another utterance of the hon. member's appears at page 7699 of 'Hansard' of this year, where he is reported as follows:

I say that rule 17, which this Government availed itself of in order to permit the previous question to be moved, was placed in the rule book by the right hon. the leader of the Opposition.

That statement remains upon 'Hansard' and I would advise the hon. member, if he wishes to be as just and as fair as I, for one, believe him to be, to correct that impression which has been sent broadcast throughout the country.

Mr. MEIGHEN: If the hon. gentleman will read the statement correctly he will see that it needs no correction. I stated that it was placed in its present form in the book by the leader of the Opposition.

Mr. CARROLL: That is true, but it follows the words I have taken from 'Hansard.' The words I have quoted stand there to-day, and every Conservative newspaper in this country the next day published them with huge headlines. I say again, Mr. Speaker, that if the hon. member for Portage la Prairie is as fair and as just as I believe him to be, and as he would lead this House to believe, he should expunge that particular paragraph from the records of 'Hansard.' It is not in keeping with the facts. Rule 17 has been one of the rules of this House almost since Confederation. There was an amendment to it, to be sure, that it was not debatable, but in substance the rule is the same to-day as it was previous to the time when the right hon. gentleman who now leads the Opposition led the Government of this country. Yesterday the hon. member for South Wellington (Mr. Guthrie) in a clear-cut declaration, so clear-cut and explicit, that a school boy could understand it, showed that a Bill might be introduced in this House and put through its various stages without a member of the Opposition being able to discuss or criticise it, or to move an amendment to that Bill, with the exception of the first motion that leave be given by the House to introduce the Bill. How did my hon. friend from Portage la Prairie meet that? He gave his definition of the word 'debate.' He said there must be some debate upon such a question. I am not going to reiterate the speech of my hon. friend from South Wellington; I think it was so clear-cut that any person could understand it, and I think that when the hon. member for Portage la Prairie undertook to get over that insurmountable wall he sprawled on his back. The only way in which he tried to get over it was to say that there must be some debate. So, say I, Mr. Speaker, but debate does not necessarily mean a controversy between contending parties in this House. A debate does not necessarily mean a discussion involving speeches from members on the Government benches and from members of the Opposition. An hon. member may get up on the other side of the House and discuss a question pro and con, and that would be as much a debate as if hon. members on both sides of the House were to take part in it. So I say that that proposition of the hon. member for South Wellington stands as an insurmountable wall, because it is a true, logical and a well reasoned argument. If I remember rightly, I think that the hon. member for Portage la Prairie told us to go to the dictionary to find out what was the meaning of the word 'debate.' I can debate a question with myself without giving utterance to one audible syllable.

Mr. GRAHAM: That is the way the Government did.

Mr. CARROLL: Yes, that is the way the Government did. If I have not fully convinced the hon. member for Portage la Prairie that my contention is right, I will say that there is under the rules of this House a provision, as there will be when this resolution passes, an opportunity for two members to discuss a subject. I will go so far. One hon. member on the other side and one on this side of the House might discuss it, and if an hon. minister rising in his place wished to impose the closure, he could do so, and any Bill introduced in this House, important or unimportant, might be passed, on a strict reading of these rules, after two speeches only, and both of these speeches might be on the other side of the House. If my hon. friend from Portage la Prairie does not

admit that one hon. gentleman's speech is sufficient to bring these rules into force, he must admit that discussion by two hon. members, would. All discussion could be shut off after two hon. gentlemen had spoken, and that is bad enough, Mr. Speaker.

In his speech last night, my hon. friend from Portage la Prairie, discussed at some length the question of whether or not the methods in which this resolution is being forced through the House are constitutional. The ground is taken on this side of the House that the proper method of dealing with amendments to the rules is to refer them to a committee of this House composed of hon. gentlemen from both sides who would confer with Mr. Speaker. But says the hon. member for Portage la Prairie, they have amended the rules in the British House, without adopting that procedure, and he said that Sir John A. Macdonald amended the rules of this House in 1868, I think, without the amendments being sent to a committee of the House in conference with Mr. Speaker. He says we are doing the same thing now, and therefore it is right. That reminds me of a story which I heard about a justice of the peace. The scene of the story is laid in Manitoba, and I have no doubt that the justice of the peace in question was appointed by the present Government of Manitoba before some of the present Cabinet timber in this Government was taken from the government there. A poor unfortunate was charged before the justice of the peace with having committed murder. A day was set for the investigation of the charge, and of course the accused got counsel. On the morning on which the investigation was to be held, to see whether there was sufficient evidence on which to commit the accused to the Supreme Court, the solicitor appeared before the justice of the peace, and asked when the investigation into the murder charge was going to take place? 'Oh,' said the justice of the peace, 'I have tried the case already.' 'But,' said the solicitor, 'you cannot try the case, you have no jurisdiction to try the case.' 'I can try the case,' replied the justice of the peace, 'I have jurisdiction to try the case.' Matters then became pretty hot, and eventually the justice of the peace turned to the solicitor and said: 'Come with me.' He took the solicitor behind the house, and said: 'look, have I not got jurisdiction?' There was the man hung up to a pole behind the house. Of course he had jurisdiction, and of course the Government have some kind of jurisdiction to pass through this House a resolution of such importance as the present one, without sending it to a committee of this House composed of hon. gentlemen on both sides who would confer with Mr. Speaker.

I am going to submit some evidence, but before doing so I wish to say that I agree with the hon. member for Portage la Prairie that certain amendments have been made to the British rules and that one amendment at least has been made to the rules of this House without those amendments being referred to a committee, to confer with Mr Speaker. That is very true.

Mr. EMMERSON: That was by consent.

Mr. CARROLL: I do not know whether it was or not, but there never has been in this Parliament or in the British Parliament any rule or any amendment of the standing rules of any great importance without that rule or amendment being sent to a committee of the House to investigate and report. I am not saying this without having some authority. There is an hon. member of this House—a real hon. member—who, I presume, knows something about parliamentary procedure. He has been in this House since 1896. He is a great constitutional lawyer, one of the greatest in this country, and I presume that he knows as much about the rules of procedure in this House and by his study, knows as much about the rules of procedure in the British House of Commons as does the hon. member for Portage la Prairie (Mr. Meighen). I am going to cite no less an authority than the Prime Minister to the effect for which we contend on this side of the House. I am going to put his evidence against the evidence of the hon. member for Portage la Prairie and let them settle it as best they can. In 1908 there was a resolution proposed by the then member for Lunenburg, the present junior member for Halifax (Mr. Maclean), to the effect that, before any amendment should be made to the motion to go into Supply, two days notice of it should be given. It was not for the purpose of cutting out discussion, of applying the gag, of introducing the guillotine, or the kangaroo, or any of those things, but it was for the purpose of directing the attention of the ministry to the particular questions that were going to come up so that they would be in a position, when the time came, to discuss them in an intelligent manner. What happened? The Premier of this country, then the hon. member for Carleton, Ont., rose in his place and said:

> It rather takes the House by surprise to have a proposal of this kind made. The rules of the House are not lightly dealt with in this way; the universal practice is that so important a matter as an important amendment to a rule of the House should be submitted in the first place to a committee, considered by that committee and reported

on to the House, when the House would take it into consideration.

Is there not the widest difference in the world between the very innocent amendment proposed by my hon. friend the junior member for Halifax and the wide, iniquitous amendment proposed now? Surely, if the right hon. leader of the Government in 1908, should say that it was iniquitous to pass the amendment proposed by my hon. friend from Halifax without that amendment being considered by a committee, there is no word in the English language to express the iniquity of the present amendment in proposing to rush this resolution through the House without giving it the same consideration as he thought that resolution was entitled to.

Mr. MEIGHEN: I would like to ask the hon. gentleman if he has finished his quotation from the right hon. Prime Minister, and, if so, will he now give me a chance to make the explanation that he asks for?

Mr. CARROLL: I am not through reading all that I am going to quote from the right hon. gentleman. The hon. gentleman will have an opportunity of explaining this, although I do not think it can be explained satisfactorily.

Mr. MEIGHEN: Just let me try.

Mr. CARROLL: I know the hon. gentleman will do well. I have listened to the hon. gentleman and he certainly can try—I know that. But, I am afraid that his efforts will fall as flat as his effort to overcome the argument of my hon. friend from South Wellington (Mr. Guthrie), last night. The right hon. the Prime Minister continues:

> We revised the rules of the House two years ago and, in the opinion of the House, there was no occasion at that time for any such far-reaching amendment as is now proposed.

Far-reaching? I would like to hear what word my right hon. friend would use in expressing the effect of the present resolution if he called the resolution of my hon. friend from Halifax far-reaching. He goes on:

> It would prevent the discussion of any grievance on motion to go into Committee of Supply unless two days' notice were previously put upon the Order Paper.

May I direct the attention of my right hon. friend to the present resolutions which, as we read them, would debar hon. gentlemen from airing their grievances in this House even if a year's notice were given to the government benches? They have no right, apparently, to bring their grievances to the attention of the House. The Opposition have not the same rights in this House that they had in 1908 or 1910. The hon. gentleman continues:

> That would be an abnegation of the practice that has prevailed for five hundred years in the British House of Commons and that has prevailed in this House of Commons ever since we have had parliamentary institutions in this country. The hon. gentleman (Mr. McLean) speaks of members of the House being taken by surprise, but they need not be taken very much by surprise if they perform their duty and attend here. Surely matters of public interest can be discussed in this House without two days' notice on the Order Paper. The proposal would cut down to a very serious extent the privileges of this House, and I venture to say that in the end it would not be found to shorten the length of the session. I understood the hon. gentleman to refer to some English rule, but so far as the English practice is concerned, they go infinitely further than I hope we shall ever be obliged to go in this country.

The right hon. gentleman says that we can have the English practice, that he will introduce it if we like, whereas he prays in 1908 that we shall never be obliged to introduce into this House the rules which they had in the British House of Commons at that time, the same rules that he says we can have if we want them in preference to those which have been introduced by him.

> If we carried out the English practice to the full we would adopt the English system of closure, under which the passage of the estimates would be reduced to very little more than a farce.

True language in 1908 and true language in 1913. But the actions of the right hon. gentleman are apparently inconsistent as between these two periods. It is surprising that on the two occasions upon which he has addressed himself to this House he has not told us the reason for this sudden change of heart, this sudden change of mind, as to the justice of introducing closure in the Canadian House of Commons. He goes on:

> Often a sum of £10,000,000 is voted by the Commons of Great Britain after a discussion of not more than two hours' duration. We do not require any restriction of that kind in Canada, and it would be a most unfortunate thing to attempt to restrict discussion as the hon. member for Lunenburg proposes. There has been no very great evil attendant upon the practice of this House since Confederation. Hon. gentlemen who desire to bring a matter of public importance to the House usually give notice in advance. That is certainly done when there is intention to move an amendment to the motion that the House go into Committee of Supply. I have always pressed upon hon. gentlemen on this side of the House the extreme importance of giving the Government notice in advance of any amendment to Supply; and apart from that, hon. gentlemen have, from time to time, given notice in advance of their intention to discuss important public ques-

tions. I decidedly object to the passing of this motion; first, because according to the usual order of procedure such a proposal should be referred to a committee; and, in the second place, because it does not seem to me that there is any abuse of the present practice which would justify us in making such a very important amendment to the rules.

I say that that is a complete answer to everything that has been said in this House during the present discussion in favour of the introduction of closure.

I need not quote another very eminent parliamentarian in this country who has expressed himself in far stronger terms than the right hon. the leader of the Government against the introduction of the closure. His words were quoted yesterday by an hon. member. I refer to the utterances of the hon. Minister of Trade and Commerce (Mr. Foster), who prayed to God that the Canadian Parliament would never witness the introduction of the steamroller, the introduction of the guillotine, or the introduction of the 'kangaroo.' His prayers have fallen apparently upon barren soil. He should have directed his prayers to the right hon. the leader of the Government and not to the high Personage to whom he did make them, because I do not think there has been any communication between the present Government and the Power to whom the hon. Minister of Trade and Commerce prayed.

Many other hon. gentlemen, who occupy places of prominence on the other side of the House, have also given utterance against the introduction of the closure, and they have cited the ex-Minister of Finance as being in favour of a system of closure in this country. I want to point out the difference between the utterances that I have read of the speech of the Premier and the utterances which Mr. Fielding, the ex-Minister of Finance, made in this House. The utterances of the Premier were utterances on a question of procedure, a question as to the advisability of amending the rules of this House, whereas the utterances which hon. gentlemen opposite attribute to Mr. Fielding had nothing at all to do with the rules of debate or with the introduction of closure; they were given on an occasion when the hon. member for St. Antoine (Mr. Ames) moved for the production of original papers; and, for some reason, into which I did not go, the then Minister of Finance refused to bring down the original papers, but brought down copies of them. When he was criticised by the hon. member for St. Antoine, he gave utterance to the statement that the minority in this House were only entitled to the privileges which the majority gave to them. That was the occasion. That remark was not made in regard to a closure Bill, or to any proposed amendments to the rules of this House.

Some other hon. gentlemen did undertake to discuss this question of closure. The hon. Minister of Labour (Mr. Crothers) last night undertook to do so. From following him very closely, I have come to the conclusion that for some hours before he rose to speak he was making a very deep study as to how he could avoid all reference to the rules and to the resolution under discussion. He never touched it once. He never came within a hundred miles of it. That is one very remarkable thing concerning his speech. He discussed reciprocity, and gave a speech with which he obstructed the last Government. He made the same speech on reciprocity that he made throughout the Ontario towns and cities during the last campaign. He discussed the question of naval defence in this country, but he never touched on the question of the proposed resolution to amend the rules. It was a sad incident to see an hon. member, a minister of the Crown, getting up presumably with the avowed intention of discussing this question, but never coming next or nigh it. The next most remarkable thing about his speech was the peroration, which was a remarkable one. These are his concluding words: We are going to put this measure through; we are going to put the Naval Bill through—and don't you forget it. That certainly is a statesmanlike utterance of a gentleman who presumably rose to discuss the proposed resolution to amend the rules in a manner in which the amending of the rules of no British country has ever been undertaken before.

Mr. EMMERSON: Did he touch on the Farmers' Bank?

Mr. CARROLL: He was asked a question on that, but he kept absolutely clear of it.

We have been told that they have a closure in England and that therefore we should have a closure in this country. Conditions in the British Parliament and in this Parliament are absolutely different. When closure was introduced in the British Parliament there were some 670 members, an unwieldy body; and a small minority of seven obstructed the business of that Parliament, not one measure, not two measures, not a dozen measures, but absolutely every measure that was brought in by the Government of the day. That comes within the rule, which I quoted a moment ago and which I will quote again, the definition of obstruction:

> The distinctive marks of obstruction lie in the indiscriminate and incessant resistance of an extremely small minority to proposals of the most diverse kinds.

Another difference is that both political parties in the British House of Commons at that time agreed that some form of

closure should be introduced in order to prevent a small minority of seven or eleven members from holding up the business of the House. In the British House of Commons, there are 670 members, which makes it a rather unwieldy body, whereas here we have only 221. There has been no organized attempt in this country since Confederation—and nobody knows it better than hon. gentlemen opposite—to obstruct the general business of the country. There has been holding up of certain Bills, call it obstruction if you will, but certainly there has been no obstruction this year except to the Naval Bill. Notwithstanding that fact, hon. gentlemen opposite introduce a measure into this House which is unprecedented for injustice and iniquity. It is brought in for the purpose of putting through Parliament a special piece of legislation which, I submit, with all candor, has not a majority of the people of this country behind it, for which the Government has no mandate and on which, should they appeal to the country, they would be overwhelmingly defeated. The union of England, Ireland, Scotland and Wales was brought about by methods far different from those which brought about the union of the provinces of Canada. The countries forming the United Kingdom were brought into the union against their will. And so they could not afterwards complain that promises made to them were broken. But the provinces of Canada were brought into Confederation under a certain state of facts, an agreement to which the provinces gave their consent—some of them grudingly, to be sure. They came into the Confederation with the understanding that they were to receive justice in this Parliament. The small provinces of Canada are the maritime provinces of Nova Scotia, New Brunswick and Prince Edward Island. They were brought into Confederation on the understanding that the rules of the British House of Commons at that time prevailing should prevail here; and if at any time they were badly treated by the majority in this country, their representatives had it in their power to obstruct the whole public business until their grievance was remedied. We in the maritime provinces are in the minority. Suppose that a majority from the two great provinces of Quebec and Ontario should treat us unfairly on any question, under the proposed rules, that measure can be put through this House under closure, the minority having no voice against it. That is the point I again ask the right hon. the Prime Minister to take into consideration before he finally rushes this piece of legislation through the House.

Another point was raised by the hon. member for Portage la Prairie. I come back to that hon. gentleman because, except for the Prime Minister, he is, judging by the speeches, the only gentleman on that side who has given careful attention to this question. He put forth a challenge to the effect that there was absolutely nothing that could be done under these proposed rules that could not be done in the British House of Commons under the rules that prevail there at this time. I have not gone into that phase of the question with as much detail as the hon. gentleman evidently has done, but there is one point on which I would be willing to accept his challenge. I would direct his attention to the question of Supply. I submit—while admitting that it is an extreme case—that while under these proposed rules, Supply could be put through this House under closure in one, two or three days, in England it is impossible to put through Supply in less than twenty days.

Mr. MEIGHEN: Read the English rule.

Mr. CARROLL: Yes, I hope the hon. member will do me the justice to believe that before discussing this question I did read the English rule.

Mr. MEIGHEN: Read it now.

Mr. CARROLL: I have read it and I think I understood it. I say again that in twenty days the whole Supply can be put through in the British House of Commons; some of it can be put through in compartments, but the whole Supply cannot be put through in less than twenty days.

Mr. MEIGHEN: Read the rule that says that.

Mr. CARROLL: I have read the rule, and I would merely retort, let the hon. gentleman himself read it. This is one very marked distinction between the rule of this House and the rule of the British House. But, Sir, hon. gentlemen opposite have tried to make us believe that anything which the British Parliament does is of necessity right. I protest against such a proposition. I say the British Parliament have made mistakes in the past, and we should not follow them in their mistakes. The procedure in the British Parliament is and should remain foreign to this House. The formation and composition of these two deliberative bodies are as distinct and far apart as the poles. The mere fact that they have closure in England does not make closure in this country a good thing. There is no doubt we have much to learn from the great mother of parliaments; but there is also no doubt that we have much to undo which has been done by that great legislative body. I could mention, if I had time, many things which the British Parliament has done which a Canadian Parliament would not dare to do. My hon. friend from Brandon (Mr. Aikins) gave us light on this question. He told us that Italy had closure, that Denmark, Belgium, Holland and Switzerland had closure; and therefore we should have closure. Why

did he not tell us that Russia has closure; that the Chinese Empire had closure; it would be just as pertinent to the discussion had he done so. I submit with all candor that the very fact that these countries have closure, their parliaments being merely created as ornaments to the supremacy of the Crown, is an argument why the Canadian House of Commons should keep away from closure.

In conclusion, I desire to say that in my humble opinion the rules of this House as adopted in 1910, with the endorsation of the right hon. leader of the Opposition at that time, impose all reasonable restrictions upon debate in this House, and that the present rules are proposed with a view to destroying the present functions of the Opposition to safeguard the interests of the people and especially all minorities, against the corrupt tendencies of a brute force majority.

Mr. SPEAKER: I would remind the hon. gentleman that the words 'brute force,' as applied to hon. members of this House, are not regarded as parliamentary or permissible.

Mr. CARROLL: I have heard the words used often, but I will withdraw them, and say animal force.

Mr. SPEAKER: I would also remind the hon. gentleman that any such characterization as would imply anything that could not be applied to an hon. member of this House is not permissible, and if the hon. gentleman's words refer to the lower order of the animal kingdom, they certainly would not be permissible.

Mr. CARROLL: I hope there are no hon. gentlemen opposite who think that I would not place them among the rational animals. Before concluding, I would suggest to my right hon. friend the Prime Minister that he should follow the advice given to him some days ago by a very prominent Conservative newspaper of this country, to insert in the Naval Bill a referring clause which would provide that the Bill shall not be passed in this House until the people of the country have, by their voice, determined that it shall become law. So far as I am concerned, that will remove all opposition to the Bill. It will not then be necessary for the right hon. gentleman to proceed with this iniquitous amendment which he proposes to the present rules. At the same time, the passage of the Naval Bill will be facilitated, although, there being no emergency in regard to the naval affairs of the British Empire, it is not necessary that the Naval Bill should go into effect before the expiration of at least a year or so. I desire to say in conclusion what I said at the beginning of my remarks: that, after a reasonable consideration of this question, I have come to the conclusion that the introduction of closure in the Canadian House of Commons at the present time is unwise, unjust, unreasonable, and unwarranted.

Hon. H. R. EMMERSON (Westmorland): Mr. Speaker, it is fitting that this Government should be the instrument of closure. The spectacle which we have witnessed here since the 5th day of December is sufficient justification for that conclusion. We have not had during that period from our friends opposite anything but silence and absence during the discussion of several very important measures. When sitting in the House they have been silent, and when there has been a discussion on this side of the House, too frequently, Mr. Speaker, have they trooped out of the Chamber, showing, as I believe they have shown, a want of courtesy to hon. members who have felt constrained, not merely in the interests of their constituents but in the interests of the country, to deal, or attempt to deal, with matters that are of vital concern to the people. That spectacle has suggested to me the fact that partisanship and party spirit, and party frenzy have had considerable sway in Canada, and I have realized that if it were not for that party frenzy the resolution which we are to-day discussing would not be upon the Order Paper for our consideration this afternoon. I think it is indeed a sorry spectacle that at this time, and in the midst of that party spirit, there should be injected into this House for its calm and serious consideration a resolution of the character of the one now before us. I am not going to say very much at this moment with respect to that resolution, but I may point out that it affects in a very marked degree the constitutional and parliamentary basis of all the liberties which we as a people in this country enjoy; it represents an attack upon the very foundations of our parliamentary government. I think I can say, and say with truth, that our parliamentary government has been largely built up through precedents. The precedents of hundreds of years have established in Canada, as well as in Great Britain, the protection of the common people—and I use the word advisedly—against, in former times, the kings and nobles, and, in modern days, the interests which, under our new conditions, are representative of the authority of the olden times. These precedents declare that the minority's rights to propose amendments and exercise the right of presenting grievances shall be unrestricted. Precedent after precedent is to be found in the parliamentary records of this country, as well as in those of the Old Land, tending to show that these rights and privileges which were blood-purchased

by our forefathers should not be in any sense restricted, and, through all the years down to 1867, the tendency of those precedents, and since that date in this parliament was to oppose and prevent any such restriction. In this resolution I say that these blood-purchased privileges are sought to be in a very large measure abolished; if not absolutely abolished they are apparently sought to be curtailed to the vanishing point, and to such an extent that the people are at the mercy of certain interests in this country. We must recognize that we live in a land that is in some respects different from any other. We may seek for inspiration from the mother of parliaments and from the United Kingdom of Great Britain and Ireland but in this country there are different situations and different environments, there are minorities, there are differences of race and religion. It has been the pride and glory of our young country that we have been able to grapple with all our difficulties fairly from the standpoint of equal rights and justice to all. But here is a menace. This resolution which places in the hands of the majority an instrument so vicious, so powerful that the rights of the minority and the privileges which they have enjoyed in the past may be and will be imperilled.

I do not propose to deal particularly with this resolution in its details. At a later stage I hope to analyze and discuss it. The Government, in introducing this resolution, have given evidence of one particular thing, not merely with relation to this resolution, but with respect to the legislation which we understand gave rise to it. They have treated this matter as indeed they treated the Naval Bill, as children afraid of the dark. They have seen dimly during the past months, what the people of Canada have had clearly vizualized before them; but the conditions in Canada and the temper of the people of Canada apparently are unknown to hon. members on the treasury benches. The people of Canada today have a clear vision of the situation and apparently the Government have been blindfolded in their partisanship and their party frenzy and zeal which have moved them forward from one mistake to another until they have reached a point where they are applying in this House of Commons a gag which will injure to the disadvantage not only of the business of this country, but to the stability of the rights of the people. I will not say that that resolution was designed for a particular purpose but if it were desired to buttress and entrench a corrupt and vicious government, a government that intended to loot the treasury of Canada, no better provision could be made than the one that has been made in the form of the resolution that has been introduced by the right hon. the Prime Minister. I do not think it would be exaggerating to describe such a resolution as one for the purpose of looting the treasury of Canada. This may seem strong language to you, but it is language which in my judgment is justified, and I think it is particularly justified because of the considerations which have heretofore prevailed in Canada in this regard.

Mr. SPEAKER: In my judgment, the language of the hon. member is not parliamentary, and clearly violated the amenities of debate. It is imputing what is clearly an improper purpose or object, and I need not quote a very large number of rulings of Mr. Speaker Peel, which I have in my hand, on exactly the same lines.

Mr. EMMERSON: If I had used that language in that connection as making a charge, which I submit I did not, I would have been trespassing on the amenities of debate, but I said 'if it were designed, if that were the intention,' and I was not imputing that intention to the Government. Parliamentary usage and my own feeling with regard to hon. members who sit on the treasury benches would constrain me not to use language as harsh as that. But we are not merely framing this resolution for the moment or for the day, we are framing it for the future, and if hon. members now sitting on the treasury benches are immaculate and are not open to temptation it might be that at some future time in the history of Canada there would be men sitting where they now sit who would not be actuated by such high motives as they are. I am amazed when I contemplate even for a moment the authorship of this resolution. My right hon. friend the leader of the Government has held a very high place in the political history of Canada; during the past fifteen years he has been honoured by his party and has been looked up to with respect and honour. The leader of the Government, who was for many years the leader of the Opposition during this time, assumed a very high moral altitude. He must not forget his professions during the seventeen years of his membership in this House. He has professed many principles which were entitled to and received the commendation of the people of Canada. In the manifesto which my right hon. friend issued to the people of Canada from his representative city of Halifax, in 1908, he took a commendable position on civil service reform and other matters pertaining to the moral side of the government of the country. He preached, in season and out of season; he professed, in this House and out of this House, principles that were high and elevating in tone, and that if carried into effect would produce most beneficial results. He is the author of this resolution, and, as I shall show before I take my seat, he has

claimed privileges with respect to parliamentary government and the constitutional rights of the people, which he now wantonly ignores. Though I have been opposed to my right hon. friend since he became a Conservative, he and I once saw eye to eye with respect to Liberal principles. But he departed from the faith. I am where I was, and where he was then. During the past seventeen years that he has sat in this House I can say that I have always considered with pride his utterances with respect to the reforms that were deemed necessary to the administration of affairs in this country. I thought he always professed true principles with respect to parliamentary government and the rules which govern this House. I thought his views of constitutional rights and of the rights of the people of Canada as to the preservation of our autonomy and as to our relationship with the Empire were the correct views. I am simply giving my own opinion, but I think I can say that in his professions, while in opposition, my right hon. friend had the commendation of all right-thinking people, and that they looked forward with great expectations to the development of his aspirations in regard to Canadian affairs and Canadian self-government he has since failed to put in practice. But I believe that since my right hon. friend assumed office, the disappointment of the people in that regard has been as extreme as were their admiration and hope in the years of his leadership of the Conservative party in opposition. The contrast between his performances and his promises is certainly marked. I think his performances have caused a great deal of disappointment not only among the supporters of the Conservative party throughout the country but among all classes in Canada. In this resolution, I think it could be shown, if it were properly analyzed, and I do not want to transgress the amenities of debate, or parliamentary usages, that there is an utter destitution of principle and an evidence of moral obliquity that are to be lamented. My right hon. friend had been placed upon a very high pedestal. Great expectations were formed with respect to him, but those expectations have not been realized, and the people have come to think that after all it is but a case of another fallen angel, that he has come down to the level of the partisan, and that he has shown himself to have the feet of clay if not the hoof that might be cloven. I think we can characterize this resolution in its true terms if we say that it was born with a desire on the part of hon. gentlemen opposite to exercise a power that would enable them to carry forward the schemes which were the result of promises made in times past. Political life, like the natural life, is dear to all, and I assume there is the same desire for the preservation of political life as there is for the preservation of natural life, and we know how deep that sentiment is in all of us. So keen a judge of human nature as Job said that 'skin for skin, yea, all that a man hath, will he give for his life,' and apparently my hon. friends are willing to give all they have to preserve their political lives in connection with the Government of Canada. I wondered as to the inspiration and source of the Naval Bill and of this resolution which flows naturally from the former. It is said that obstruction was made with respect to the Naval Bill and that therefore this resolution is necessary to put that Bill through. Let me say there has been no obstruction.

Some hon. MEMBERS: Oh, oh.

Mr. EMMERSON: I will go further and say that, in my judgment, what was characterized as obstruction in 1908 and in 1911 was not the same class of obstruction that we hear spoken of in connection with the British Parliament. It is true that we have discussed, all on one side, the naval proposition introduced by the Government. I characterize our attitude as that of constitutional resistance to a measure that was not in the best interests of Canada. It was not obstruction, it was constitutional resistance, and I submit that we were justified, not merely from our own point of view, but from the standpoint of the arguments addressed to the House by hon. gentlemen alike in their present positions, and when they were seated on this side of the House. We have been justified in that resistance, but in no sense is the introduction of this resolution justified. It seems to me that in introducing the resolution the Government has lost its moral perspective, and that the resolution should stand over to permit them to recover that perspective. This resolution works an innovation with respect to Government. We have supposed that we were governed by a Parliament, and the position of a member of Parliament has been no mean one in Canada from 1867 down to the present. As a result of these resolutions parliamentary government ceases and you have government by the Cabinet. I have thought that the tendency in Canada has been to have matters controlled not by Parliament but by the Cabinet, that orders in councils were more potent than were the acts of parliament. The tendency in this country, as in Great Britain, is for Parliament to cease to have the control that it had in former years and, instead of government by parliament, the Cabinet takes control of parliament. Under these resolutions members of the House of Commons become silent registering machines, mere puppets, a species of tent pegs to sustain a covering for the Cabinet. It is a degradation. The position of the supporters of the Government is not, and has not been in the past, an enviable one. Their opportunities are limited. If they

seek to promote measures that they deem to be in the interest of their constituents, they are in every way restricted, and they have been, under the rules of this House. There are few private members of this House who, in the past number of years, have not felt that, even under the rules of Parliament as they have existed, they were restrained, restricted and limited in their influence and power. Whether that be true or not, whatever these limitations and restrictions have been in the past, they will be accentuated in a ten-fold manner in future. To-day, the man sitting behind the Government, and the men even on the Opposition side of the House, have no opportunities other than those which are furnished them by the rules of the House. These rules have been very largely restricted. If we were to take into consideration the rules of the House, we would at once grapple with the question in respect to public Bills and Orders. I take up the Orders of the Day and I read at the head page 17 the following: 'Public Bills and Orders.' What do I find there? I find there measures, or statements in respect to measures, that were brought forward, not by the Government, not by the Opposition, but by individual members of Parliament. I assume they are properly brought to the notice of Parliament and yet, where are they? This 'Public Bills and Orders' is simply nothing more or less than a mausoleum or morgue where are interred all the troublesome motions and orders that savour of embarrassment. We have an illustration in the motion I made before this House in order to get a return of public documents, which return is deemed to be in the public interest. The motion was made in the early part of the session. There was a debate, and that debate was adjourned, with the result that the motion went on the Order Paper under 'Public Bills and Orders,' and I have, day after day, been asking my right hon. friend the Prime Minister to give me an opportunity of having that matter brought up. The hon. member for Selkirk (Mr. Bradbury) has a Bill of paramount importance before the House. It relates to the pollution of navigable waters. Under the rules of the House as they exist, and as they have existed, that has gone to its interment and cannot be resurrected unless by the grace of the Government.

I need not mention other illustrations, but there are many which go to demonstrate that the influence of a private member of this House, under our present rules, is restricted and that his power for usefulness to his constituents is greatly minimized. Yet, under these proposed rules, that influence is to be still further restricted and he becomes a mere puppet to be influenced at the will of the Government of the day and is placed in a position that certainly is not a credit to the people whom he represents because he is impotent and unable to serve their interests unless the Government are kindly enough to forward his interests in a particular case and even then he cannot have a voice in the disposition of many questions coming before Parliament.

This is a resolution designed to gag the Opposition, but hon. members on the other side of the House who have any independence and who show any independence will find that, in its effect, it will result in gagging them also. They will be powerless to in any way act for their constituents unless such action would harmonize with the will and grace of the Government of the day. Therefore,the adoption of these rules means government by cabinet, the abdication of parliament and the passing of that body. I feel that the influence of hon members will be very much restricted and cut away. You might almost put over the portals of this chamber these words: 'Abandon hope all ye who enter here.' It might well be said with regard to the attitude we are taking and the fight that we are making in this matter, that it is a fight on the part of the people against Diabolus, and that we are forced to fight against diabolical methods. Upon one occasion during the present session the taunt was thrown across the floor of the House to me that we would go down to defeat in our resistance to the naval proposition. I answered that that might be, but that if we did, we would go down to defeat with our sword unsheathed from its scabbard and broken at the hilt. I think that the resistance which we should show, which we have shown, and which we are justified I believe, by the people of Canada in showing to the naval proposal, is a resistance that means the very vitality and life of the people of Canada and the preservation of dearly-bought privileges from a constitutional standpoint and with regard to this measure from the standpoint of parliamentary privilege in the interest of the people. When I plead on behalf of a member of Parliament, I am not pleading on behalf of an individual. It must be borne in mind that he stands in this House as a representative of constituents who have sent him here for a purpose, not to resist the will and decree of governments on all occasions, not even to oppose without reason the measures that may be advanced by a government, but as the representative of a free people to use his judgment in protecting their rights. As such, the position of a member of Parliament is a responsible one and a very responsible one. I view with alarm any attempt made to cut away the privileges which he, on behalf of the

people whom he represents, enjoys. I think those who have proposed this resolution have already found themselves in the morasses and quicksands of their own creation, and they are at this moment up to their armpits, waving their arms, struggling but steadily sinking. That is their position; but they will realize more and more as the days go on, after they have consummated their present intention, that it will have to be a tooth for a tooth and an eye for an eye. A modern novelist, one who is not unknown in Canada and one who has taken a distinguished position as a Canadian in other lands, makes one of his strong characters say: 'We pay for all the wrong we do; we pay for all the good we get.' I think this Government will realize that they will have to pay for all the wrong they do to the people of Canada in passing this resolution against the best interests and against the will of the people. We propose to resist it, it is true, constitutionally as we have resisted another measure constitutionally. I repudiate the word 'obstruction,' and I say that in that resistance we are simply voicing the will of the people of Canada and acting as they would have us act with regard to this measure. It has been said that war is part chance, part common sense and part of the pluck and luck of the devil. That has been said of modern warfare; it can with the same truthfulness be said of political warfare. We have to take our chances in this fight on behalf of the people and the pluck that has been shown in the doing of it up to this moment I certainly feel has met with the approval of the people of Canada who are familiar with the situation. It is not from the standpoint of luck that we are doing it. The Opposition in this fight are actuated by convictions and they have acted upon convictions. They have not relied upon chances, they have relied upon their efforts constitutionally to oppose the measure. My hon. friend the Minister of Public Works (Mr. Rogers), whose name is frequently mentioned in connection with the introduction of this resolution, whose name indeed has figured largely in connection with the attempted unjustifiable exercise of rules which are to-day in existence in this House, has ever been in his political life a gambler in the way of taking chances. While he took chances and failed that memorable night of the 15th of March last, he feels that there is another chance open to him and he takes the chance with respect to a closure resolution, a gag resolution, and he hopes to be more successful this time than he was on that occasion. In our resistance of this measure, we have said that our sword will not be sheathed and that it will be broken at the hilt, should we go down to defeat. I can say this, that our great and revered leader has sounded forth the trumpet that shall never blow retreat. However much we may be defeated, it will never be said of us: They retreated. Those who come after us will judge how well or ill we took our part in the defence of the rights of the people; but, whenever men hereafter write the story of how Liberalism fought the battles of the people, they will have to commence a new chapter beginning with the date of December 5, 1912. That will be a story that will be written in future years, not merely in this Canada as it is to-day, but in a larger Canada, a greater Canada that will overcome these obstacles that are sought to be placed in the way of our liberties.

In the consideration and analysis of this resolution and with respect to the discussion which has taken place upon it, I shall endeavour to speak upon it from three standpoints, first as to the method of its introduction and its unconstitutionality, and I shall endeavour to contrast it with former precedents and the time honoured usages of Parliament. I shall endeavour also in a measure to deal with its alleged necessity and with the misrepresentations which led to its introduction, as contrasted with its real origin. Then I shall have a few words to say more particularly with respect to its consequences.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. EMMERSON: In resuming the discussion I wish to deal with the alleged necessity of this resolution, and the situation which led to its introduction. I have spoken of the leader of the Government as the father of this resolution. It had a widely different origin in my judgment, that is to say, the causes which gave rise to it began in a little cloud no bigger than a man's hand that arose on the political horizon of Canada in 1910. I refer to the Nationalist movement. That movement was hailed by many in this country as an influence that might be used to the disadvantage of the then Liberal Government and to the advantage of the Conservative party. From that standpoint, it would be only a Canadian question, tending to influence only Canadian public affairs; but the movement grew and its results have been widened beyond what its initiators intended or even hoped for. That movement now affects not merely Canada but the Empire, and not only party relations but parliamentary government in this House. I need not elaborate that idea, but certainly the Nationalist movement was the cause of this measure with respect

to naval affairs. In 1910 Canada was a unit with respect to the methods that should be pursued in reference to our naval defence; but as a result of the Nationalist movement a change came over the spirit of the dream of the Conservative party, and they were forced to introduce at this session of Parliament what is known as the emergency Bill in relation to naval defence. The Bill was introduced with great eclat, with great stage effects, and was prominently brought to the notice of the Canadian public and the people of the Empire. But, as time went on, it was found that the measure was not acceptable to Parliament and that it was opposed by a very large number of the people of Canada. The unity which had existed between the parties in Canada in 1909 and 1910 ceased, and a different view was promulgated. Now, as a result of that movement, and in order to carry through this new measure in favour of our naval defence, it is necessary to gag the members of this House—and I do not use that term in any offensive sense because I hold that the Government have been very successful in silencing their own supporters; they have not been allowed to take part in the discussion; and now the Government—not Parliament but the Government—seeks to silence this side of the House and prevent us from uttering our protest against the measure.

It is claimed by the supporters of the Government that this measure is required in order to carry on the business of Parliament. It is also said that the Liberals intended a similar provision. It is also said that other legislative bodies on this continent and on the continent of Europe have similar provisions with respect to the limitation of debate. As to the claim that this measure is required in order to carry on the business of the country, there has been, as I have already stated, no obstruction of public business. There has not been even resistance. Every measure that has been brought before this House, except that referring to naval defence, has been discussed only as it should be discussed, and it cannot therefore be said that this resolution is necessary in order to carry on the King's Government in Canada to-day. Supply has been granted on every occasion when asked. Every government measure that has been brought before the House for consideration has been given only fair and reasonable discusssion and has not been unduly opposed. I can quite understand that this resolution may have been brought forward ostensibly in order to carry that particular measure with regard to naval defence, and I can well understand that there may be lurking behind that acknowledged purpose a very different purpose affecting the affairs of government generally. It is said that in 1911 gentlemen associated with the Liberal party indeed some of them members of a former Liberal Administration, gave utterance to views favouring some measure of amendment to the rules of this House in order to further the business of the House. Even though there may have been such utterances, and even though such prominent Liberals as Hon. Mr. Fisher and Hon. Mr. Lemieux may have given expression to opinions favourable to an amendment of the rules having the effect of limiting debate, this outstanding fact cannot be controverted, that, notwithstanding the obstruction and resistance to the measures of the Government in 1908 on the part of the then Opposition; notwithstanding the obstruction, if you will call it such, or the resistance offered in 1911 to the reciprocity proposal, the leader of the Liberal party, who was the only exponent of the policy of his Government, resisted every solicitation made to him with respect to limiting debate in this House. It is needless to attempt to deny the fact that party feeling ran high during the session of 1911. There had been introduced into this House in January of that year a proposal whereby reciprocal arrangements would be carried into effect between this country and the United States with reference to their natural products. It is true that at the time of the introduction of that proposal it was met with hearty acclaim not only by hon. members of this House, but in the press and throughout the country. Certainly it is not a matter of surprise that that was the case, because for twenty odd years the successive governments of Canada had sought to bring about such an arrangement. When there was a possibility, therefore, of securing this advantage, the people of the country rejoiced, and the members of this House on both sides of the Speaker at that time heartily applauded this proposal. In a very short time, however, there arose a very strong opposition to the idea, and party spirit ran high. There were those sitting behind the treasury benches in 1911 who were exasperated at the obstruction, if you will call it so, to that proposition, and they urged upon the then leader of the Government that there should be an amendment to the rules of the House whereby such obstruction would in the future be rendered null and void and ineffectual. But the Liberal party did not take it up. The leader of the House at that time was opposed to any such course, and I shall endeavour to show briefly, by citations from 'Hansard,' that the position taken by the then leader of the Government (Sir Wilfrid Laurier) was con-

sistent and in harmony with the views he had expressed on the floor of this House in 1906, 1908, and 1910, and that it was upon these views that he acted when he resisted the pressure in 1911 for any amendment to the rules to shut off discussion with respect to the reciprocity proposal. I will show not only that these were the sentiments of the right hon leader of the Government of that day, but I will show also, by citations from the utterances of my right hon. friend (Mr. Bordon), then the leader of the Opposition, that his views were in harmony with those expressed by the Right Hon. Sir Wilfrid Laurier in 1906, 1908, 1909, and 1910. During those years the leaders of the great political parties in this country were in harmony with respect to the restriction of the right of debate in this House, as they were a unit in 1909 and 1910 with respect to the methods of naval defence for Canada. Later they differed with respect to the matter of naval defence, and to-day they are at variance with regard to the restriction of debate in this House. The right hon. leader of the Opposition has not changed his views on either subject; he stands to-day where he stood then, but the right hon. leader of the Government does not now hold the same views. He has shown himself not to be persistent in clinging to the convictions and principles which he on former occasions expressed on the floor of this House and throughout the country. I shall not at this moment cite from those expressions of opinion, but I will deal briefly with the manner in which legislative bodies in other countries have dealt with similar provisions relating to the limitation of debate. It is said that they have in the British House of Commons, what is known as a closure rule. I shall not refer to that at any length, because the subject has been so fully dealt with that any remarks of mine would perhaps be merely a tedious repetition. But, Mr. Speaker, with your permission, I will refer to an article in the National Review for October, 1909, under the caption of The Limitation of Speeches. In volume 54, 1909-10, page 233, will be found the following—and I think it is illuminating and expressive, and compresses in a very few sentences practically the history of closure in Great Britain.

> The closure tends to be exercised more freely, while closure by compartments has been applied with over-increasing severity year by year. Under closure by compartments the Bill is mapped out roughly in sections and a day or portion of a day is allotted to each section, and no matter how important the discussion or how vital the amendments that are not reached, the guillotine falls mercilessly at the end of the allotted period of time. Truth to tell, the whole vocabulary of the language of vituperation has been exhausted on the guillotine. As a legislative expedient it is profoundly unsatisfactory, and can only be justified on the plea that the Government of the day is entitled to get its legislation through somehow or other. Closure by compartments deprives debate of any sort of reality, and reduces private members of Parliament to the position of harmless automata. Their only duty under this form of procedure is to trudge the division lobbies and there seems to be no valid reason why, if the system is to be perpetuated members should not be permitted to vote by proxy or to hire other people to vote for them. The great public outside marvels at the deep and inveterate hatred of the guillotine that is felt by all members who care for the House of Commons and who are concerned for the continuance intact of its ancient privileges. We who watch day by day the working of the legislative machine know that closure by compartments is fast reducing the House of Commons to a position of abject servitude to the Government of to-day. The more the private member is suppressed, the more autocratic becomes the executive and it is only because some limitation of speeches must result in wider freedom for a greater number of private members that a modest plea for such limitation is here advanced.

That article is written over the signature of Cecil Harmsworth, himself a member of the British Parliament, as I understand, and a man who is familiar with the workings of the system of Great Britain. He condemns it unequivocally and unreservedly and has written in this way with respect to the effect that it has had on the House of Commons. Who can say that my remarks this evening were not to the point when I said that there would be a degeneration in the character of the members of this House and that they would be mere cogs in the wheel, the motive power of which would be the Cabinet or Government of the day. Is that not true in England to-day? The considerations in the British Parliament and in Great Britain, as you yourself know and have said in this House, are so widely different that you cannot draw a parallel between them and the considerations here. Theirs is an immense House, with six or seven hundred members. They legislate not only with respect to foreign affairs but with respect to all sorts of local matters. They have no legislatures corresponding to our local legislatures to deal with local affairs and they have not that wide measure of municipal self-government which is enjoyed by the people of Canada; while we are here legislating in conjunction with the legislative assemblies of the respective provinces who take from us a large proportion of the work of legislation for Canada. We have only a little over two hundred members, we have not the detail to discuss and scrutinize and inquire into and legislate upon matters which they have in Great Britain. Their closure may have been a necessity, it is not a necessity here, it is not recognized and no hon. member can make a claim or argue

successfully that it is a necessity here. All that can be said is that it is an expedient to carry out the will of the Cabinet, the ipse dixit of some thirteen or fourteen members of this House who, for the time being, are charged with the responsibility of Government. They say the word and members of this House must sit silent until the Government require their approval of what they may have determined upon. It has been said with respect to the United States, that in one of the branches of their Congress, the House of Representatives, they have rules for the limitation of debate. I grant it, but their system of government differs widely from ours and the illustration does not apply. The conditions are not in any sense parallel. Our political constitutions are vastly different. They have in that country fixed dates for elections and of course, the system here is different in that regard as it might be greatly to the advantage of a government to put through large estimates, to vote large sums of Supply and suddenly, if they can do it under closure, take the vote in that way go to the people, spring an election. In the United States it is different. The law there governs the dates on which elections are held. The United States Government is virtually elected directly by the people through the President and is not responsible to Congress. There is no parallel as between our constitution and Parliament and their constitution and Congress; the conditions are dissimilar in almost every respect. In Canada the people of the country elect the House of Commons. From the representatives of the people so elected there are selected a committee who constitute a cabinet; that is to say, the members of the House select one of their number who is charged with the responsibility of associating with himself some thirteen or fourteen other gentlemen who become members of his Government but who must be ratified by the votes of the people in the constituencies which they represent. In the United States the President is elected by the people and he has carte blanche and is under no such restraint in the selection of his Cabinet. The people have no voice in their selection, and there can be a President and Cabinet administering the affairs of the United States without the consent of Congress or of either branch of it, and without the voice of the people other than the direct vote of the people in the selection of their President. Can it be said that the closure is justified here because it is in force in the House of Representatives at Washington when the conditions are so dissimilar? I am sure that I need only call the attention of hon. members to these conditions to convince any of them who may be open to conviction that the illustration taken from the closure in the House of Representatives does not apply to the Canadian House of Commons. I shall not discuss matters for the limitation of debate in continental legislative assemblies. I can quite appreciate that the tendency there would be always to restrain the influence and the voice of the people's representatives in a legislative assembly. I appreciate the fact that in continental Europe, in Asia, and in the distant lands beyond the seas where they have representative government so called, the dominating influences of their parliaments if such they can be called, are not in the people, but in the monarchs and in the classes who control. To draw a parallel or an illustration from those countries is not congenial to the free air of Canada, and not congenial to the constitution which was given to us forty-six years ago by the British Parliament, a constitution which is based upon the rights of the common people of this country to govern themselves to control governments, to call them to account, to scrutinize their votes, to question their right to expend here there or anywhere, aye, even to withhold from a government the privilege of expending a dollar without the consent of the people through their representatives. Under British institutions conditions are different. In connection with the article from which I have quoted from the National Review, I would like to read an opinion expressed by Earl Grey, a former Governor General of Canada. Very recently, Earl Grey speaking on parties, and incidentally on party government and upon Parliament is reported as follows in the Alnwick Guardian, an English newspaper:

> On Friday evening Earl Grey addressed a meeting at Backworth on 'proportional representation.' Earl Grey said the value of a vote was to have freedom of choice, which, under the existing system, he considered impossible. There were three great evils of our present system. Firstly, the enslavement of the elector to a party; secondly, the power of organized majority; and thirdly, it made the representative a timid, worthless fellow. He excepted such men as Sir Edward Grey, Mr. Burt, Mr. Fenwick, and the stout men from Northumberland, who had not hesitated to say that they would rather be true to their convictions than be in the House of Commons at all.

Were ever words spoken that had greater application to the conditions prevailing in Canada to-day? Has any utterance fallen from the lips of any hon. member of this House during this debate, or indeed during past debates, which so clearly pictures the conditions that are growing up in this Parliament. Earl Grey says there are three evils in our present system. First the enslavement of the elector to party, secondly the power of

organized majorities. Confine your consideration for a moment to those two statements. Has not partyism run wild in this House? He says there is an enslavement of the elector to party. Does it not tend to add to the enslavement of the elector if you have his representative in this House gagged, shackled, and bound? There is not even a hand left unbound. They say that when men are gagged and bound their first and greatest difficulty is to get one hand free. By this resolution my right hon. friend not only gags hon. members, but binds both hands, and in doing so he gags and binds the electorate. I commend these pregnant utterances of Earl Grey to the consideration of my right hon. friend. All this has a human interest, and should have a human interest. If, under the conditions which prevail in Great Britain a member of Parliament becomes a timid worthless fellow, I wonder in what position the member of Parliament here will be after the steam-roller process has taken place and he is gagged and bound. I would not wish to point to any hon. member opposite and say he is a timid, worthless fellow. That would not be parliamentary, and parliamentary or otherwise, I would not want to use the language. But I do say that in its effects this resolution will paralyse the member of Parliament and render him impotent and he will not be able to do what it is his bounden duty to do on behalf of the people who send him here.

I have said that the method of introducing this resolution was unconstitutional, and others have said it with greater force than I could hope to do. But I think I can prove out of the mouth of my right hon. friend, and out of the mouths of many hon. members in this House, that it is unconstitutional. Certainly, we have not followed the precedent which should govern the procedure of this House. The Journals of the House show that in 1867 Sir John A. Macdonald, when framing the original rules which have since prevailed in this House, moved for a committee, which committee was to assist Mr. Speaker, and that committee did assist Mr. Speaker in framing rules which were reported to the House. Then they came before the Committee of the Whole House, and on that occasion the Speaker took his position on the floor of the House as a member of the committee, and, addressing the Chairman of the committee, took part in the discussion of the proposed rules. That was the method of procedure in 1867. It is true that in the same session, before those rules were adopted, a resolution was passed without discussion, by agreement between the parties, that the rules which prevailed in the Parliament of the United Canadas, should govern until the new rules were formulated and adopted by the federal House. This is the only precedent that can be found, and that was a precedent of necessity. Although it preceded a resolution moved by Sir John Macdonald to the effect that a committee should be appointed, it was not followed in the subsequent resolution by him. That committee acted, and reported to the House of Commons and the House, in Committee of the Whole, approved of the action of the special committee. The Speaker took part in the discussion. The same was true in 1876. The proceedings in 1876 will be found on pages 58, 108 and 216 of the Journals of that day. There will be found the resolutions with respect to the amendment of the rules adopted on that occasion, and which came before the House. Mr. Speaker Anglin, from his place as a member of the committee and addressing the Chairman, took part in the discussion of the rules proposed in amendment to the original rules adopted in 1867. That method was followed in 1906. It has been followed right down from the earliest years of Confederation. It was the method followed by the British House of Commons prior to 1867. We borrowed it from the British House of Commons. There has been no occasion in that House, or in this, when a different method was followed. In 1908 my hon. friend the junior member for Halifax (Mr. Maclean), then the member for Lunenburg, of his own motion and off his own bat, proposed a resolution in this House with the view of limiting the right of airing grievances on the motion to go into Committee of Supply. Exception was taken to the method pursued by him. As has been quoted by my hon. friend from South Cape Breton (Mr. Carroll) this afternoon, my right hon. friend the Prime Minister (Mr. Borden), then the hon. member for Carleton, Ont., took exception to the procedure upon the ground that this was not the proper course to pursue, if upon no other ground.

I hold that the rules of parliament should be framed by parliament itself. I hold that it is the prerogative of members of parliament, that it is not a responsibility devolving upon the Government and that, while they may take an active part in the formation of the committee appointed to frame the rules or to amend them, they have no right to usurp the powers of parliament by undertaking to frame the rules to govern parliament whose servants they are. Admittedly, this resolution is framed by the Government, admittedly it is a government measure, admittedly Parliament has not been consulted in any way with respect to the matter. They have introduced the resolution as a Government measure, it has been introduced under the

ægis of the Government, with their authority and power and with all that the idea carries with it. Ordinarily, that resolution would go to a committee of the whole House and, ordinarily, every clause of it would be discussed in detail. That would be the procedure. The members of the House would then have an opportunity of making suggestions. I can remember an occasion in this House since I have had the honour of being a member—I think it was in 1906—when the rules were amended and when my right hon. friend the leader of the Opposition (Sir Wilfrid Laurier), then leader of the Government, as the chairman of the committee, submitted the rules which had been framed for the consideration of the House. You, Mr. Speaker, standing in your place as the representative of East Grey, complained and set forth clearly the constitutional view that this was a matter for the consideration of the House and that time should be given to the members to study the proposed rules. For what purpose?—as expressed by yourself, that every member of the House could take part in the discussion of every separate rule contained in the report. The justice of your claim was acknowledged by the then leader of the Government and time was given. When the matter did come up it was discussed in Committee of the Whole. I do not remember that the Speaker of that day took part in the discussion, but I know that the resolution was for the appointment of a committee to assist Mr. Speaker in modifying and amending the rules that should govern this Chamber in its procedure. That was the then rule. Subsequently, in 1910, the same method was adopted. I do not wish unduly to prolong the debate in this regard by citing any of these authorities, but I think they will be illuminative if hon. members have not taken the trouble themselves to look them up, and I assume from their silence that they have not. There were views expressed at that time which, I think, commended themselves to the House of that day and which will commend themselves to the members of this House. They need only to have their attention directed to them. I will take these up in their order. In 1906, as reported in 'Hansard' of that year, page 7601, the hon. Speaker said:

> Mr. Sproule: There is a very small House to consider these and as the rules affect all members it would be better if we had a full house, but if the Government intends to push them through, I suppose there can be no objection to dealing with those to which there are no amendments made.
>
> Sir Wilfrid Laurier: There would be no use doing that. If we do not adopt these revised rules this session we shall have to go through all the work next session.
>
> Mr. Foster: We can go on, and if there is any one amendment discussion, of which is desired, we can hold it a little while.
>
> Mr. Sproule: Even though they were not adopted this session, what is to hinder the adoption of them at any time while the House is sitting next session seeing the Senate has to deal with them?
>
> Sir Wilfrid Laurier: For the reason that we should never put off till to-morrow what we can do to-day.
>
> Mr. Sproule: That is a very good rule in its place, but I would remind the Prime Minister that the rules of the House are very important and very interesting and the House does not of its own desire willingly give up any of its rights, nor do I think it should do so. The Government always have enough control over the House through their position as an Administration without in any way interfering with their rights under the rules of the House. To hurriedly go over rules, especially where you propose to take away rights may not be a wise thing to do. I have observed that consideration of the rules of the House has always been regarded as a very important matter; it is not usual to pass amendments with a mere cursory examination.

This resolution is brought in under and by the operation of rule 17, which has been in force for forty-six years, but which has never before been invoked on any occasion in this House, and which was never invoked in the British House of Commons except on two or three occasions, as my researches have led me to conclude, and then not against any leading member of an opposite party, not against any member of the minority. Although in the British House of Commons they have that rule and had it previous to 1867, it has never been put into operation there or invoked against the leader of a party. In this House it was never invoked until the other day against even a private member. It has been there; and if my right hon. friend (Mr. Borden) chose to invoke the rule, to take an advantage, to prevent a discussion of this resolution, to shut off members from moving or suggesting amendments, it was of course his privilege, because the rule was there and he could use it. I say, however, that it was not in the interests of the people and that it was not fair-play. It was not fair-play as against the leader of the Opposition. I venture to say that it is a rule that would never have been invoked by the right hon. the leader of the Opposition had he been sitting where the right hon. the leader of the Government now sits. We had fifteen years of his leadership in this House, and on no occasion has any such rule been invoked against any of the leaders of the opposite party, and it has never been invoked against any member of the House. Although you, Mr. Speaker, in 1906 said that it was a very important matter for members and that it was their duty to

consider these rules, by reason of the attitude taken by the right hon. the leader of the Government the other day in having a member of his Government move the previous question, that right is shut off to members of this House. You, Sir, complained of the action of Sir Wilfrid Laurier in 1906 in hastening the consideration or the passage of rules. You thought that more time should be given to their consideration. Indeed you thought that it should be put off until a later session; but during this session the leader of the Government shuts off all amendment, all effective discussion. Hon. members on both sides of the House can talk until they are black in the face.

Some hon. MEMBERS: Hear, hear.

Mr. EMMERSON: No danger of my hon. friends doing that. They are not permitted to do it. Closure is in force with them even before this rule comes into operation. They cannot, not one of them, not even the right hon. the leader of the Government, move an amendment, even a verbal one, in the face of that motion for the previous question. In 1906, as reported on page 7607 of 'Hansard,' you, Mr. Speaker, said, in reference to a motion to adjourn for a special purpose:

I do not know what others may think, but I think this is entirely too restrictive. We are not under the same conditions here as they are in the English House of Commons, nor have we ever experienced the same difficulty in carrying on the business of the House. There is no doubt that in the British Parliament for several years there was systematic and persistent obstruction to such an extent that very little business was done. Therefore it became a matter of importance to have something like the closure to shut off discussion and to enable the business of the House to be done. But that has never been the experience of this Parliament, and it seems to me that if we adopt this rule we shall be restricting the rights of private members of this House beyond what is reasonable. It does seem at first sight, I was going to say nothing less than absurd to suppose that one must hawk around a petition to get the signatures of 20 members before he can bring up a question which in his judgment is a matter of urgency. It may not appeal to others in the same way, because they may not be familiar with either the local surroundings or the history of what he is going to bring up. The member himself must always, I think, be the judge very largely of whether a matter is a matter of urgency or not.

The exercise of that rule is left to the discretion of the Speaker, as it is to-day. You, Sir, as the champion of the rights of the individual members of this House were strong in your protest against restricting any of those rights. I commend your utterances; I commend the principle which they involve, and I commend them to the favourable consideration of all hon. members.

I pass from that to 1910. In the fifth volume of 'Hansard' of 1910, I find on page 7867:

Sir Wilfrid Laurier laid on the table the report of the special committee to revise the rules of the House and moved that the same be referred to the Committee of the Whole House for consideration to-morrow.

Mr. Sproule: Would it not be well, even necessary, to have copies of the proposed revision in the hands of members before the matter is taken up? There seems a very short time for consideration, if a report only now presented is to be taken up to-morrow.

It was deferred until the next week at your instance and it was then taken up, as will be found on page 8365. On that occasion the House was moved into committee and the matter was discussed by every member of the House. My hon. friend from North Simcoe (Mr. Currie) was very active in the consideration of the rules on that occasion.

He says:

I think that the application of a closure rule is not going to benefit the public. Anyone who has followed the legislation this year must come to the conclusion that next year we will have more calls from corporations demanding blood and more strenuous efforts will be put forth for the purpose of getting something that is contrary to the interests of the public. Whatever merit the rule may have as applied to public business, certainly, when the House is in Committee on private Bills it should not be applied.

Then, at page 8376:

I do not feel like giving up any privilege or right in the way of obstruction that I have at the present time as a member of the Opposition in any legislation which I consider not to be in the interest of the country is being forced through this House against my will.

As might easily be shown by quotations from 'Hansard' my right hon. leader, as the leader of the Government of that day, was in hearty co-operation with hon. members of the then opposition in their views against restricting the rights of members of this House, and he used his great influence as leader of the Government to preserve to the members of the House all the rights and privileges which they had heretofore enjoyed. As a result of his attitude from that time down to the present when it has been proposed to take away these privileges and to do it with the aid of some of the very members who made such violent and vehement protests against the restriction of their rights in 1906, 1908 and 1910, these rights continue to be enjoyed. There was an occasion in 1907-8 when this very question came up as regards the restriction of the rights to expose grievances on a motion to go into Supply. My hon. friend from Cape Breton South (Mr.

Carroll) quoted a part of the remarks of the right hon. the leader of the present Government on that occasion. I shall not repeat anything that my hon. friend has quoted, but I would call attention to a portion of my right hon. friend's speech as follows:

I understood the hon. gentleman to refer to some English rule, but so far as the English practice is concerned, they go infinitely further than I hope we shall ever be obliged to go in this country. If we carried out the English practice to the full we would adopt the English system of closure, under which the passage of the estimates would be reduced to very little more than a farce. Often a sum of £10,000,000 is voted by the Commons of Great Britain after a discussion of not more than two hours' duration. We do not require any restriction of that kind in Canada, and it would be a most unfortunate thing to attempt to restrict discussion as the hon. member for Lunenburg proposes. There has been no very great evil attendant upon the practice of this House since Confederation. Hon. gentlemen who desire to bring a matter of public importance to the House usually give notice in advance. That is certainly done when there is intention to move an amendment to the motion that the House go into Committee of Supply.

He goes on:

I decidedly object to the passing of this motion; first, because according to the usual order of procedure such a proposal should be referred to a committee; and, in the second place, because it does not seem to me that there is an abuse of the present practice which would justify us in making such a very important amendment to the rules.

Mr. McIntyre, then Deputy Speaker of this House, made some remarks and his opinions are entitled to great weight. He said:

I cannot say that I have given the question much consideration, and I would not address the House at all but for the fact that you, Mr. Speaker, announced me as the seconder of the motion. But so far as I have considered it, I have not found myself favourable to it. So that I must decline to take the position of seconding the motion.

My right hon. leader on that occasion took a position identical with that which he has taken as leader of the Opposition. I will not quote his remarks at length but they were then as strong in opposition to the proposal to restrict the privileges of members as are his utterances in this House against the resolution proposed by the right hon. leader of the Government. I will give but one brief quotation from his speech on that occasion. He said:

On the whole, so far as the privileges of members are concerned, I think we had better stick to our rules.

On that occasion Mr. Sproule, representing East Grey, said, referring to the privilege of presenting grievances on a motion to go into Committee of Supply:

It is one of the valuable rights of this House, and one which should not be given up, that any member may bring before the House any grievance before supplies are voted.

And so I could quote the opinion of other hon. members of that time whose opinions ought to carry weight with their colleagues in this House. I could also quote the remarks of my right hon. leader to show further that his whole influence was exercised in the direction of preserving to the people the privileges which their representatives enjoy in this House. For, this is not a matter which relates only to the members of the House, but it concerns mainly the people whom the members are sent here to represent. This is a curtailment of the privileges of the people which privileges they ought to continue to enjoy.

Now, I have mentioned the character of the resolution, but the possible consequences of that resolution are a greater menace to the people of this country. We must realize that in Canada there are many diverse interests. We have within our boundaries men of different races and creeds, and we have minorities whose rights, under our rules and under the procedure of parliamentary government today, are in the fullest possible way safeguarded, but which under the operation of this proposed rule, will be imperilled and menaced every session—aye, every week, and, I would almost say, every day of the session. We have heard very much about large financial and other interests in this country. It is only within the few last days that we have heard of great railway magnates coming to this Parliament with respect to financial assistance; with respect to pledging the credit of the country; with respect to additional subsidies and bonuses. It is inevitable that this Parliament should from time to time be invaded by those who are seeking to build up certain interests. Under our present rules, however, nothing could be railroaded through this House; every constituency would have the right to protect itself through its representative; every province would be in a position to defend itself in this Parliament. But change the present rules and the opportunity is afforded for an invasion of Parliament to secure special privileges. I do not cling to the idea that this rule is framed for that purpose, but I do say that in adopting it you are creating a dangerous engine that could be seized upon and taken advantage of by those who would be unworthy enough to do so. The right hon. leader of the Government and the hon. member for Portage la Prairie (Mr. Meighen) have said: 'Oh, no government would ever so act or do this or do that; this rule will be exercised reasonably, and fairly and justly.' That may be;

those hon. gentlemen may be so disposed, although I very much question it with respect to my right hon. friend the leader of the Government after the experience of a few days ago, when this measure was introduced, and when advantage was taken of an old rule with regard to moving the previous question. That was an invasion of the rights of a member, the leader of a party; that was an invasion of the rights of the people and party whom he represents, and it may occur again. But the point I desire to make is that such rules should be adopted as would give and preserve to the representatives of the people their rights and privileges, and that it is a matter of right that we claim, not a matter of grace. Many things are to come up during the present session of Parliament. There is the question of the Intercolonial railway; we have had experiences in the past—and I have no doubt we shall continue to have such experiences—with regard to land and franchise grabs; we shall have subsidy applications by the score, and, before the Governor General dissolves Parliament, supplementary estimates and resolutions with regard to railway and other subsidies may be brought down at the closing moment of this session when there is no time for consideration, and when, with addition of closure, the people of the country through their representatives will have no opportunity to scrutinize, to object and to protest. They will not have the privilege of scrutinizing in detail the items of supply that may be brought to the notice of this Parliament—a right which they have always enjoyed in the past. There are many other matters which may come up for consideration. The high cost of living is certainly a live issue in this country to-day; the very mention of the subject is pregnant with thought and with conjecture as to the causes of that condition and the methods of affording a remedy. Special privileges are being asked for by various interests before the committees of this House day in day out, session in and session out. We have under consideration by a committee of this House the Bank Act, a measure in which the people of this country from ocean to ocean are taking the deepest interest, but by the adoption of this resolution the people's representatives will not be afforded an opportunity of protesting against any iniquities which they may see lurking within the folds of that Act. There are many other economic questions likely to come up, but under the provisions of this resolution the free speech of the people's representatives can be curtailed; their liberty to express their opinions can be muzzled, and a great wrong may ensue with respect to any of these questions that may suddenly come up for consideration during the dying hours of the session. We may well ask what constitutes the state. It is not merely the territories involved; one of the greatest factors in the constitution of a state is the preservation of its constitutional rights. We defend our land as against invaders, but the danger is not from assaults from without, but from internal assaults that may be made from within when least expected. The curtailment of the privileges of members of this House of Commons makes possible iniquities that could under our present system be avoided. I cannot protest too strongly against this resolution, against its spirit, against its object and against its consequences, in so far as I can foresee what those consequences will be. I have said that it is practically a rule that may be utilized to buttress and entrench a corrupt and corrupting government; it may be utilized to protect looting of the treasury, to cover up fraud, to prevent inquiries, and the exposure of irregularities. Under the system hitherto prevailing in this Parliament. that was not possible; we have had evidence of that time and again in the course of preceding parliaments. By this resolution liberty will be dethroned, freedom abridged and free discussion stifled in Canada. No longer can we boast of being the freest of all peoples. What is truth, asked jesting Pilate, and would not stay for an answer. That is a scriptural quotation more correct, I trust, than was the quotation of the Minister of Finance. That question was asked two thousand years ago and he would not stay for an answer. We ask it to-day and the leaders of the Government and the members of the party behind them will not stay for an answer. They go out of the House when an effort is made to propound the truth to them. They keep out of the House and are silent with respect to the truths that are being uttered. I could not use language too extravagant to express all that I feel with regard to this resolution. I am not in accord with the Government in respect to its policy of centralization in connection with naval affairs but I most unhesitatingly say, strong as are my feelings against that measure, my opposition to this proposal is infinitely stronger, because it undermines the very foundations of the people's rights in matters of the government of Canada in this twentieth century. I have entered my protests against the resolution. They are uttered with conviction and sincerity. I realize that they may be uttered in vain, I realize that partyism has taken such a strong hold upon hon. gentlemen opposite that there will be no staying the tide that is rushing us on to this iniquity. But I do say that a day of retribution must come. This matter

may be settled by your vote of to-night but it will not be settled right and nothing is ever settled until it is settled right. I would say in conclusion that in the great journal of things happening under the sun we, the people of this Dominion, find our account running under date of the 20th century of the Christian era. We find ourselves in peaceful possession of the fairest portion of the earth as regards extent of territory, fertility of soil and salubrity of climate. We find ourselves under the Government of a system of political institutions conducing more essentially to the ends of civil and religious liberty than any of which the history of former times tells us. We are the legal inheritors of these fundamental blessings. We toiled not in the acquirement or establishment of them; they are a legacy bequeathed to us by a once hardy, brave and patriotic but now lamented and departed race of ancestors. Theirs was the task (and nobly they performed it) to possess themselves, and through themselves, us of this goodly land and to uprear upon its hills and in its valleys a political edifice of liberty and equal rights. It is ours only to transmit these. The former unprofaned by the foot of an invader, the latter undecayed by the lapse of time and untorn by usurpation to the latest generation that fate shall permit the world to know. This task, gratitude to our fathers, justice to ourselves, duty to posterity and love for our species in general all imperatively require us faithfully to perform. How then shall we perform it? Shall it be by loosening our hold upon our constitutional and parliamentary rights? I think that that would be the suicidal course for free Canadians to adopt to-day and I would hope that this resolution could be defeated here and now and defeated for all time.

Mr. E. M. MACDONALD (Pictou): Mr. Speaker, the consideration of what should be the rules of this House must always be one of the most important questions that can engage the attention of this House. These rules are usually changed only at long intervals and so the effect of those changes, the influence they may have on the rights of members of the House and upon the rights of the people of this country, becomes a matter of the greatest possible moment. There is no matter which is so little understood by the public of this country and might I say also by members of this House as the effect of the rules of Parliament. I make that statement after having had some sixteen years experience of legislative and parliamentary life and after having seen during that period very many political changes, very many discussions of what the effect of rules is and what new rules ought to be. Neither in legislature nor in Parliament were there very many men who day in and day out had before them the purport, effect and importance of the rules of Parliament as they were at that time, as they had been or as they might be in future. By this resolution hon. gentlemen opposite propose to take away rights and privileges which have existed in this House for the representatives of the people and for the people themselves for a very long period of time. I can only say that it may be that my hon. friends, like a great many people in this country, have enjoyed for such a long period in Canada the advantages of free government and of free institutions that they have come to regard them as being so much a certainty that there is no particular reason to inquire where they came from or of thinking where they are likely to go. But I especially envied the Minister of Finance, though he has been only a year and a few months in this House, the certain and jaunty manner in which he approached the consideration of these rules, as to what they were, how they should be changed, and what the effect of the changes would be. I say that he was wholly the object of envy and of admiration because in looking around I saw hon. gentlemen who had much longer experience than I have had, and I knew that they, with becoming modesty, would have hesitated about approaching the consideration of the question with that absolute certainty of result which seemed to animate my hon. friend the Minister of Finance. When he dropped into quotations, I could not help recalling a little scripture which I remember hearing long ago. 'Let not him that girdeth on his armour boast himself as he that putteth it off.' My hon. friend at the inception of his political career enters the lists and the discussion which we have been having on the rules and gave his opinion with absolute certainty as to its effect. I hope that after years of experience in this Parliament he will profit more than from reading books on the question. Now, these rules are very important, because they involve the rights of hon. members in this House. These rights have not been fixed by the majority of the day. They have been fixed by the usages of the Imperial Parliament and by the wisdom and judgment of men of moderation on both sides of politics who have had to do with the framing of the rules from 1867 to the present day. What are the rights and the purposes of Parliament? The purpose of Parliament is not merely to pass legislation at the will of the majority of the day. The purpose of Parliament is very much greater and wider than the passing of legislation which may happen to emanate from time to time from the treasury benches. The purposes of Parliament have been laid down by very high auth-

orities, as consisting of three classes, the passing of legislation, the granting of supplies, and the remedying of grievances. Lord Palmerston, a Prime Minister of England, speaking in 1861 on a question that was before the Imperial Parliament said:

> This House has another function to discharge, and one highly conducive to the public interests—namely that of being the mouthpiece of the nation, the organ by which all opinions, all complaints, all motions of grievances, all hopes and expectations, all wishes and suggestions which may arise among the people at large, may be brought to an expression, may be discussed, examined, answered, rejected, or redressed. This I hold to be as important a function as the other two —namely, legislation and granting of supplies.

What is the situation before this House? It is that this Government has introduced a resolution with the view of enabling them to pass a Bill the reason for which and the nature and effect of which I will discuss later, which is absolutely destructive of the rights of the people of Canada and of their representatives in this House in regard to the granting of supplies and the remedying of grievances, two functions which hon. members of the two parties that comprise this Parliament have to discharge, because they are here to express the views of their constituents and to lay their grievances before this court of appeal. By means of the rules which are the result of the wisdom and usage to which I have referred, they have always been accorded those privileges and those full rights which the present Government propose to take away in order to enable them to place a piece of legislation on the statute books. That is the position in which we stand. Is it important that the right to ventilate the grievances of the people should be respected in this House? Is that one of the purposes for which Parliament meets, or is it not? What are we here for? Is it to register the decrees of the Government of the day from time to time in regard to legislation which they may choose to introduce? Or has every hon. member here the right to act as a representative of the people and with absolute freedom under the proper safeguards laid down by the wisdom of parliamentarians for ages, to ventilate the grievances of the people before Parliament? This has always been the supreme tribunal of the nation to which all grievances come. It is the political court of appeal which has absolute jurisdiction, and before which the humblest and the highest in this land can be arraigned.

By this closure my hon. friends opposite are attempting to prevent the possibility of the people asserting their right to have if necessary the arraignment before this tribunal of the highest man in the land whose political career and misdeeds should be investigated. Let me say, Sir, that the consiousness that this right existed uncurtailed and unhampered in this Parliament is fully present in the minds of the people. As Canada has developed the consciousness and the certainty of that right and jurisdiction have increased; it comes to every man who enters Canada, and it has been the great pride of our people. If these functions of Parliament are to be insidiously destroyed by the methods which hon. gentlemen opposite propose, in order to gratify a mere whim of their own, although the people of Canada have been quiescent because they knew as a matter of certainty that those rights existed, they will speedily realize the effects of the application of the principles which hon. gentlemen opposite are seeking to introduce, they will realize that their freedom has gone and that their right to ventilate their grievances has forever disappeared. My hon. friend the Minister of Finance says that the people on the streets are asking 'what are you talking about down there, why don't you do more?' I would like to know what the people of this country would ever know about public questions if there were no discussion in Parliament. If the regular Speaker had been in the Chair I should have liked to remind him of the time when he stood on the floor of this Parliament in 1896, and did what he thought was right in opposing the efforts of the Government of the day to impose coercion, as he would have called it, on Manitoba, and I should have liked to ask him whether the people of Canada would ever have heard what was involved in that question if he had not stood on the floor of Parliament and talked as he did, bringing before them the real issue. I would like to know of any great question which ever was understood by the people of Canada except by discussion in Parliament. It is all very well for office seekers and others who are looking for favours from hon. gentlemen opposite to say: 'Why don't you stop talking down there?' But if the public interests of this country the freedom of debate, the priceless heritage of justice and right which has come down to us through generations are to be swept away, to please office seekers and patronage hunters, then Canada indeed has fallen upon evil days.

What does this proposition do? It fetters every hon. member in this House and will fetter every hon. member who may come into this House unless the rule is repealed. It is for the benefit of the few men who happen to be in the Government of the country for the time being, and it is not

even for the benefit of those who support the Government unless they are to be ranked hereafter as mere automatons, without any judgment and without any opinions upon public questions. Hon. members of this House on both sides are to be fettered and hampered hereafter for the benefit of the thirteen or fourteen gentlemen who, for the time being, happen to compose the Government of this country. I would like those gentlemen who talk about Parliament discussing public questions so much to tell me whether free discussion in Parliament has not frequently stopped injurious legislation that might have injured this country in many ways. I want him to compare that result with the other alleged result as to the important legislation it might have postponed, and I want to say that the balance will be found on the side of the fact that discussion has prevented injurious legislation being passed by this Parliament. What victories have not been won in this and other parliaments as the result of free speech? Look at the achievments in the Mother Country, the acts which have been placed upon the statute book, the reforms, the means of civilization and all those advancements which are the pride of every son of the Empire. Were they not the result of free speech? Were they not, in many cases, the result of the advocacy of reform before closure came in the Parliament of the Mother Country and was not that advocacy only possible as a result of the rules then in existence which permitted of the placing of the facts and the arguments before the people of England? So it has been in Canada.

There will be a loss of the rights of the people by the application of this gag method which this hon. gentleman proposes putting through. These are important considerations and they may have been lost sight of perhaps in the haste and hurry of a party debate and in the eagerness of the Government to rid itself of the opposition which has been developed with the utmost sincerity and the utmost belief in the righteousness of the cause on the part of hon. gentlemen on this side of the House. All these considerations will be swept away for the moment, but they cannot die and if crushed they will rise again. Let me give one or two illustrations. The wisdom of the fathers of Confederation placed in the British North America Act, for the protection of minorities in this country, certain safeguards. If hon. gentlemen, who to-day scorn the privileges and rights embodied in the British North America Act, had been there at the time of Confederation no rights of minorities would ever have been considered by them. But the men of that day did consider them and, having considered them, they placed them there, and they have remained there ever since protected by this Parliament of Canada under the rules which have been in existence and which were placed there very largely by the men who brought about Confederation. If at any time a majority, elected as the result of appeals to passion or prejudice in this country under these new rules which they have introduced to fetter and bind this Parliament, choose to do so, they could sweep away in a week every guard, every protection placed there for the preservation of our national life with regard to the rights of minorities.

The pitiful part of it is that this Government are using the minority that they have tied to their chariot wheels and using them upon this very question. Although that minority were elected in direct opposition to the policy for which they have voted, the Government are using them to take away the rights of minorities for ever in this country. A peculiar spectacle never before witnessed in any British legislature is here presented to us that the men who compose the minority in this country will be found writing their own death warrant, signing the repeal of the Act under which they and their forefathers have stood for the last century and whose rights are from this time onward imperilled if the majority in this country choose to take them away. That is what they are doing to-night. That will be the result when this closure will have been passed and some of these gentlemen will be able to see the results of their action. Some of us will live to see in Canada, the results of the vote that they will give under this coalition Government with which they have allowed themselves to become associated, for closure and the strangulation of the right of free speech.

I have pointed out to you, Mr. Speaker, that one of the great privileges of Parliament, in the interests of the people, has been the liberty to come here for the remedying of grievances. I have pointed out how these rights are to be curtailed and how they are being taken away. Henceforth freedom of action, except within the narrow lines laid down in these four resolutions, and independence of thought, are to be prostituted to the demands of a party machine. From to-night the Canadian Tammany Hall machine is to make the decrees which a shackled Parliament is to register. Government of the people, by the people and for the people has been the proud boast of those of us who live on the northern half of this continent. So long have they enjoyed these privileges and rights that the people have forgotten from whence they came and

have come to believe that they could never be imperilled. But after this, instead of it being government of the people, for the people and by the people, it will be government of the machine, by the machine and for the machine party in this country. Hon. gentlemen have not been getting their legislation through just as fast as they would like; hence, because they have not been getting legislation through, they say: We want to have rules by which we can discuss it quickly and get it through quickly.

Incidentally, they propose to take away absolutely the right of this Parliament and the representatives of the people to bring their grievances before Parliament on the motion to go into Supply. On what possible pretext have hon. gentlemen attempted to justify their interference with the rights of the members of this House with regard to discussion on going into Supply? My right hon. friend the leader of the Opposition listened to the argument put up by the right hon. leader of the Government, and what did the right hon. Prime Minister say? He stood up and quibbled in the way in which he usually does when he is in a corner and said that the right to move the adjournment of the House was not taken away, but he never faced the proposition of my right hon. friend the leader of the Opposition that discussion in Supply was absolutely interfered with and rendered useless. My casuistical friend from Portage la Prairie (Mr. Meighen), that stormy petrel who always looms up when the Government is in a hard place, a sort of devil's advocate, who makes a splendid argument especially when he has to do with a bad case, came to the defence of the Government. It was not my privilege to be present when he discussed this question upon the first occasion, but I was amused upon reading 'Hansard' to see how he bolted when he came to defend the proposal of the Government with reference to this right of discussion on going into Committee of Supply. He boldly asserted that this was the strong part of the whole case, but having made that assertion, he rested there and did not attempt to go farther because even the shrewdness of my hon. friend would not enable him, or any other hon. member, to carry the argument along one step further. Why have they done this? We have not kept them sitting up on any motion for Supply. We could not get them down to Supply. We have been trying to get them to go into Supply. We have been trying to get my hon. friend the Minister of Finance (Mr. White) to bring down his Budget, which he will not do, this wonderful Budget of his which he tells us he cannot bring down because he has not brought down the West Indian agreement. When you ask him why he has not brought down the West Indian agreement, he immediately proceeds to get into an argument with my hon. friend from Carleton (Mr. Carvell), and runs away from the question. The Government have no complaint in regard to Supply. My hon. friend from Portage la Prairie never attempted to give any reason upon that question for the closure. What is the position in regard to the rights of the Opposition on this question of going into Supply? Of course there is not much use in quoting my hon. friend the leader of the Government. He has the delicious assurance to ask this House and the country to believe that, although he has introduced these rules by which he shuts the door and bangs and bolts it, he is going to be very nice about it; he is going to wear a pair of gloves in the enforcing of this rule and he is not going to be nasty about it. We do not believe him. We do not expect anything from him. We, on this side of the House, do not intend to take anything from him. Look at this doughty champion of the rights of a free people. Would you think that it was the Premier who used this language in 1908, just a short time ago:

> This is a very suitable occasion to bring that subject to the attention of the House, because all the liberties of the Commons of England, and our own are founded upon this right. All the liberties of the Commons of England were in the first place obtained by their insistance upon the right to refuse Supply until grievances were redressed. In the earlier times of the parliamentary history of Great Britain that fact stands out prominently above all others that the rights of the Commons of England not only to the redress of grievances, but their very right to enact the laws of the land, depended upon their firm insistence on the right to withhold Supply, unless the laws they demanded were framed and unless the grievances for which they sought relief were redressed. So the old tradition stands to-day not only in the Parliament of Great Britain, but in the parliaments of all the self-governing countries in the Empire, that upon a motion to go into Committee of Supply you can always discuss grievances, because the redress of grievances must precede the granting of Supply to the Crown.

The Premier of this country used these words only five years ago when he was leader of the Opposition. To-day apologetically he asks us to believe that, although he is putting through this nefarious rule, to prevent motions on going into Supply he will not enforce it. This man, who surrenders every principle contained in that statement of his in 1908, who is the person who in history will always be known as the man who by his influence, by his own pen and by his own hand, took away this right which has come down imperishable from generations, the right of a free people

to ask for redress of grievances before granting Supply to the Crown.

Private members' day will become a thing of the past under this system. Of course hon. gentlemen opposite tell us that it will not; that you can always move motions. My hon. friend from Portage la Prairie will make an argument that you can move a motion to do anything in this House after these rules are put in force and he will make a pretty good argument, too, although of course he will not be right. You will not get a Speaker to decide that way after the rules are put into force. We will be told that private members can always move motions. There is a beautiful instance of the way in which private legislation and individual effort to bring about reforms are encouraged by this Government. Upon the very first day of this session, the hon. member for Selkirk (Mr. Bradbury) placed upon the Order Paper two Bills, one in regard to the use of flags and the other in regard to the pollution of navigable waters. He has never moved them to the second reading. No other private Bill which has been introduced this session, whether by an hon. gentleman on this side of the House or by an hon. gentleman opposite, has been moved to the second reading. The Premier does not facilitate the second reading of Bills that even his supporters introduce. Even under the present rules, this Government has succeeded in paralyzing the legislation of this House and the right of private members to move in regard to matters of importance. What will happen when we will have about two private members' days at the beginning of the session, and when this great Government, which has so much legislation to do, will tell the people and the representatives of the people: There is no room for you in this House at all; we are the machine that is running this Parliament and this country and our decrees must be registered.

Why is this encroachment upon the rights of the people of this country? Oh, says some hon. gentleman, because it exists in the British Parliament. That ends the whole thing. Do not talk about it. That is the attitude that is intended to go with a good many people in this country who will not stop to think. What are the conditions in the British House of Commons? There are six hundred and seventy members in a chamber smaller than this; they legislate for over forty million people; they legislate in regard to all the subjects which this Parliament would have to legislate for, if we had all the work that is done by the nine legislatures that obtain in this Dominion outside of the federal Parliament. If we had to legislate for British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, the Maritime provinces with their individual legislatures, if all the business of these nine legislatures were thrown into this House in addition to the business which we now have, then my hon. friends might have some argument for introducing rules to limit debate. As we do not legislate in regard to matters of a private and local nature, as our conditions are entirely different from those in the British House of Commons, as in England to-day they legislate about the smallest matter that affects a crofter in the north of Scotland or anybody who lives in the farming district of Ireland, as they have no local legislatures of any kind, as anybody who sits down and looks at their 'Hansard' and studies their debates will see that they have the greatest and the most unwieldy parliamentary machine that is to be found anywhere in the world, and as it is impossible, as Ireland has long said, as Scotland says, as Wales says, for that Parliament to legislate satisfactorily, even under the stringent rules that they have imposed there, for the local and important interests that affect the United Kingdom, yet because a parliament of that kind, clogged as it is with all these interests of the smallest importance to questions of great foreign policy, has the closure, we in Canada must have a closure in order to be fashionable. We cannot build ships in Canada; we must go over to England to build them. They have a closure in England, so I suppose we must have one here. My friends were over in England last summer and they got this English fashion. A little microbe entered into their composition and when they got back to Canada they said: We must have one of these things too; we must have the closure. My hon. friend, the eloquent and interesting member for Brandon (Mr. Aikins), after hunting all over the world, found a closure everywhere. He did not venture to present Russia to this House as an example; that would have been going a little too far. I happen to have under my hand a statutory document containing an inquiry that was made in England in 1908, which shows that they have no closure in Austria, France, Germany or Spain. They have it in Russia. And between the desire on the part of hon. gentlemen opposite to be fashionable and the desire to boss everybody, we have here a sort of Russo-English combination perpetrated in Canada. And they turn to the United States for an example. They tell us that the United States House of Representatives has a closure, and we should have one too.

Mr. WILSON (Laval): Reciprocity.

Mr. MACDONALD: I suppose it is a new phase of reciprocity. Now, anybody who knows anything about the Government of the United States knows the complete dissimilarity of conditions between the

House of Representatives and the Canadian House of Commons. There is no government on the floor of the House of Representatives of the United States, no executive there responsible for administration in any way whatever. Besides, the House of Representatives of the United States governs about ninety millions of people. But see what is said about that House of Representatives in this parliamentary document which I have under my hand. This document contains a letter written from Washington, from the office of the Embassy there, where they look into matters very carefully, and they give this quotation as to the situation in the House of Representatives:

> In Washington the new Congressman meets a discipline which for cancelling individuality, is not equalled in any organization in the world possibly outside the German army. . . . The control of the body by a few men, their security in the rules, their seeming callousness to public sentiment, their ridicule of the ideal, their seeming contempt for enthusiastic initiative, all these are felt months before he finds definite evidence of their existence. . . . .

These are all things I have pointed out as sure to follow the adoption of these rules in this House.

> He finds in Congress a machine which is in its very nature a denial of the principle of democracy. . . . . a flat contradiction of the form of government which he has celebrated every Fourth of July.

A strange example on which to pattern the representative body of this country—Russia, and a condition of things in the United States which the people there themselves rebel against. In the United States they glory in the Senate over the fact that ill-digested legislation put through the House of Representatives receives from the second body of Congress the most careful attention and is scrutinized with the greatest particularity. In that body it is conceded by every student of affairs in the United States, you have the prudent attention which must be paid at all times to propositions of a legislative nature before they are crystallized into statutes. And why is all this being done? My hon. friend the Minister of Finance says that the increasing business of the country makes it necessary. There is nothing in that argument. My hon. friend, the one man who has to do with business propositions in this House, certainly has nothing to complain of. When he came along with his Bank Act we discussed it for two days and sent it to the Committee on Banking and Commerce, where it has been discussed with the greatest care. He cannot complain so far as his West India Treaty Bill and his budget are concerned, for he has not brought these forward for action. There is nothing whatever in the theory that the business of the country is being delayed. Other hon. gentlemen tell us frankly that these resolutions were introduced because of the discussion on the Navy Bill. Why should not we discuss this Navy Bill? What is this Parliament here for? Is it, as I suppose hon. gentlemen will expect us to do in the future, to stand up and vote when they bring a Bill and pass it through? Is that what we are here for? Or are we here for what our fathers were here for—the men who laid the foundations of this country, who considered questions with the greatest possible care, and who recognized that the greater and more important the problem submitted to us for action the greater the attention that should be paid to it. Here was the peculiar situation with regard to this proposal: the Government had no mandate for this proposition. In no province of this country was the Naval Bill discussed except in the province of Quebec, and as a result of that discussion there are twenty-one men sitting behind the Government who are here because they declared that they did not want Canada to have anything to do with naval expenditure at all. How much did the Minister of Finance talk about the navy in Ontario in the last election? How many times did he declare on the platform opposition to the policy of the late Government?

Mr. GRAHAM: He discussed tomatoes.

Mr. MACDONALD: He knows that he never discussed the navy.

Mr. GRAHAM: Not a word.

Mr. MACDONALD: What mandate has he on this question? I would ask every one of the other members who come from the province of Ontario, what mandate they had upon this question.

Mr. BURNHAM: Patriotism.

Mr. MACDONALD: My hon. friend (Mr. Burnham) had more to do with Ne Temere, he told us. I suppose the hon. member for Lincoln (Mr. Lancaster) lay awake nights thinking about this navy question. There is not a member of the Government from Ontario who could produce reliable evidence to satisfy even one of his own colleagues that he had a mandate on this question, to say nothing of satisfying hon. members of the House generally. If these hon. gentlemen were even here as representatives of the old Conservative party, with its traditions and with the assertions made on behalf of that party in some parts of the Dominion, they might make an argument. But they are here as a coalition Government, sitting here since October, 1911, yet without the Prime Minister or the men with whom he made the coalition ever deigning to give this House an ex-

planation of the terms upon which they got together in regard to the Naval Bill. We hear a great deal about parliamentary traditions; what a fine observance of parliamentary traditions characterizes the conduct of these hon. gentlemen! Take the history of the British Parliament; no such combination as exists in this House was ever made in England between public men of different stripes to form a government for a common purpose but the leader of the Government of that time or the men with whom he joined stood up in Parliament and frankly told the basis on which they became associated, what their common purposes were, and what their policies were with regard to public questions. Up to date, these hon. gentlemen have done nothing of the kind. And we have the peculiar spectacle of one of the members of this coalition, who declared that he was riveted and bolted to his seat and would not tell what had riveted and bolted him, breaking the bonds and running away. We are not told the reason why he went away; the Government never deigns to tell this House, why the coalition, so far as this gentleman was concerned, was broken. The rest of the coalition stands and the farce is perpetrated here of this combination having the temerity to force the closure upon the free people of Canada. This coalition Government, without even declaring the basis of their existence, come into this House offering, as they say, a free and generous gift to England in this navy proposition. A very free and generous gift is it not? A pitiable object it is to-day after the Canadian people have looked at it and discussed it for five or six months. The fate of this unfortunate measure might easily have been foreseen on account of the peculiar combination of parents to which it owes its existence. From the beginning the attempt has been made to force this measure upon the House of Commons. The Prime Minister did not ask the attention of Parliament for two days in each week, but insisted in taking up all the time from the beginning, to the exclusion of everything else—every other business disregarded. The Government would not have proceeded with any measure during the last three or four months had the Opposition not demanded and insisted that they should do so. They did not ask for Supply until the last day of the last month of the fiscal year. Why did they not do so? What right had these gentlemen to declare to the people that the business of the country was interfered with, in view of the actual facts? I have referred to what was done with regard to the Bank Act, and the Opposition treated every other piece of legislation submitted to this House in the fairest possible way, and did not unnecessarily obstruct any of them. All of them had fair and due consideration; all of them were properly dealt with. My hon. friends say we should not discuss the Naval Bill—this beautiful toy of theirs which they say should be looked at but not touched. Let me say that if there ever was before the Canadian Parliament a measure in respect of which there was a necessity for an absolutely full and free discussion, it is the naval question. It was necessary first to show to the people of Canada the combination that existed between the Conservative party and the Nationalists of Quebec in regard to this matter. It was necessary to show to them, in addition to that, that this Bill was the product of this nefarious arrangement entered into two years ago before the last election in the province of Quebec. Not only that, but hon. gentlemen have assumed that everybody in this country is enthusiastically in favour of this proposed naval expenditure. They might have known, after the discussion which took place in 1910, and from the events that transpired previous to their coming into power, that a large number of the people of this country did not believe in naval expenditure, either under the policy of hon. gentlemen opposite, or, perhaps, under the policy which we proposed in regard to the matter. It was the bounden duty of both parties in this country to discuss in Parliament, from the standpoint of those who believe we owe something to the Mother Country—and I am one of them—our position in regard to naval defence and our relations with the Motherland now and in the future, in order that the people of this country might know just what the proposition was, its full significance and probable consequences. Do hon. gentlemen think that a Bill which proposes to materially alter Canada's relations with the Mother Country should be brought up to-day and voted on next week? That is the way they are going to do it when they pass this measure of closure. What can they not do; what will they not do, under circumstances by virtue of which there will be placed upon this Parliament the incubus of the conditions that have disgraced the province of Manitoba for the last ten years? What is the avowed object of these gentlemen? Everybody who has read the history of the West; everybody who has studied the results of legislation in Manitoba within the last ten years knows that the rulings of the provincial House and the manner in which free discussion was gagged and throttled in that province was a disgrace to the whole Dominion of Canada, and that is what we are asked to impose upon this House by our vote this evening. Our stand in this House during the discussion of the naval measure was in the best interests of the people of Canada.

Mr. SPEAKER: It seems to me that the hon. gentleman has been going a little too far. I have in my hand a decision of Mr. Speaker Brand in the House of Commons, in which he refers to language implying on the part of the Government any course approaching trickery or unworthy procedure as being quite unparliamentary. It seems to me that the hon. gentleman's reference to what took place in Manitoba, and his statement that it was being done here, would come under that ruling.

Mr. MACDONALD: I merely wish to say that that is my honest estimation of the meaning of this resolution. I never permit myself to reflect upon any hon. gentleman personally in the course of my remarks, but I do submit that I have a right to characterize my estimation and my judgment as to what the meaning of this legislation is and as to what its effects will be.

Mr. SPEAKER: I think the hon. member would be quite within his rights in treating it in that manner, but, as I understood him, he referred to very improper conduct in connection with the Manitoba legislature, characterizing it as disgraceful, and then said that the same thing was being done in this House. I do not think he should refer to it in that way.

Mr. MACDONALD: I am bound to say. Mr. Speaker, that I do not see your point, but in so far as I have infringed upon the rules, I bow to your ruling. I wish to be construed as endeavouring to keep within the rules, and I am willing to withdraw any remarks to which you may have referred. Now, what occurred in regard to this matter? After we returned here at the close of the Christmas holidays, and proceeded to take up the Naval Bill and discuss it, the Prime Minister suddenly got into a pet because the right hon. leader of the Opposition asked him for certain information, and while in that pet he started the House on a week's continuous sitting, promising to give information which he did not furnish in the meantime. Then on the night of March 10, after giving this information, he insisted on his whips keeping the House in continuous session, and during the course of the last two days of the week he proceeded to raise questions of order with regard to the amendments that had been before the House for a long period of time. After the discussion had been treated by him as being in order, and after he had given solemn answers to questions asked during the course of the debate, he proceeded to ask that these motions be ruled out of order. We all know the history of those few days; we all know the history of the assertion of right on the part of hon. members to the left of the Speaker, of which I shall always be proud. It will always be a matter of pride to every hon. member on this side of the House that he took part in that fight during the last two days of that memorable week. The Bill was then allowed to dawdle; nobody heard anything about it until about two weeks ago, when it was again suddenly brought up for consideration. Eloquent speeches were made, and my hon. friend the Minister of Finance for the first time enlightened the House and the country as to what he thought of the proposed measure. Hon. gentlemen on both sides had been addressing the House with the utmost seriousness in regard to this question—no finality, however, having been reached—when, like a bolt from the blue, this measure—the resolution now under consideration was proposed to settle the question. The fact that on Wednesday this resolution was placed on the Order Paper, after the placid demeanor of the Prime Minister on Monday, is one of those things no one can understand, especially in view of the fact that he has asked hon. members on this side of the House to look upon him as one of those sleeping beauties who never does anything when he is awake. He has said that he would never unnecessarily give effect to these rules, and does not intend to do anything nasty. He was never going to put these rules into force, he did not intend to do anything unfair. How can we judge whether he means that when we recall his blissful attitude a few weeks ago when we last discussed the Navy Bill? We never can tell where these people are going to land. They have been gagging in connection with this Bill ever since the beginning of last December. No hon. member except one or two, on the opposite side, was permitted to speak. Occasionally an hon. gentleman would deign to give to the House and to the country his views on this great measure but the system of dealing with it was as I have outlined and in sheer pettishness or to gratify some dominant wish on the part of some dominant member of the Government, they put this closure on and are attempting to drive it through the House. Talk about parliamentary rules and parliamentary amenities? They have become a thing of the past as a result of the attitude of hon. gentlemen in regard to this matter. The hon. member for Westmorland (Mr. Emmerson) referred to the unconstitutionality of this resolution. I venture to say that the Minister of Justice will not assert that the Government had any right to submit this resolution in the form it is submitted. What was the position? There being no express rule of this House providing for a method of amending the rules of the House, you proceeded to rule I and found that the custom and usage in England before 1867 governed, and in 1867 there never had been a rule amended except by referring it to a special committee of the House of which Mr. Speaker was a member. Therefore, these hon.

gentlemen broke the rules in trying to impose this tyrannous Tory proposition upon the people of this country and upon this House. If any municipal body proceeded to pass a by-law as the Government are passing this resolution, that by-law would be declared illegal and invalid by every court in the country.

Mr. MEIGHEN: Would the by-law be also illegal and invalid if it were put through in the way the hon. member wants the resolution put through, by a committee of the House and then passed by the House?

Mr. MACDONALD: Oh, not at all; it would depend on the statute and usage governing the municipality. My hon. friend is at his old trick in making a suggestion of that kind but it will not do. My proposition was that if the proper method to amend the rules of the House was to proceed under the usage of the Imperial Parliament as before 1867, the Government are not proceeding along these lines.

Mr. MEIGHEN: I showed the cases last night where this procedure was adopted and the hon. member for Cape Breton this afternoon admitted that I was right.

Mr. MACDONALD: Oh, no, he did nothing of the kind. My hon. friend has been going along so well on this rule question that he has got it into his head that all that is necessary is for the Prime Minister to propose something and he will go out and make a case and prove it is true. The leader of the Opposition, with his forty years experience in Parliament, has told us on his responsibility of long experience what these rules mean. Every hon. gentleman here yesterday heard what the Prime Minister said on that point. The Prime Minister practically accepted the statements of the leader of the Opposition except in regard to motions for adjournment and he proceeded to apologize for them. He wants to pass them but not to use them, they are to be looked at but very seldom used. He wants to have them in the book but he assured us that they would not be used. If they are not going to be used why has he taken two weeks to try and put them on the statute-book? He wants to have a kind of parliamentary taws to frighten the boys on his side and on this side of the House. Why should he not be frank about it? The Minister of Public Works had the good sense not to talk about the rules; he is one of those frank spirits who would come out and say that he wanted to have these rules on the book in order to stop debate and to prevent any discussion on this side of the House that did not suit him. There is no question about that. We have delightful assurances that this lovely gloved hand of my right hon. friend will not be used and we are called on to accept the assurance of his most distinguished consideration, and we are asked to say: We do not believe that you are ever going to use these rules at all. I am afraid the Prime Minister has forgotten just where he is. He has got into the habit of these little answers, the idea of a soft answer turning away wrath. He says there is not much in these things, I will not use them at all. He told us in December last that he was coming to Parliament with this Naval Bill, he would present it and if Parliament did not pass it he would go to the country. On December 5 when he made his speech on the naval question he reiterated that statement that he was going to submit this measure to Parliament and if it was opposed he would appeal to the country. He said that twice. Parliament has refused to pass this Bill up to date. The reason why hon. gentlemen are asking this House to pass the closure is because Parliament has refused to pass the Bill up to date. When he made the speech in Montreal and when he spoke on the 5th of December he did not say that after he had passed closure in order to make Parliament pass this Bill he would go to the country. Let him make good his pledge and go to the country and then we will believe him after that. Where has he placed himself by this closure measure? He disarms himself from going to the other body of this Parliament and asking them to pass this measure on the basis that it has passed as every other measure that has gone there from this free Parliament. The assumption that the Senate should pay some attention to the verdict of the House of Commons and identify themselves with measures which are sent up to them is an assumption which, under constitutional rules and under all the precedents that have come down to us through the ages, does not apply in a case of this kind. If this Navy Bill leaves this House as the result of a closure resolution, under which we on this side of the House, representing the majority of the people of Canada upon this question, are muzzled and shackled and prevented from discussing it before the Canadian people, I hope that the Senate of Canada will justify itself, will show that it believes in the rights of a free parliament in this country, that it recognizes honest government and the views of a free people, and that it will throw that Bill out. That is what I hope they will do. Will my right hon. friend make good his pledge if the Senate does that?

Some hon. MEMBERS: No.

Mr. MACDONALD: That is a very nice question Mr. Speaker.

Mr. CARVELL: He has promised them a session in September.

Mr. MACDONALD: If closure passes and everybody is tied up, when the Bill goes to the Senate, the Senate are supposed to be good little boys and to register the will of the new masters in this country. Of course we are not expected to have that pledge redeemed. We will have another session in September and the boys will get another $2,500 apiece. Will the Prime Minister of this country keep his pledge if the Senate throws out this Bill? That is the question which the people of this country will ask. They will want to know whether he is a man of his word from now on. Let me say that the Senate would be justified at this moment in adopting an amendment to their rules by which no Bill coming from this House could be considered by that body until at least one month's notice of the Government's intention to move it had been given, so that the public of Canada would have an opportunity of considering what their rights were, and of asserting their rights in regard to measures that went from this House. I hope that rule will be passed, because it is the only way in which the free people of Canada can ever get a legislative body to right their grievances. This Government with temporary power, this Government which holds office for a day and which will vanish as snowflakes before the noon-day sun, this Government in the short perriod they have been in power, pass legislation which cannot be defended before the people of Canada, and I hope the Senate, the other portion of the Government of this country, will assert themselves in regard to these matters and will show themselves to be the true representatives of the people of this country. When my right hon. friend assumes that hon. gentlemen in this House are going to adopt his idea of the gloved hand, he should remember his assurances made on the platform of 1908, when we were told that we were going to have government ownership of railways, the nationalization of telephones, and other things to which I might call your attention, Mr. Speaker, if it were not too late, matters which he has never mentioned since he assumed responsibility. We want him to make good somewhere as the Prime Minister of this country. The great question from now on, if the closure and the gag are to prevent the expression of the views of the people of this country, will be whether he is going to make good his word in regard to two or three things.

This measure has emanated in the most natural way from that Toryism which has always been noted for its disregard of the people's interests. After being in power for eighteen years, the old Conservative party in this country went up and down thanking God that they were not as other men were, that it was by good fortune that any miserable Grit was allowed to exist in Canada. Why, a member supporting the Government of that day stood up in this House and boldly declared that it was only to the Conservative party that the genius of government had been committed. A sort of divine right idea imbues the mind of the average Tory, which makes him naturally propose coercion. That is the idea that is at the root of this proposition. When it was argued that legislation was being stopped, and that something must be done in order to get legislation through, the old-fashioned Tory idea asserted itself, and they said: 'We will cut off their chance of raising any questions on going into Supply, we will make a good old-fashioned job of it, we will show those Grits and the people of Canada that we are running Canada.' That is what they are trying to do. It is a sort of transplanting of that good old Toryism which existed in the Old Country in the middle ages. The proposition which has emanated from them is a danger of free speech and to government by the people, an attempt to impose Russian or Manitoba methods on Canada. Every minority in Canada, whether racial, religious, or territorial, is menaced by this proposition; every reform in Canada will be prevented, and every individual effort and every aspiration of the people will be stunted. Parliament will become a rubber stamp to mark the decrees of hon. gentlemen opposite so long as Providence leaves them to misgovern this country. But their chickens will come home to roost. In old England today, the friends of home rule are enjoying the luxury of watching closure being applied for the purpose of driving through the House of Commons and against the will of the House of Lords and of the Tories of that land, a home rule measure. It is a case, Sir, of the fates meting out just retribution, and my hon. friends opposite will meet the same fate, only we will not have to wait so long as the home rulers in the Old Country have had to wait. The men who will vote to-night for this coercion measure, will live to see these very rules turned against them and their friends in this very House. Occasions will arise, and it may be very soon, when the attitude of the Opposition in this House will be vindicated beyond question, and it would only be just retribution if hon. gentlemen opposite who are responsible for this creation which they are jamming through the House of Commons against the will of the free representatives of the people, had a taste of their own medicine.

Sir, we protest on behalf of the free people of Canada against this destruction of their rights, against the interference with

their freedom and against this infringement of their privileges, which have existed in this country ever since responsible government was introduced. Public opinion in this land has been quiescent upon those questions hitherto on account of the certainty that these privileges which have never been questioned up to this hour existed, but public opinion, reawakened by this imposition, by the putting into effect of this proposition by hon. gentlemen opposite, will revolt against the idea that we are going to have any Russian Duma in this country presided over by any czar, no matter what his name may be. As to the result, when the free people of this land realize where they are, there can be no question. The idea of a free and generous gift under the Naval Bill has long ago passed into the land of ridicule, and the theory that this resolution is necessary to put through any such proposition is entirely and absolutely ridiculous. Under cover of that allegation the Government are undertaking to seize the liberties of the people. With regard to this matter, once more I protest. Let the right hon. gentleman who leads the House fulfil his pledge, given at Montreal and in this House on the 5th December, that he would go to the country if his Bill were not passed. It has not been passed; let him go to the country; and we on this side of the House welcome an appeal as soon as he likes.

Sir EDMUND OSLER (West Toronto): Mr. Speaker, I wonder if it will be permitted in this House for a man who is not a lawyer, and it is a lawyer's business to talk, to say a few words I almost expected to hear my hon. friends on the opposite side object to that.

Some hon. MEMBERS: No, no.

Sir EDMUND OSLER: With regard to the Naval Bill, I have not spoken or expressed any opinion. Anybody reading it can only form one opinion and that is that it is a gift—an individual gift—and not a policy. The Canadian people can well afford to give $35,000,000 if only to pay a little for what they have received from the Mother Country in the way of defence. If it is the wish of the Canadian people that they shall sponge on the Mother Country in the future, as they have done in the past, and that seems to be the wish of a large portion of this House, I for one am not proud of being a Canadian.

I have been in this House more or less—mostly less—for nearly seventeen years. It has been a wonder to me, from the day I came here until to-day, how sane men and business men, who undoubtedly outside of this House are sane men, can waste the time of the country and the time of the House in talking—may I say—I do not know whether I can apply it generally—absolute rubbish. I do not apply that remark especially to anyone, either on this side of the House or on the other side of the House, but I say for myself that my judgment is that there have not been twelve speeches delivered in this House, including the Government side and the Opposition side, since I have been here, that would cause any man to come from No. 16, or any other room, to listen, were it not for political purposes.

Some hon. MEMBERS: Oh, oh.

Sir EDMUND OSLER: That is my opinion. If this Parliament were a body doing ordinary business in any other line than that of politics, the whole business of the country could be carried on and completed inside of two months. Any man who comes to Ottawa, having any other business to do, finds it a pretty serious task; and if it is to be the case that there shall be talk and talk with very little done, no one can come to Ottawa unless he be a professional politician. That is rather a serious thing for the country. Many of the speeches we have heard in this House during the last few months—I call them speeches, but they are not speeches—they are absolute drivel—have been delivered only for the purpose of obstruction.

Mr. GRAHAM: He could not have heard that 'good speech.'

Sir EDMUND OSLER: I have heard two or three good speeches, but the good speeches that I have heard have always come from the right hon. leader of the Government and the right hon. leader of the Opposition. I think that when these two right hon. gentlemen have made their speeches there is very little more to be said. I am not apologizing for anybody, because I include the whole House in what I say. I believe this House and this country will approve absolutely of the proposed closure. It will enable the business of the country to be carried on in a more businesslike way, and put a stoppage to discussion that is an absolute absurdity. This measure will not interfere with liberty; its object is to stop license. I hope that when our friends opposite, in the natural course of events, come upon this side of the House, they will properly carry out the closure and stop useless, senseless, miserable talk. I cannot imagine a more hideous purgatory than for members of this House, when they depart from here, to be bound to listen for the next seventeen years to such rambling chatter as has been talked in this House.

There has been a great deal made, or attempted to be made, of what

has been spoken of by the Opposition press as a slight placed upon the right hon. leader of the Opposition. There is no member of this House who would willingly slight that right hon. gentleman. He has the respect of every hon. gentleman in this House. But I take it that he is still a hard-fighting politician —

Sir WILFRID LAURIER: Hear, hear.

Sir EDMUND OSLER:—able to give, as he does give, and to take, as he ought to take, hard knocks when they come from his opponents, not a little china god that has to be dusted with a silk handkerchief and a camel's hair brush. He ought to take, and I would be sorry if he did not take manfully, the defeat which he sustained. The public and the members of Parliament respect the leader of the Opposition, and I believe there is not a member on this side of the House who would not be ashamed of himself if he had intentionally put a slight upon him.

Mr. MICHAEL CLARK (Red Deer): Mr. Speaker, my hon. friend (Sir Edmund Osler) has a very distinguished brother who seriously propogated not long ago the theory that most men should be chloroformed to death at sixty. I never felt so favourably disposed to that theory as I do to-day. If I held the opinions on the right of free speech, which after all is a somewhat important distinction between man and the lower animals, which my hon. friend holds, I would take a room in an asylum for deaf mutes and stay there for the rest of my life. These comments are not too severe for the brief utterance of an hon. gentleman who rarely attends the House at all, when in that utterance he took the very superior position of characterizing as rubbish whatever is said by the great majority of the people with whom he happens to find himself associated. One does not want to dwell longer upon an unsavoury topic and I pass to what I hope will be a brief and a rational discussion of the resolution before the House.

It seems, so far as one can gather, that it is written in the book of fate that we are to have closure in the Parliament of Canada: 'It must needs be that offences come, but woe unto him by whom the offence cometh.' That is a word which gives me consolation in view of the operation which it is proposed shall be performed upon us, especially those who sit upon this side of the House.

I was surprised last evening to find my hon. friend the Minister of Finance (Mr. White) desirous of fathering this reform upon me. I wish he would keep his foundlings in his own nursery. I think my hon. friend really ought to learn the dangers of quoting what anyone says in this House apart from their context. My hon. friend quoted words in which I said: Why do the Government not have the moral courage which Mr. Gladstone had and introduce closure? It is quite true I said that. I have not had the time or the energy since my hon. friend spoke to look up the context, but I am perfectly sure that my memory is good when I remind him that I was discussing the possible alternatives by which the Government might relieve the House from the deadlock in which we found ourselves for two weeks. I think my hon. friend will admit that that was the setting of my remark which he quoted. It is open to me to commend those remarks to the Government at this moment, because they have imitated the moral courage of Mr. Gladstone in considering some road out of the difficulty in which Parliament finds itself; but it is open for me at the same time to doubt the political wisdom as to the road which they have chosen, because I doubted the political wisdom of Mr. Gladstone when he chose to pass closure in the British House of Commons. I want to repeat to-night what I said on the occasion to which my hon. friend referred: that there were three roads before the Government. I discussed them then and I might mention them now. There was the withdrawal of the Naval Aid Act; and anyone who has paid any attention to what I have said in this House will admit that again and again I have told the Government, as humbly and as modestly as I could, that the withdrawal of that Act was the only statesmanlike procedure that they could take in the circumstances. There was the possibility of an appeal to the people upon a vexed Imperial question and there was the other possibility of closure. One might be pretty sure about this Government, so far as I have had any experience of them, that if they have three posssible roads they will always choose the worst, and they have done so in this case. The reason why they have taken this particular course is not far to seek. I think Burke, in discussing political leaders in one of his writings gives us the reason in a famous epigram. He says: 'Indecision is the natural accomplice of violence.' When an indecisive government does take action, it usually takes it along the road of violence and believes for the moment that it is really firm and forcible in character.

I want to examine very briefly the arguments, the grounds, the precedents and the likely results of the alteration in our rules which this resolution proposes. The case for the resolution rests I think upon the statement of my right hon. friend the Prime Minister when he brought the resolution down to the House. I do not think

I do injustice to other speakers when I say so. It is true we have had other speeches.

My hon. friend the Minister of Justice (Mr. Doherty) favoured us with his views upon this question and I do not think I am unfair to him when I say that he deserted what I understood to be the principle of his lifetime; and, like a great many famous apostates from St. Peter down to the present day, he got into a condition of extreme ill humour for the purposes of his renunciation. I do not know that I would care to refer further to his speech than to say that I am perfectly sure that by it he forfeited what he himself has regarded throughout life as one of the most cherished gifts of Providence to him, and that is the good opinion of a large portion of the race from which he sprang.

We had a speech from the hon. member for Brandon (Mr. Aikins) on this subject, which was temperate and reasoned and moderate for the member for Brandon.

Mr. CARVELL: And not too poetic.

Mr. CLARK: In that speech he said: Obstruction has been followed in order to force an election and to get back to office. The Minister of Finance a few nights before had said, without rising from his seat: 'I do not believe anyone on that side wants an election.' This is a beautiful example of the harmonious condition of opinion that prevails upon the other side as to the unanimity of opinion on this side on that particular subject. The want of harmony that exists there as to what we want here does not exist here as to what they want there, because we know the last thing that any of them wants at the present time is an election. My hon. friend from Brandon went on to base his argument for the need of this closure resolution upon some very interesting researches which he had been making. I personally am very much indebted to him for making those researches which I would never have made myself, because he had the energy and the painstaking care to find that during the debates on the Naval Aid Act I had filled one hundred and fifty columns of 'Hansard.' He said that that was evidence of obstruction.

My hon. friend from Portage la Prairie referred to the impotence of Parliament. All this talk about the obstruction and the impotence of Parliament I think is really beside the mark; it traces effects to wrong causes. I am one of those —and I am bound to say that on this side of the House there have been differences of opinion on this subject—who absolutely deny that there has been any obstruction, if we take either the definition of Mr. Gladstone which my right hon. friend quoted or the definition of Speaker Brand which was quoted by my hon. friend from Cape Breton (Mr. Carroll) this afternoon. I am one of those who absolutely deny that there has been any obstruction, if we take either the definition of Mr. Gladstone which my right hon. friend quoted or the definition of Mr. Speaker Brand quoted by my hon. friend from South Cape Breton this afternoon. What was the definition of Mr. Gladstone?

Resistance to the will of the majority, otherwise than by argument.

I cannot recall a single word that I uttered which I did not feel was part of an argument, and I did not hear any of my hon. friends by whom I am surrounded, and of whom I am as proud as is my hon. friend from Pictou (Mr. Macdonald), use any language which was not meant to be part of their argument. It might not have suited the superfine taste of my hon. friend from Toronto who has spoken, but we did the best we could, and that says a great deal more for us than we could say about some of the speeches of hon. gentlemen opposite. The fact is, the impotence of Parliament, if there has been such impotence, has been due to Government bungling and blundering in the way they brought their legislation before this House. If I were an art critic and were asked to give an opinion of a portrait of His late Majesty of sacred memory, I would be prepared to give my opinion of that portrait within a reasonable time. But if for that portrait kaleidoscopic views were brought continuously before me, common sense will tell anyone that I should need more time to discuss those views than to discuss the well-finished work of art in a single frame. And these kaleidoscopic views offered by the Government in regard to naval aid, seemed interminable.

We are told we have obstructed the business of this country. My hon. friend the Minister of Finance was very anxious to bring this charge home to us last week. Well, there is the whole question. And how far were my hon. friends opposite forwarding the business of Canada? I can understand they were going to help the business of the Old Country, but every time they spoke they raised a fresh argument against their own point of view. I do not see how the sending of $35,000,000, beyond the power of this Government to control, is going to help the business of Canada at all. Every time they spoke they gave us four or five fresh arguments against their methods. The fact is, we were face to face with a policy which was continually changing in the mouths of those who presented it; at one time they were on one side of the Atlantic and at another time on the other side of the Atlantic and we had to travel with these gentlemen in their vary-

ing views and cross the Atlantic to the side they might happen to be on at the time. My right hon. friend quoted Mr. Gladstone, but I am sure he cannot refer to a time when Mr. Gladstone was not willing to speak himself, and not only that, but willing to let his supporters speak in rebuttal of the arguments brought forward on the other side. Prolonged controversy was inevitable upon such a measure of importance, and I deny for my part that there has been any obstruction.

My hon. friend from Portage la Prairie (Mr. Meighen) made a speech on this subject; in fact, he made two speeches. I am sorry I did not hear his speech of last evening, but I heard his first speech. I am bound to say that the psychology of my hon. friend interests me immensely. He seems to have a mind which is a blank to broad principles yet associated with an enormous ability of analysis, and from that point of view I repeat his psychology is most interesting. If I happened to be in London with my hon. friend and lost him, I should look for him in Madame Tussaud's and should expect to find him in the Chamber of Horrors. I should expect to find him in that chamber turning over with infinite curiosity and the greatest possible pains the thumbscrews and various other instruments of torture used in the mediaeval ages of the world's history. For my part, I am not nearly so much interested in the variety of thumbscrew to be put upon me as I am in not having any thumbscrew put upon me at all. So, I do not propose to go at length into the speech of my hon. friend from Portage la Prairie. But that hon. gentleman, with all his great reasoning power, can be guilty of sophistry when it suits his purpose, and in the speech I heard I think he was guilty of one or two full-blossomed sophisms. The hon. gentleman said: 'We only delayed the leader of the Opposition a minute and a half.' Well, what happened to the leader of the Opposition in that minute and a half is really the important thing to consider. But my hon. friend had the ability to concentrate the attention of those by whom he was surrounded upon that minute and a half. Suppose that he had called in a skilful surgeon who, in that minute and a half, proceeded to cut the tongue out of the leader of the Opposition—and a skilful surgeon could make a good dab at a man's tongue in a minute and a half—it might not matter much to the hon. member for Portage la Prairie, and he might make very little of the time, but the operation would have horrible effects on the person who suffered it. And that is precisely what was done. In the minute and a half the tongue was practically cut out of my right hon. leader, because in that minute and a half a resolution was passed which forbade him to move an amendment to the resolution which was before the House. And what was the amendment which he would have proposed? Why, simply that the resolution brought down by the Government should be referred to a committee, presided over by Your Honour and composed of members on both sides of the House. And that amendment would have been in accordance with the procedure of the Parliament of Canada ever since Canada has had a Parliament. Am I to be told that the prevention of debate upon that subject was a light affront to my right hon. friend, or was a light affront to the constitutional procedure of this House ever since it existed? What had the minute and a half to do with it? It is what was done in that minute and a half that is important. Bourinot sets forth:

> Whenever it is necessary to appoint a committee in the Commons to revise the rules and standing orders of the House, it is customary to place it under the direction of Mr. Speaker.

My hon. friend knows that; he has declared it himself. Taking the language of Bourinot he said it has been the universal practice of this House to revise the rules by means of a committee. What becomes of my hon. friend's 'universal practice' in the face of the procedure that took place in the minute and a half of which he speaks? It is blown to the winds. The very amendment which my right hon. leader was about to move ought to have been the best guarantee that he would be heard by any party properly called 'Conservative.' The true Conservative has regard for precedent; he looks with veneration to the past and is slow to look on innovation with favour; and the precedent in this matter is that since Confederation these things have always been done by the methods my right hon. friend would have proposed if he had had an opportunity. That was not an unusual spectacle, because, just as the Conservative party are always monopolizing to themselves all the loyalty and all the constitutionalism that ever existed on the face of the earth, so when it suits their purpose, they are the first to turn away from constitutional procedure. This was well known to Hosea Biglow, who, caricaturing such people, says:

> We takes our stand upon the constitution,
> A fact of which there's bushels of proofs;
> Else why did we trample it under our hoofs?

The other sophistry of the hon. member for Portage la Prairie was that the rule under which my right hon. friend was prevented from speaking was inserted by the right hon. gentleman himself in the rules of parliament. That statement of my right hon. friend was much criticised, and his

answer was that the rule was inserted by the right hon. gentleman in its present form. Let me remind him that the substance and main principle of the rule are older than my right hon. friend. What, then, becomes of the qualification 'in its present form?' Is it not a mere quibble, which, if not meant to mislead the country certainly had the effect of doing so? Not only was the rule in its substance not the invention of my right hon. friend, but it never was meant for the purpose to which it was put in this House. I think you will find, in authorities dating from the middle of the last century, that the object of the rule was to guard against partiality on the part of the Speaker in catching with his eye the particular member upon whom he was to call. But there was no partiality in this case; Mr. Speaker looked to the place where he always looks after the leader of the Government has spoken—he looked to the leader of the Opposition, and he saw him. The rule was twisted from any use to which it had ever been put in its history; it was twisted in a way which will remain a discredit and a pain to those who did it so long as life is vouchsafed to them.

My hon. friend last evening gave us another example of his reasoning in reply to the hon. member for South Wellington (Mr. Guthrie). The hon. member for South Wellington could not get the assent of my hon. friend from Portage la Prairie to his interpretation of the rule, and far be it from me to give any opinion as to which of the two gentlemen is right. These refinements which are gone into by legal gentlemen are very hard to follow on the part of a plain man like myself. But the fact that they are so hard to follow by the hon. gentleman from Toronto, who has just spoken, and myself, is surely the best possible reason for having the rules sent to a committee so that when they do come before the House at least these legal gentlemen will be able to come to some kind of an agreement as to what the rules really mean. Consider the absurdity of these hon. gentlemen divesting themselves of the benefit of your knowledge, Mr. Speaker, which has been accumulated during a parliamentary experience extending over a period of forty years; consider the fact of hon. gentlemen opposite divesting themselves of your guidance, and of all assistance from anyone on this side of the House, and consider them bringing down brand new rules and having them supported in the way they have been, and by speeches such as that delivered by my hon. friend the Minister of Justice and two gentlemen from Manitoba; and they expect the House to swallow such arguments. The hon. member for Portage la Prairie said that no sane government would do what the hon. member for South Wellington suggested. I suppose my hon. friend from Portage la Prairie is perfectly satisfied of the sanity of the present Government, but I do not know that that is a reason why we should be so sure about it on this side of the House. I do not of course use the term sanity in the sense that suggests a diseased mind. We all know that latin phrase, mens sana in corpore sano, and I am bound to say that hon. gentlemen opposite do not always come up to my view of what should constitute a sound mind in a sound body. I wanted during that prolonged debate to give my hon. friend from Portage la Prairie and those by whom he is surrounded some very useful medical instruction as to how unsound bodies are produced in this House, and he immediately proved my case by proceeding to call me to order, wasting an hour and three-quarters on the question as to whether or not I was in order in giving him that very necessary physiological information. The fact is that these rules should be so constituted that they would keep an insane government in order.

I have said that the case really rests with my hon. friend the Prime Minister. I have no objection to the tone of that speech—none of us could have; but what I feel inclined to ask him is, when he delivered that speech in such an exceedingly conciliatory tone, did he know what was going to follow? If he did not, I would like to know who leads the party opposite; if he did, then the tone leaves an impression on my mind that I hope my right hon. friend will not often create, or I shall lose at any rate a portion of the very high opinion I have had of him for the many years during which I have personally known him. I am bound to say that a speech delivered in that tone keeps the word of promise to the ear, but it breaks it to the hope. My right hon. friend's tone was all right; I liked the expressions he used. Fair play is a thing which appeals to any Britisher, but it is not only the words I like. I think that my right hon. friend should have interpreted the words in his action, but he handed over the interpretation to my hon. friend the Minister of Marine and Fisheries, assisted by the hon. member for East Hastings (Mr. Northrup), and I think also my good friend the Minister of Railways, and their interpretation did not convey anything like the meaning conveyed by the good old expression itself. I did not see any fair play in what they did. I looked upon a scene that I hope shall never be seen again, not only within the precincts of this Parliament, but anywhere upon the surface of this globe, because, Sir, while many of the virtues that adorn humanity are difficult of attainment, I think it is one of the common adornments of humanity that we look with respect upon grey hairs. I

cannot charge myself with having had anything but respect for those who have gone further in the walk of life than I have myself, but when those grey hairs adorn the head of a man who has spent his lifetime in attaining a position of the highest distinction that can come to a Canadian citizen; when those grey hairs are upon the head of a gentleman who has received the distinguished notice in Britain of royalty itself, then I say it was a spectacle I never want to see repeated that the majority in this House should pass a motion, twisting a rule from its purpose to do it, to close the mouth of the possessor of those grey hairs under any pretence or pretext of fair play. I notice that my hon. friend the member for Portage la Prairie laughs; that laugh can only come from a very careful student of those many awful gags and thumbscrews peculiar to the company in which I expect to find my hon. friend.

My right hon. friend the Prime Minister took a very peculiar position in regard to this general subject of the revision of the rules. He said he was perfectly willing to debate the whole question in a new session. That was a giving away of his whole case. Why this mention of a new session? Why debate these rules in a new session? Why talk of debating the rules except that my right hon. friend knew that he was proceeding with unconstitutional methods, in a method which had not the sanction of precedent, in a way which would be understood to be a stultification of words he himself used a few years ago when similar changes were proposed from the other party in this House. If my right hon. friend and his party were prepared to discuss these rules in a new session, why do they want this resolution now? Presumably to pass the Naval Aid Act, to relieve us from the deadlock. That is the only possible answer to that question. Well, the people of Canada are to be closured to offer to Great Britain a gift which is only a loan, to be taken back when it has effected its double purpose of saving the Empire and incidentally loosening up the British investor. The hon. member for Rouville ((Mr. Lemieux) may well quote the newspaper in England which refers to this matter as an Imperial tragedy. I do not think it is so much of an Imperial tragedy; it is a great deal more of a jingo comedy. What will the people of Great Britain think, what would they think of a gift that was carried with these adornments and by this method? Of course it never will be carried

The Minister of Labour (Mr. Crothers) said in his speech last night: 'We are going to pass this, and don't you forget it, and we are going to pass the Naval Aid Act after.' He means that he is going to pass it through this House as a hearse passes through the gate of a cemetery. My right hon. friend and his followers must surely realize that there are a great many grounds upon which these proposals come with a bad grace from them. There is their record. The record of the party opposite on the Manitoba List Bill is exactly the record of what was done in the way of discussion on the Naval Aid Act and it is the record of hon. gentlemen opposite themselves. Then there is a record of what was done on the reciprocity question. The Minister of Justice tried to draw a distinction between reciprocity and the Naval Aid Act. He said reciprocity was a very serious Bill. Nobody would deny that. I think, in the sense he used it, it was not as serious a Bill as the Naval Aid Act and I will tell him why. If we had carried reciprocity we would have carried something that would be of great benefit to the Canadian people but if we carry the Naval Aid Act for the purpose of being the first step in a scheme of Imperial federation we would be carrying a Bill and taking a step the end of which we could not see and which, I think, would be the first step in breaking up instead of building up the Empire. But that is the position, the seriousness is all in connection with the Naval Aid Act and is all on our side. It comes with a bad grace from hon. gentlemen opposite because of the composite nature of the majority by which they are supported.

The Prime Minister upon this particular point said in so many words: We have a normal majority of forty-five. I do not suppose my right hon. friend really thought out the word 'normal,' when he applied it to a majority such as that which supports him. How is this majority constituted? Is the hon. member for Jacques Cartier (Mr. Monk) a member of it? I presume he is one of the forty-five but how does he stand on the Naval Act and on the closure? Absolutely opposed to both of them. A normal majority? Why, the hon. member for Jacques Cartier has seventeen supporters in this House who hold exactly his views upon both the Naval Aid Act and the closure. He has written a letter to the press in which he says that hon. gentlemen have no right to vote for the closure to put through a Bill in opposition to which they were elected to the House. Will the Postmaster General say that the hon. member for Jacques Cartier was untrue to the pledges which he gave at the last election when he resigned from the Ministry? Will any one of the seventeen gentlemen who were elected as Nationalists in the last election stand up and say that the member for Jacques Cartier has been untrue to certain pledges by which he was elected in the last election? But if the hon. member for Jacques Cartier has been true to his pledges in resigning what about those who remained and what becomes of the normal

majority of forty-five? My hon. friend the Minister of Trade and Commerce has very strong views upon closure. He expressed them in London last summer. I suppose he is a member of the normal majority of forty-five by which my right hon. friend is supported. Has he been cabled to on this question? Has he given his sanction to closure? While he is very agile I do not think you could get him across the sea in that way by cable. What becomes of the normal majority? If I were asked to take out two gentlemen from the Cabinet apart from the leaders who rank as statesmen and politicians of experience, I should take the member for Jacques Cartier and the Minister of Trade and Commerce and so the normal majority proceeds to carry out a policy of closure which was opposed by the two best men in the Government as it was formed.

The Prime Minister comes to this House and gives as a plea for this closure that he has a normal majority of forty-five. I differ on that point; I say it is a very abnormal majority; in fact, it is not a majority of all; it does not represent a majority of our people. The hon. member for Shefford (Mr. Boivin), in a very able though brief speech, proved that up to the hilt. Closure is an objectionable thing when it is applied by a majority to a minority but when it is applied by a government representing a minority to an opposition representing a majority of the people it is indefensible and intolerable. No answer is given to my hon. friend from Shefford (Mr. Boivin), except the usual answer of silence which prevails on the Government benches. No answer has been made to his calculation and I submit to the serious consideration of the minister, even at this late hour, that it would be well even now to consider whether the closure resolution should not be withdrawn.

My right hon. friend went on to found himself on quotations from the Liberal press, from articles written in a moment of irritation. I submit to my hon. friend that the articles of the Globe of two or three years ago were somewhat ephemeral literature on which he should base a departure from the policy and rules of this House that have been in practice for forty years. Why, I do not suppose that even the editor of the Globe attaches too much importance to what he wrote two years ago, and I am sure that nobody else attaches importance to what he wrote except the Prime Minister of Canada. I really think that this was too light literature on which to found such a serious departure in policy. His glance at the history of that period was very partial and very incomplete. What really ought to interest my right hon. friend is what answer he and his fellows in the Conservative party make to the Globe and other newspapers that he quoted. That is the really interesting thing. Was there ever such a curious thing as the Tory party of this country founding its policy upon articles written in the Globe three years ago? I never knew that they thought so much of the Globe, but to found a policy upon what the editor of the Globe wrote or what the editor of the Manitoba Free Press wrote three years ago, is surely a very curious course of procedure in statesmanship. The fact of the matter is that my right hon. friend was not so anxious to get good support for himself as to take the support from beneath his opponents. That is the only explanation I can give of his founding a policy upon such articles.

I do not want to take up the time of the House at this period of debate by giving quotations that have already been read. I will be exceedingly brief in that matter, but I have three samples of the kind of argument that was put up against the ephemeral literature upon which my right hon. friend founded his case. I find that my hon. friend the Minister of Trade and Commerce (Mr. Foster) had very strong opinions at that time. He said:

> I, for one, have no idea at all of submitting without protest to any of the well-defined liberties of this House as a parliamentary body being infringed upon.

Then my hon. friend the Minister of Militia (Mr. Hughes) said:

> I trust that in amending the rules there will be no attempt to curtail the liberty of debate, or to hamper members from discussing in a proper manner the views they may wish to utter concerning the welfare of the country.

I have here another quotation which I commend in all seriousness to the House and to my right hon. friend. When this matter was discussed in this House there was a member who bore the name of Dr. Sproule, and he sat for East Grey. He was a well-known parliamentarian, a conscientious parliamentarian, who for many years had studied the rules and procedure, and who had taken an active and honourable part in the proceedings of the House of Commons, and I submit that any word that he uttered should fall upon attentive ears even upon those of the present Minister of Finance. I find that that hon. gentleman said:

> Rumours have been prevalent for some time past in the Government press that the rules of the House at an early date, and to introduce what is known as the closure. I would like to ask the First Minister if that is the intention in the revision of the rules? I would like to say that so far as I can judge the temper of parliamentarians generally, they regard the freedom of debate as one of the dearest rights of the representatives of the people; and if any attempt is made under the guise of amending the rules to prevent the freest discussion of all public questions,

I can only say that, in my judgment, the Government will invite a good deal of trouble.

Those were the advisers at that time, and that is the language that was addressed to this House by one who was then the hon. member for East Grey. My right hon. friend attached a great deal of importance to those advisers at that time, but he has called in others since, others who have a higher opinion of their own parliamentary performances, and who do not hesitate to state in the second session of their parliamentary experience, that they make some of the best speeches in this House. I can imagine my hon. friend the Minister of Finance saying to himself: Why, this Dr. Sproule, this member for East Grey, is an old fogy; he is out of date; and, as for the Minister of Trade and Commerce, why, he is another old fogy, he is out of date too; we will send the one to where he cannot guide us at all and the other to the antipodes. Then my hon. friend, who is so well satisfied with his own thinking powers and performances, actually takes this state of mind to the Prime Minister and says: 'You have got to be up-to-date, my friend; I am a modern; this closure is an institution of modern times.' He has brought modern issues, modern practices, into Parliament. They had their advent in Parliament when my hon. friend the Minister of Finance came here, and the astonishing thing is that my right hon. friend the Prime Minister throws over his old, well-trusted, and experienced advisers, and takes the opinions that are given to him by my hon. friend the Minister of Finance. I am getting a little old-fashioned myself, but I think my right hon. friend would be well advised to go slowly in the matter of these younger men whose advice he is taking.

The right hon. the Prime Minister said that we do not get the best men under present conditions. He says it is notorious that we do not get the best men in Parliament. I suppose he expects to get better men by putting a notice on the door, 'Muzzles provided.' I cannot share that view. I repeat what I said at the beginning that the power of abstract thought and the expression of that thought in articulate and coherent speech, is a power—

Mr. BURNHAM: Hear, hear.

Mr. CLARK: is a power which is a little rare in the neighbourhood of Peterborough but which has not usually been despised by the more intelligent part of the civilized population of any country.

Before we take final leave of this matter, I want to enter a modest plea on behalf of speech, and in doing so I am in good company. I recall that Macaulay in his essay on the younger Pitt said that parliamentary ability is really speaking ability. Why, if we could not speak, Mr. Speaker, the only thing we could do would be to eat, perhaps gather a little money, and stand up and get counted at voting time. That is the condition to which we would be reduced if we could not speak.

I want to enter a modest plea on behalf of free speech. I very much question if we will get better men under the gag. I do not think so. The opinion is rather hard on us on this side of the House. My right hon. friend seems to think a great deal of his own supporters. We have samples of their speech from time to time, and I do not want to repeat in regard to ourselves what my hon. friend the Minister of Finance said about himself. I would not like to say that we on this side make all the best speeches in the House, but I think we compare favourably, man for man, with hon. members on the other side. But silence has fallen upon them over there, so that we ought to find the best support for the argument of my right hon. friend on the other side of the House, and I must say I fail to find it.

My right hon. friend said that other countries had this thing. That is a good old-fashioned Tory argument—what has been ought to continue to be except when it happens to be a method of revising the rules. That which has been, is now and ever shall be, is a good Tory principle, but like many principles of my hon. friend from Portage la Prairie, it is not meant to be practised. I do not think that, as a Canadian, I am disposed to subscribe to a doctrine that, whatever they have had in other countries, we should have in Canada. That is a horrible impediment to place in the way of human progress. Fifty years ago the Government might have got an argument from Fiji and all the other South Sea islands in favour of cannibalism on that ground. I do not think that is a good argument. I think it is the proud distinction of the Canadian people that they have been able for nearly fifty years of their national existence to carry on the debates of Parliament with a freedom which has been commendable. I think that is a proud distinction of the Canadian people that they ought to be slow to give away. There are many ways in which Canada will go ahead of every other nation that there has ever been on the face of the earth. There are many ways in which she ought to have a larger and not a smaller ambition than other nations. That is the meaning of progress and that is the only way we will make progress. Canada ought constantly to keep before her the idea that she will go ahead of the other nations of the world.

Now, I come to what was the main argument of my right hon. friend the Prime Minister, and that was the argument based

upon British precedent. The more you examine British precedent the more it halts. Let me point out to hon. gentlemen opposite that, while they may seek for guidance from the precedents of Great Britain in this particular instance, they are not always so fond of British precedent. I have been the continual butt of hon. gentlemen opposite because I believe in freedom of trade. It seems that British precedent is only useful to hon. gentlemen opposite when it goes in for restriction and not when it goes in for freedom. English precedent has not guided them in other matters as they claim it has guided them on this matter. They are the British party when it suits their purpose, but they can be anti-British enough when it does not suit their purpose.

The conditions under which closure was applied in Britain are as dissimilar from the conditions in Canada to-day as the poles are dissimilar from the equator. I want to look at that for a short time. What was the condition of affairs that existed in the House of Commons at Westminster when Mr. Gladstone first proposed closure? I do not propose to go into this in extenso but to summarize in a sentence almost what was the condition in the British Parliament. You had a very small minority of members of the House of Commons who went to the House with the avowed purpose of stopping all discussion of any kind whatsoever. They not only did it but they avowed that that was their purpose in view. They said: We do not want to come to your Parliament, we want to stay at home and manage the affairs of our own country in Ireland, but if you insist upon refusing us our Parliament and forcing us to come here, we will do everything we can to twist and torture the rules so as to make parliamentary business impossible. Has that been the attitude of the party on this side of the House ? There is no hon. gentleman who has any fair-mindedness upon the other side of the House who will say that there is any resemblance between the small minority that had that avowed purpose in Great Britain and the larger half of the people of Canada as represented in the Opposition in this House, obstructing or opposing one particular measure while they have given every possible facility for the passage of every other portion of the Government's programme.

What was the condition outside of Parliament which rendered closure necessary in the time of Mr. Gladstone? What made it necessary for him to propose it? The condition of Ireland was a much more serious matter even than the condition in the House of Commons. Not only did the Irish members avow that they would make parliamentary proceedings impossible inside of the House, but they had established a Land League in Ireland, and the Land League had issued a no-rent manifesto. They had said that no rent should be paid with a view to breaking down the evils of landlordism in that country and, under the Land League, outrages were perpetrated upon man and beast and human lives were taken. It was under that condition of affairs in the House of Commons and in Ireland that Mr. Gladstone brought in the special legislation which he first proposed closure to secure the passage of. Will any hon. gentleman opposite tell us that there is any condition of affairs here to compare with that? I am not dealing with the merits of the Irish question, which I shall refer to in a moment, but I put it to the fairness of mind of my right hon. friend and his supporters. Is there any comparison between the condition in Great Britain at that time, the duties of parliament and the responsibility of government and what we have in Canada at the present time? There was an emergency which, as I have said, goes into summer hibernation every year. You may have heard of some emergency as late as last December, but everybody in the world laughs at any emergency to-day. It has gone; there is no emergency—none whatever. But the peculiar thing about the Government is that with the loss of the emergency the greater becomes their determination to pass the Naval Bill through the House and deprive the people and Parliament of the right of free speech in order to pass it.

The second measure, which has been pointed to again and again, was introduced under a Tory government, and it was a much more agreeable task for them than for Mr. Gladstone. They take to the subject more naturally. Anything in the way of tyranny always come more naturally to the Tories than to the Liberals. The second Act providing for closure was that which was introduced by Mr. Smith, leader of the House of Commons when Lord Salisbury was Prime Minister, Lord Salisbury was also confronted by the grave state of affairs in Ireland and by the same resolute, though numerically larger, band of Irish members in the House of Commons. Lord Salisbury had a double prescription at that time for the woes of Ireland. He said that they wanted twenty years of resolute government and he recommended those who did not like resolute government to go to Manitoba, which was then being talked about in Great Britain. We did not hear much about Alberta and Saskatchewan in the Old Country in 1887. Lord Morley, in commenting upon the policy of Lord Salisbury, said that it was a policy of manacles and Manitoba. To-day the measure of the Government is one of manacles from Manitoba. There is no doubt that this measure has found special

favour in that province. I think we have ample evidence of that fact. In playful language I compared the hon Minister of Public Works (Mr. Rogers) a little while ago with the Sultan of Perak. We have now the Sultan of Manitoba, and we have been given to understand that this is the measure of the Sultan. The hon. member for Portage la Prairie (Mr. Meighen), and the hon. member for Brandon (Mr. Aikins) —shall I call them his train-bearers—are about the only hon. members who have had anything to say in favour of this measure. I think it may be fairly characterized as manacles from Manitoba to be placed upon the people of Canada in this House by the good folks that have come from Ontario.

What has been the history of Ireland? That was the condition of Ireland then. What has been the history of Ireland since and what has been the guidance of history for a wise statesman at this moment? The history of Ireland goes still more strongly against the proceedings of this Government. What has happened strengthens immensely the argument that what statesmen want to do is to get hold of a good policy; then they will commend their policy to the people, they will commend it to the majority of the House and that will silence the minority beyond what may be considered by even the majority as reasonable discussion. Six years after Mr. Gladstone introduced a very mild form of closure, he gave up coercion in Ireland forever. He introduced a mild form of closure to carry coercion Bills, but six years later he gave up coercion altogether. What became of Lord Salisbury's twenty years of resolute government? I was in Britain just about twenty years after he announced the policy of giving Ireland twenty years of resolute government. In January, 1906, just twenty years after that event, I was in Britain and I saw the Conservative party, which twenty years before had committed themselves to that policy, nearly wiped out of existence, and I saw the cause of Home Rule for Ireland won. I want to tell my right hon. friend that, although he may carry closure by what he calls a normal majority, long before twenty years have passed that closure will have done very different work from that which it is designed to do at the present moment. What is the use to which closure is going to be put in the United States at the present time? The Democratic party are going to introduce closure in order to get cheaper boots and shoes for working men and children. I call the attention of my hon. friend from St. Antoine (Mr. Ames) to that. They are also introducing closure in order to impose taxes upon the great trusts which have battened and fattened upon the common people. I want to warn hon. gentlemen opposite that this sword cuts two ways, and I for one am not going to mourn, because I feel assured that long before twenty years have passed in the usage to which it will be put here, a new setting will be found for the lines:

> For God from evil still educes good,
> And freedom's seed still grows, though steeped in blood.

As my hon. friend said the other night, The poisoned chalice will find its way to the lips of those who have devised the poison. That is what it teaches us. My hon. friend thinks the time of Parliament will be saved by closure. Has he considered the British precedent in that connection? Has the time of the British Parliament been saved by closure? They have just met for a session, after two days of prorogation, and the previous session had lasted the round of the year. I do not see that there is much encouragement for my right hon. friend in his argument that we shall have shorter sessions as a result of closure. In that respect are we saving the time of Parliament at the present moment? I venture to think that human ingenuity is such that the more you stem the tide of free speech, the more avenues are found for it. We are making a mistake in giving away the proud history of Canada in this matter. It is a credit to Canada that for forty-six years since Confederation she has been able to close every one of her debates by some form of mutual consent. That is how rational beings should conduct themselves and that is how rational beings have conducted themselves.

Some hon. MEMBERS: Hear, hear.

Mr. CLARK: Well, of course the rationality of the back benchers opposite is conceded by us. They are so rational that they mutually consent to anything; they mutually consent one moment to the fact that you must not debate a point of order, and the next moment they mutually consent to the fact that you can debate it to your heart's content.

My right hon. friend says that hon. members have to make a living, and that, if you cannot save the time of Parliament, they will not come here. The cure is not to stop speech; the cure is to pay them plenty for their work. Canada is rich enough to pay her members what is needed to support themselves here for all the time that the business of the country requires them to be here.

Mr. BOYCE: That is what you are after.

Mr. CLARK: My hon. friend from Algoma never used an interruption which had less application than the one which he has just used. I belong to the medical profession. I was trained in a profession where men work for large fees and often do not get paid them; but I believe my hon. friend is a lawyer who looks after the fees before he looks after the interests of the client, if there is any money around. I am not arguing this from my own point. My hon. friend ought to know that I am not one

who cares whether he is elected next time or not except in so far his election is going to be good for the people of this country. He ought to know because he is a good North Yorkshireman; he is one of the nicest fellows outside the House that one could meet. I am not arguing about myself; I am arguing about a principle. Canada can afford to pay those who make her laws. I question very much whether the effect of the closure will be to save the time of Parliament. When I was a boy and a youth, I remember that Parliament used to meet in January or February in Great Britain and it invariably rose for grouse shooting which begins on the 12th of August. Last year they sat the round of the year, prorogued for two days and then they began another round of another year. I think the British precedent upon which my friend bases his action is not good.

The closure is not needed in Canada because the commonsense of the people has hitherto enabled them to do their business without it. It is not only not needed but it is calculated to be deleterious and mischievous because of the peculiar distribution of races and creeds in Canada. Why is it that we have not a permanent Speaker in Canada as they have in England? It is largely because we have a Speaker of one language for one Parliament and of another language for another Parliament. I should have thought that these conditions would have presented themselves to this Government, to the Postmaster General especially, and that he would have stood in this Parliament for the protection of the minority to which he belongs. The distribution of races and creeds in this country ought to have made this Government careful before it took this step.

There is another ground, which I approach with the utmost delicacy. I do not believe the standards of public life in this country are such as to justify us in bringing in closure. I give myself no airs as a Britisher on this subject, I know that in the time of Chatham and Walpole you could buy men as easily as you do fish. We do not have that condition of affairs to-day. When Sir Edward Grey became Foreign Secretary, he sold every foreign investment so that his judgment would be free from being warped and free from the suggestion of being warped by his own personal interest. You may judge of the standards of public life in Great Britain by the noise that has been created from the fact that Lloyd George, and Rufus Isaacs have dealt in a few Marconi shares. Such a thing would never be considered for a moment on this side of the Atlantic. The facts are all against the adoption of closure. Last week we had a debate in which one side seriously tried to prove that a ten-dollar homestead had been given to a man and that by the gift of that homestead he had made a fortune. I am not going into the merits of that matter. I only use it by way of illustration. The other side of the House immediately met that charge not by denial but by trying to prove that their opponents were as bad as they themselves were.

Where there is smoke there is fire, and I am afraid the word 'graft' has a real meaning in the public life of this country. I never knew the word during the first forty years of my life; I never heard it used on the other side of the Atlantic in that sense; but I am afraid it stands here. I bring no personal charges, and I judge no man; but I submit that in this early period of the history of Canada, when we have the invaluable and almost infinite resources of this country to look after, when Parliament and Government are the only rightful guardians of these things, it is a mistake to take these watch dogs from the door of the treasury, it is a mistake to interfere by one jot or one tittle with the rights of Parliament to make the freest investigation into the way the money of Canada is spent.

Now, this argument could have been anticipated, could have been prevented, if the Government had been candid in this matter. My right hon. friend says: We will call a new session, if you like, to consider the whole rules. I draw from that statement the inference that the Government are introducing this resolution merely to pass their Naval Aid Act. But, in that case, why has it been made applicable to Supply? There has been no obstruction of Supply, not a cent; no hon gentleman opposite dare say so having regard to his own repulation. Ministers have got all the Supply they wanted. In that connection I am going to take the whole responsibility of making a statement in this House which I think should go upon 'Hansard' for the instruction of posterity as to what happened in these troublous times with regard to Supply. I think I know the opinions that my fellow-members on this side hold, and the majority of them were so sure they were interpreting the will of the people correctly that at the end of March they would not have given Supply to my right hon. friend for these two months. But my leader, stickler for constitutional and righteous ideas, a real leader of his party, made with the right hon. the leader of the Government the arrangements that have usually been made in such cases. And what did he get for his love of constitutional practice? He got rule 17 and the previous question. And what I say to this country to-night, and what I say to this Parliament is: look on this picture and on that, and you will know how to vote when your next chance to vote comes. The election cannot be postponed for ever. There never was a time when the distinction was so clear in this country between Toryism and Liberalism as it is at the present time. My right hon. friend the leader of the Government and his Government were elected upon a policy

of restriction, the restriction of the markets of the farmers. They have remained in power upon a policy of restriction, the restriction of the proper development of Canada as a nation within the Empire. Elected upon restriction of trade, remaining to restrict the development of Canada, they propose to establish both policies by the restriction of free speech. We stand for freedom on every count of the indictment; and we have not the shadow of a shade of doubt that the people of Canada stand with us.

House divided on the motion (Mr. Hazen) for the previous question:

YEAS:

Messieurs

Alguire,	Lavallée,
Ames,	Lespérance,
Armstrong (Lambton),	Lewis,
Armstrong (York, O.),	Macdonell,
Arthurs,	McCurdy,
Baker,	McKay,
Ball,	McLean
Barker,	(Queen's, P.E.I.),
Barnard,	McLean
Barrette,	Meighen,
Beattie,	Merner,
Bennett (Simcoe),	Middlebro,
Best,	Morphy,
Blain,	Nantel,
Blondin,	Nicholson,
Borden,	Nickle,
Bowman,	Northrup,
Boyce,	Osler (Sir Edmund),
Boys,	Paquet,
Brabazon,	Paul,
Bradbury,	Pelletier,
Broder,	Perley,
Burnham,	Porter,
Burrell,	Rainville,
Clare,	Reid (Grenville),
Clark (Bruce),	Rhodes,
Clarke (Wellington),	Robidoux,
Clements,	Rogers,
Cochrane,	Schaffner,
Cockshutt,	Sevigny,
Coderre,	Sexsmith,
Crocket,	Sharpe (Ontario),
Cromwell,	Shepherd,
Crothers,	Smith,
Currie,	Smyth,
Davidson,	Stanfield,
Donnelly,	Stevens,
Edwards,	Stewart (Hamilton),
Elliot,	Stewart (Lunenburg),
Fisher,	Sutherland,
Forget (Sir Rodolphe),	Taylor,
Fowler,	Thoburn,
Fripp,	Thompson (Yukon),
Garland,	Thornton,
Gauthier (Gaspé),	Tremain,
Girard,	Walker,
Green,	Wallace,
Hartt,	Webster,
Henderson,	Weichel,
Hepburn,	White (Leeds),
Hughes (Victoria, O.),	White (Renfrew),
Jameson,	Wilcox,
Kemp,	Wilson (Wentworth),
Lalor,	Wright.—108.
Lancaster,	

NAYS:

Messieurs

Boivin,	Lemieux,
Bourassa,	Loggie,
Boyer,	Lovell,
Brouillard,	Macdonald,
Bureau,	Maclean (Halifax),
Cardin,	McCraney,
Carroll,	McCoig,
Carvell,	McCrea,
Champagne,	McKenzie,
Charlton,	McLean (Sunbury),
Chisholm (Antigonish),	McMillan,
Chisholm (Inverness),	Marcile (Bagot),
Clark (Red Deer),	Martin
Cruise,	(Montreal, St. Mary's)
Delisle,	Martin (Regina),
Demers,	Michaud,
Devlin,	Molloy,
Douglas,	Murphy,
Emmerson,	Nesbitt,
Ethier,	Neely,
Fortier,	Oliver,
Gauthier,	Pacaud,
(St. Hyacinthe),	Papineau,
Gauvreau,	Pardee,
Graham,	Power,
Guthrie,	Proulx,
Hughes	Reid (Restigouche),
(King's, P.E.I.),	Richards,
Kay,	Robb,
Kyte,	Ross,
Lachance,	Seguin,
Lafortune,	Sinclair,
Lanctôt,	Thomson (Qu'Appelle),
Lapointe	Tobin,
(Kamouraska),	Turgeon,
Lapointe	Verville,
(Montreal, St. James),	Warnock,
Laurier (Sir Wilfrid),	White (Victoria, Alta.),
Law,	Wilson (Laval.—73.

PAIRS:

Ministerial.	Opposition.
Foster (Toronto),	Clarke (Essex),
Roche,	Gordon,
Bristol,	Bickerdike,
Elson,	Cash,
Sharpe (Lisgar),	Knowles,
Aikins,	Turriff,
Bennett (Calgary),	Buchanan,
Munson,	German,
Foster (Kings),	Brown,
Chabot,	Béland,
Morrison,	MacNutt,
Hazen,	Pugsley,
Doherty,	Marcil (Bonaventure,),

Motion (Mr. Hazen) agreed to.

House divided on the motion of Mr. Borden that it be resolved:

That rule 17 of this House be amended by adding thereto the following:—

(2) Every motion heretofore debatable made upon routine proceedings, except adjournment motions and every motion standing on the order of the proceedings for the day, or for the concurrence in a report of a standing or a special committee, or for the previous question, or for the third reading of a Bill, or for the adjournment of the House when made for the purpose of discussing a definite matter of urgent public importance, or for the adoption, in Committee of the Whole, or of Supply, or of Ways and Means of the resolution, clause, section, preamble or title under consideration shall be debatable; but all other motions shall be decided without debate or amendment.

(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of

the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes in any such adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

(4) On Thursdays and Fridays when the Order of the Day is called for the House to go into Committee of Supply, or of Ways and Means, Mr. Speaker shall leave the Chair without putting any question, provided that, except by the consent of the House, the estimates of each department shall be first taken up on a day other than Thursday and Friday.

YEAS:

Messieurs:

Alguire,
Ames,
Armstrong (Lambton),
Armstrong (York,O.),
Arthurs,
Baker,
Ball,
Barker,
Barnard,
Barrette,
Beattie,
Bennett (Simcoe),
Best,
Blain,
Blondin,
Borden,
Bowman,
Boyce,
Boys,
Brabazon,
Bradbury,
Broder,
Burnham,
Burrell,
Clare,
Clark (Bruce),
Clarke (Wellington),
Clements,
Cochrane,
Cockshutt,
Coderre,
Crocket,
Cromwell,
Crothers,
Currie,
Davidson,
Donnelly,
Edwards,
Elliot,
Fisher,
Forget (Sir Rodolphe),
Fowler,
Fripp,
Garland,
Gauthier (Gaspé),
Girard,
Green,
Hartt,
Henderson,
Hepburn,
Hughes (Victoria, O.),
Jameson,
Kemp,
Lalor,
Lancaster,
Lavallée,
Lesperance,
Lewis,
Macdonell,
McCurdy,
McKay,
McLean (Queen's, P.E.I.),
Marshall,
Meighen,
Merner,
Middlebro,
Morphy,
Nantel,
Nicholson,
Nickle,
Northrup,
Osler (Sir Edmund),
Paquet,
Paul,
Pelletier,
Perley,
Porter,
Rainville,
Reid (Grenville),
Rhodes,
Robidoux,
Rogers,
Schaffner,
Sevigny,
Sexsmith,
Sharpe (Ontario),
Shepherd,
Smith,
Smyth,
Stanfield,
Steele,
Stevens,
Stewart (Hamilton),
Stewart (Lunenburg),
Sutherland,
Taylor,
Thoburn,
Thompson (Yukon),
Thornton,
Tremain,
Walker,
Wallace,
Webster,
Weichel,
White (Leeds),
White (Renfrew),
Wilcox,
Wilson (Wentworth)
Wright.—108.

NAYS:

Messieurs:

Boivin,
Bourassa,
Boyer,
Brouillard,
Bureau,
Cardin,
Carroll,
Carvell,
Champagne,
Charlton,
Chisholm (Antigonish),
Chisholm (Inverness),
Clark (Red Deer),
Cruise,
Delisle,
Demers,
Devlin,
Douglas,
Emmerson,
Ethier,
Fortier,
Gauthier (St. Hyacinthe),
Gauvreau,
Graham,
Guthrie,
Hughes (King's,P.E.I.),
Kay,
Kyte,
Lachance,
Lafortune,
Lanctot,
Lapointe (Kamouraska),
Lapointe (Montreal, St. James),
Laurier (Sir Wilfrid),
Law,
Lemieux,
Loggie,
Lovell,
Macdonald,
Maclean (Halifax),
McCraney,
McCoig,
McCrea,
McKenzie,
McLean (Sunbury),
McMillan,
Marcile (Bagot),
Martin (Montreal, St Mary's),
Martin (Regina),
Michaud,
Molloy,
Murphy,
Nesbitt,
Neely,
Oliver,
Pacaud,
Papineau,
Pardee,
Power,
Proulx,
Reid (Restigouche),
Richards,
Robb,
Ross,
Seguin,
Sinclair,
Thomson (Qu'Appelle),
Tobin,
Turgeon,
Verville,
Warnock,
White (Victoria, Alta),
Wilson (Laval).—73.

PAIRS:

Ministerial.	Opposition.
Foster (Toronto),	Clarke (Essex),
Roche	Gordon,
Bristol,	Bickerdike,
Elson,	Cash,
Sharpe (Lisgar),	Knowles,
Aikins,	Turriff,
Bennett (Calgary),	Buchanan,
Munson,	German,
Foster (Kings),	Brown,
Chabot,	Beland,
Morrison,	MacNutt,
Hazen,	Pugsley,
Doherty,	Marcil (Bonaventure),

Motion (Mr. Borden) agreed to.

On motion of Mr. Borden, House adjourned at 12.50 a.m., Thursday.

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Abbreviations: 1r., 2r., 3r.=first, second, or third reading. Amdt.=Amendment. Com.=Committee. Con.=Consideration. Div.=Division. M.=Motion. Rep.=Report. Res.=Resolution. Sec.=Section.

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